

**RULES AND REGULATIONS OF THE CIVIL SERVICE BOARD  
FOR THE EXAMINATION AND APPOINTMENT OF APPLICANTS  
IN THE BUREAU OF FIRE FOR THE CITY OF LANCASTER**

**RULE I  
AUTHORITY**

Section 1.1 Pursuant to the Third Class City Code, 53 P.S. § 39401 et seq., no person may be appointed to any uniformed position in the fire department, excluding chiefs, without having first passed all the examinations required by the Civil Service Board.

Section 1.2 The Civil Service Board shall have the power and its duty shall be to prepare and adopt rules and regulations, subject to the approval of City Council, which, in the Board's discretion, are best adapted to securing and maintaining the best service for the City of Lancaster for the selection, appointment and promotion of persons who are qualified to perform the work.

Section 1.3 The rules and regulations adopted by the Board shall provide for ascertaining and determining the knowledge, skills, aptitude, mental and physical abilities, experience, education and character of all applicants.

**RULE II  
DEFINITIONS**

Unless otherwise expressly stated, the following words and phrases, wherever used in these rules and regulations shall be construed to have the following respective meanings:

- A. "Applicant" shall mean a person who applies for original appointment with, or promotion to a position in the Bureau of Fire for the City of Lancaster, Pennsylvania where such position is subject to the rules and regulations of the Civil Service Board of the City of Lancaster.
- B. "City Council" shall mean the City Council of the City of Lancaster, Pennsylvania.
- C. "Certification" shall mean the submission to City Council of the names of applicants contained in the final Eligible list for the applicable position.
- D. "Chairperson" shall mean the Chairperson of the Civil Service Board of the City of Lancaster.
- E. "Civil Service Board" or "Board" shall mean the Civil Service Board of the City of Lancaster.
- F. "Mayor" shall mean the duly elected Mayor of the City of Lancaster.
- G. "Eligible" shall mean a person whose name is recorded on a current Eligible list.
- H. "Eligible list" shall mean a list of names of the persons who have passed all of the required examinations for a particular position in the Bureau of Fire.

- I. “Secretary” shall mean the secretary of the Civil Service Board.
- J. “City” shall mean the City of Lancaster, Pennsylvania.

RULE III  
**THE CIVIL SERVICE BOARD**

Section 3.1 The Board shall consist of three citizens who shall be appointed for terms of four years or until their successors are appointed. City Council may also appoint three alternates to the Civil Service Board for purposes of making a quorum at any meeting, and to be appointed as designees of the Civil Service Board at the Civil Service Board’s discretion. Any person who is a registered elector of the City of Lancaster may be appointed to the Board. No City officer, official or employee shall be eligible for appointment to the Board. No salary or other compensation shall be paid to any member of the Board.

Section 3.2 The Civil Service Board shall elect one of its members as Chairperson and one as Vice-Chairperson at the first meeting of each year. The Chairperson, or in his or her absence the Vice-Chairperson, shall preside over all meetings of the Board, decide all points of order or procedure, and perform any duties required by law or these rules. The Chairperson shall be authorized to administer oaths and affirmations for witnesses testifying in matters before the Board.

Section 3.3 The Board shall appoint a Secretary who, at the direction of the Board, shall carry out all official correspondence of the Board, send out all notices required by law or by these rules and regulations, keep a record of each examination or other official action of the Board, and perform all other duties required by law, these rules and regulations, or the Board. The Secretary is subject to removal at any time by the Board. City Council shall establish the compensation to be paid to the Secretary.

Section 3.4 The Board shall meet as needed to address issues that may arise which fall within their purview. The Board shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by existing law. A minimum twenty-four (24) hours written notice of the time and place of each meeting shall be given to each member of the Board.

Section 3.5 A quorum of the Board shall consist of two (2) members. All actions of the Board shall require the concurrence of at least two (2) members.

Section 3.6 The order of business of all meetings of the Board shall be as follows: roll call, approval of minutes of previous meetings, communications and reports, unfinished business, and then new business.

Section 3.7 The Secretary shall keep minutes of the Board’s proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. In the event the Secretary is absent, the Chairperson shall appoint a temporary Secretary from the members of the Board present.

Section 3.8 The Board shall have the power to make investigations concerning all matters relating to the administration and enforcement of its rules and regulations. The Board shall have the power to issue subpoenas over the signature of the Chairperson or designee and to require attendance of witnesses and the production of records and papers pertaining to matters before the Board, including any background investigation conducted pursuant to any applicable rules or regulations.

RULE IV  
**APPLICATION FOR APPOINTMENT OR PROMOTION**

**Section 4.1** Whenever the Board shall be requested to prepare a new list of persons eligible for appointment to the Bureau of Fire of the City of Lancaster, PA, the Secretary of the Board or other person designated by the Secretary shall cause to be published an advertisement setting forth that applications for examinations to such positions shall be received, which said notice shall also specify the last day applications will be received.

**Section 4.2** Every applicant for an appointment or promotion with the Bureau of Fire shall secure an application and a copy of the Rules and Regulations of the Civil Service Board from the Fire Bureau of the City of Lancaster or the City's Human Resources Bureau.

**Section 4.3** All applications shall be filed with the Bureau of Human Resources. When made available by the City, applications may be submitted and signed electronically. The Secretary shall refuse to accept any application which is incomplete, not properly executed or which is not filed on or before the last day fixed in the notice for applications to be received. An application shall be considered incomplete, unless accompanied by an application fee, if any, as may be established from time to time by the Board. The application must be completed and signed by the Applicant. The Bureau of Human Resources shall time stamp all applications when they are received.

**Section 4.4** No person who has been a member of the Bureau of Fire of the City of Lancaster, or other employee of the City of Lancaster, who has been discharged, or resigned in lieu of termination, shall be permitted to file an application for a position with the Bureau of Fire. No person who has applied to become a member of the Bureau of Fire within the two (2) years prior to filing their application shall be permitted to file a subsequent application for employment with the Bureau of Fire where such applicant was previously denied employment based upon disqualifying information discovered during the Applicant's background investigation.

**Section 4.5** Each Applicant to be examined must be a citizen of the United States.

**Section 4.6** Applicants for a position with the Bureau of Fire must be high school graduates and possess a valid high school diploma, or, in the alternative, a GED certificate.

**Section 4.7** The Civil Service Board, the City of Lancaster and the Bureau of Fire are committed to equal opportunity employment. Accordingly, all recruiting, hiring and promoting for all job classifications is made without regard to race, color, religion, age (40 and over), sex, national origin, ancestry, disability, veteran status, sexual orientation, genetic information or information, or any other legally protected characteristic. Only valid requirements for the application process, employment and promotional opportunities are imposed. In addition, no question in any application form or at any examination shall be knowingly framed as to elicit information concerning the political or religious opinions or affiliations of any Applicant.

**Section 4.8** The Civil Service Board may refuse to examine an Applicant or, after examination, or refuse to place upon the eligibility list any Applicant who, is found to have or meets any of the below criteria,:

- A. Is found to lack sufficient judgment, moral character or any of the established preliminary requirements for the examination or position of employment in question;
- B. Is an abuser of intoxicating liquors or user of unlawful controlled substances or who fails to pass a drug test;

- C. Who has been convicted of arson or other disqualifying criminal offense;
- D. Fails to hold a valid motor vehicle license;
- E. Has made false statements of any fact, a material omission, or practiced or attempted to practice any deception or fraud in the Applicant's application, examination, or in otherwise securing the Applicant's eligibility;
- F. Whose references, in the judgment of the Civil Service Board, are not satisfactory either in quantity or quality;
- G. Refuses to comply with the rules and regulations of the Civil Service Board as set forth herein, or has failed to properly and thoroughly complete all parts of the application;
- H. Is unable to perform the essential functions of the position applied for with or without reasonable accommodation;
- I. Whose work history demonstrates repeated poor performance or disciplinary problems, or who has been dismissed from public service for misconduct or been forced to resign in lieu of termination;
- J. Is not at least eighteen (18) years of age at the time of the application; or
- K. Does not meet the eligibility requirements for promotion as set forth in Chapter 67 of the Code of the City of Lancaster.

**RULE V**  
**EXAMINATION ELEMENTS**

**Section 5.1** The Board shall, in its discretion, require an Applicant for an original appointment for a position with the Bureau of Fire to complete any combination of the examinations or tests set forth below:

Step	Element	Scoring/Weighting
1.	Physical Fitness Test	Pass/Fail
2.	Oral Examination	As established by Board
3.	Written Examination	As established by Board
4.	Background Investigation	Pass/Fail
5.	Psychological Examination	Pass/Fail
6.	Medical Examination	Pass/Fail

**Section 5.2** At least once per year, the Board, or its designated agent(s), shall establish and publicize the passing scores and weighting for any written examinations to be administered as a part of the examination process.

**Section 5.3** In its discretion, the Board may contract with any competent test provider to administer any of the steps set forth in Section No. 5.1, above. The Board reserves the right to amend, modify or alter the examinations required for the proper and necessary purpose of determining an Applicant's qualifications and requirements for the position with the Bureau of Fire.

Section 5.4 Adequate public notice of the time and place of examinations will be given at least one week prior to the date of examinations. The notice will be placed in a conspicuous place in City Hall and published on the City's website. All eligible applicants will be notified by mail or email of the time and place of the examination at least four days prior to the examination.

Section 5.5 The examination and requirements for promotions in the Bureau of Fire shall be conducted in accordance with the Code of the City of Lancaster, Chapter 42 as may be amended from time to time.

Section 5.6 All Applicants for a position with the Bureau of Fire will be required to undergo fingerprinting at the direction of the Board (or its designated agents) as part of the Board's background investigation.

## RULE VI **PHYSICAL FITNESS TEST**

Section 6.1 All Applicants for original appointment with Bureau of Fire shall undergo a physical fitness examination which shall be administered on behalf of the Board (or its designated agents) in accordance with standards adopted by the Board. The physical fitness test shall be closed to the general public. Only Board members and their designated agents shall be permitted to observe the physical fitness test.

Section 6.2 Prior to undergoing the physical fitness examination, all Applicants for original appointment shall sign a document which indicates that they possess an adequate level of fitness to undergo the examination.

Section 6.3 The Board, in its discretion, shall select whether to authorize and administer the Certified Physical Ability Test by the International Association of Fire Chiefs and the International Association of Fire Fighters (CPAT) or to administer the following alternate physical test.

In the event the alternate test is selected, the requirements are as follows:

- A. The Applicant shall run one and one-half (1 1/2) miles in 13 minutes;
- B. The Applicant shall perform 35 bent-knee sit-ups within 2 minutes; and
- C. The Applicant shall complete one of the following:
  1. Flexed arm hang 0 minimum time: 8 seconds (palms away);
  2. Pull-ups — minimum: 7 (palms away); or
  3. Push-ups - (standard) — minimum: 25;
- D. The Applicant shall be give a length of hose weighing at least 20 lb. The Applicant shall then be required to walk the length of a beam without falling off or stepping off the beam, while carrying the length of hose. The beam shall be secured to a level floor and measuring approximately 20 ft. long by 3 to 4 in. wide;
- E. The Applicant shall be given a weight of 125 lb. and shall lift the weight from the floor and carry the weight 100 ft. without stopping;

- F. The Applicant, starting from an erect position with feet apart, approximately shoulder width apart, shall move a 15 lb. weight in the following manner:

Bend over, grasp the weight with both hands while it is at a point on the floor between the feet, and lift weight to waist level, then place the weight on the floor approximately 12 in. outside the left foot, and without letting go, raise the weight to waist level and touch it to the floor about 12 in. outside the right foot. The weight shall then be moved alternately in this fashion from left foot, to waist level, to right; right to waist level to left until it has been moved 7 times in each direction with the total horizontal distance of travel being at least 24 in. more than the space between the feet for each of the 14 moves. This shall be done in less than 35 seconds; and

- G. Each Applicant shall climb an unsupported aerial ladder extended seventy (70) feet from the platform to the top, touching the tip of the ladder and proceeding back down the ladder to the platform. The test is to be completed in a continuous climb and descent without any stops or hesitation. The angle of the climb for the ladder shall be seventy (70) degrees.

After completing each section of the physical fitness tests, each Applicant must be allowed a five (5) minute rest.

The Board, in its discretion, reserves the right to amend or modify the requirements of the alternate test.

Section 6.4 The physical agility examination shall be graded on a pass/fail basis.

## RULE VII WRITTEN EXAMINATION

Section 7.1 Each Applicant must pass the written examination conducted by the Civil Service Board before becoming eligible to take the medical examination.

Section 7.2 All written examinations shall be conducted in such place and in such manner as approved by the Board. No Applicant will be admitted after the designated cutoff time for the commencement of testing.

Section 7.3 A member of the Civil Service Board, the Secretary or their designee, shall be in constant attendance during all examinations except background checks, medical examinations and psychological examinations.

Section 7.4 Each Applicant reporting for a written examination shall be given an identifying number by the Secretary of the Board, his or her designee, or a Board member in attendance. There shall be a list of assigned numbers. The names of the Applicants and this list shall be sealed in an envelope prior to the commencement of the examination and given to the Secretary upon completion of the examination.

Section 7.5 The Applicant taking the examination shall place the identifying number assigned to him or her on the Applicant's examination papers. Under no circumstances shall the Applicant's name or any other identification be placed on the examination papers. The Board reserves the right to disqualify any examination paper marked in a manner other than specified.

Section 7.6 No one but the Applicants taking the examination, the Secretary of the Board, Board members, or other persons designated by the Board to act officially shall be allowed in the room where examinations are being conducted.

Section 7.7 No Applicant shall be permitted to bring into the examination room any book, notebook, paper or other device or materials which might assist the applicant in answering questions, unless otherwise permitted by the testing provider. Any conflict between the rules of testing provider and these Civil Service rules and regulations shall be controlled by the testing provider's policies. Further, in the instance that there is a conflict between the testing provider's policies and these regulations, applicants and/or test takers, and any appropriate unions, will be advised prior to commencement of the examination, of the test company's policies that do not conform to these regulations.

Section 7.8 No Applicant shall be permitted to converse, or otherwise communicate, with any other Applicant during the examination, nor to any other person except the Secretary of the Board, Board members, or persons assigned by the Board to act officially in administering the examination.

Section 7.9 No Applicant shall assist another Applicant or be assisted by another person whatsoever, during the time of the examination, except in cases where the Applicant may require a reasonable accommodation to complete the examination. Applicants who require a reasonable accommodation to complete the examination must notify the Board (or its designated agent) at least two weeks prior to the examination date.

Section 7.10 No Applicant shall be permitted to leave the examination room during the examination except with permission of a Board member or its representative in attendance. Any Applicant leaving the room for a bathroom break must be accompanied by a Board member or its representative. When the Applicant has completed the examination, the Applicant may ask to leave and shall return his or her papers to the person or persons administering the examination and leave, but may not return.

Section 7.11 The Board, or its designated agent, shall establish procedures for safeguarding impartiality during the grading of an Applicant's answers to any portion or step in the testing process.

Section 7.12 The examinations shall be scored under the direction of the Board, or its designated agents, ensuring complete impartiality in scoring the examinations.

Section 7.13 At the convenience of the Board, the Chairperson shall call a meeting for the purpose of evaluating examination results. The Secretary shall deliver the envelope containing the names and identifying numbers of the Applicants to the Chairperson or designated Board member who shall open it in the presence of the Board.

Section 7.14 In all cases, the Board shall have the right to establish a minimum passing grade for each examination, which passing grade shall be announced prior to the commencement of the examination, in accordance with Article XVI hereof.

## RULE VIII ORAL EXAMINATION

Section 8.1 An Oral Review Board consisting of at least two Fire Officers of the Bureau of Fire of the City of Lancaster and also consisting of an individual from the City's Bureau of Human Resources shall administer an oral examination. In lieu of having two Fire Officers of the Bureau of the Fire of the City of Lancaster, the Oral Review Board may consist of one officer of the Bureau of Fire of the City of Lancaster and a current or former officer of another paid fire company having achieved the rank of Fire Chief or Deputy Fire Chief, along with an individual from the City's Bureau of Human Resources. Applicants will generally be scheduled for the Oral

Board based on the written examination score plus any additional points and who meet all other requirement as set forth throughout these rules. At least one member of the Civil Service Board shall be present during the oral examinations.

Section 8.2 Applicants shall be graded according to guidelines that are developed and approved by the Civil Service Board. The Oral Review Board shall grade each individual numerically in various areas, which will then be added to arrive at a final score.

Section 8.3 All Applicants shall be asked the same number of questions. Questions used in the exam shall be approved by the Civil Service Board. All members of the Board and applicants are required to treat the questions as confidential and not disclose them to any other person or entity.

Section 8.4 All information concerning the ratings related to the oral examinations shall be provided to the Secretary of the Civil Service Board who shall retain that information.

Section 8.5 Oral examination of Applicants for promotion shall be governed by the Code of the City of Lancaster, Chapter 42 as may be amended from time to time.

## RULE IX **PHYSICAL MEDICAL EXAMINATIONS**

Section 9.1 The Board, in its discretion, may conduct a physical medical examination of Applicants for the position with the Bureau of Fire. This physical examination shall include, but is not limited to, a drug and alcohol screening.

Section 9.2 The physical medical examination shall be administered to Applicants only upon their having passed all other steps and having received a conditional offer of employment from the City of Lancaster.

Section 9.3 The medical requirements are set forth in the most recent edition of the NFPA 1500 Standard of Fire Department Occupational Safety and Health Program.

Section 9.4 Physical medical examinations shall be under the direction of a physician or other qualified medical professional appointed by City Council. The physician or other qualified medical professional shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the individual's ability to perform all of the essential functions of the position for which the individual was conditionally appointed. By consenting to the medical examination, the Applicant agrees that the results of the examination may be released to the Fire Chief, or their designee.

Section 9.5 If the opinion of the physician or qualified medical professional calls into question the conditional appointee's ability to perform all essential functions of a position, the Chief of the Bureau of Fire, or their designee, shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether s/he can, with or without reasonable accommodation, perform all of the essential functions of the position.

Section 9.6 If, upon conclusion of the discussion referenced in Section 9.5, above, the Chief, or their designee, determines that the conditional appointee is not qualified, the Chief shall give



notice to the conditional appointee and the Board. If the Applicant is rejected, a brief statement of the reasons for rejection shall be entered in the report of the medical examination.

Section 9.7 The findings of the examining physician or other qualified medical professional will be final.

Section 9.8 The physical medical examination will be graded on a pass/fail basis.

Section 9.9 The physical medical examination will be conducted without cost to the Applicant.

Section 9.10 Applicants must be at least 18 years of age at the time of the medical examination.

Section 9.11 If, in the judgment of the Board, after an Applicant has been medically certified, there exists any change in the fitness of the Applicant, regardless of whether such change has been reported by the Applicant, the Board may require the Applicant to submit to a further medical examination before being certified for appointment.

## RULE X PSYCHOLOGICAL EXAMINATIONS

Section 10.1 The Board, in its discretion, may conduct a psychological examination of Applicants for a position with the Bureau of Fire.

Section 10.2 The psychological examination shall be administered to Applicants only upon their having passed all other steps and having received a conditional offer of employment from the City of Lancaster.

Section 10.3 Psychological examinations shall be under the direction of a psychiatrist or psychologist appointed by City Council. The psychiatrist or psychologist shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the individual's ability to perform all of the essential functions of the position for which the individual was conditionally appointed. By consenting to the psychological examination, the Applicant agrees that the results of the examination may be released to the Fire Chief, or their designee.

Section 10.4 If the opinion of the psychologist or psychiatrist calls into question the conditional appointee's ability to perform all essential functions of a position, the Fire Chief, or their designee, shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether s/he can, with or without reasonable accommodation, perform all of the essential functions of the position.

Section 10.5 If, upon conclusion of the discussion referenced in Section 10.4, above, the Chief, or their designee, determines that the conditional appointee is not qualified, the Chief shall give notice to the conditional appointee and the Board. If the Applicant is rejected, a brief statement of the reasons for rejection shall be entered in the report of the psychological examination.

Section 10.6 The findings of the examining psychologist or psychiatrist will be final.

Section 10.7 The psychological examination will be graded on a pass/fail basis.

Section 10.8 The psychological examination will be conducted without cost to the Applicant.

Section 10.9 If, in the judgment of the Board, after an Applicant has been psychologically certified, there exists any change in the mental fitness of the Applicant, regardless of whether such change has been reported by the Applicant, the Board may require the Applicant to submit to a further psychological examination before being certified for appointment.

## RULE XI **BACKGROUND INVESTIGATIONS**

The Bureau of Human Resources, or its designee, will undertake an appropriate investigation into the character and reputation of each Applicant for a position with the Bureau of Fire and Applicant for promotion. Applicants are required to provide written authorization to the Board expressly permitting such background investigation.

## RULE XII **VETERANS' PREFERENCE**

Section 12.1 In accordance with 51 Pa.C.S. Ch. 71, a veteran who meets the qualifications for conditions of the position under these rules, which, include, but is not limited to successfully passing the weighted examinations provided for in these rules, shall receive an additional ten points on the examination.

Section 12.2 Any Applicant for original appointment who desires to receive consideration as a veteran must submit evidence of military service in the United States armed forces, including, but not limited, proof of a final, honorable discharge. An Applicant awarded a discharge or release that is dishonorable, bad conduct, undesirable, a dismissal or any other type of discharge or release given under conditions other than honorable would not be entitled to a veterans' preference.

Section 12.3 In order to receive veterans' preference as specified under the applicable laws and regulations of the Commonwealth of Pennsylvania, an Applicant for original appointment must first attain a passing grade on all examinations required by the Board.

Section 12.4 If, after the additional ten points are granted, a veteran is on the list of three eligible applicants, the veteran shall receive a preference in hiring over nonveterans on that list.

Section 12.5 The preference provided by this section shall constitute the only preference with regard to a uniformed civil service position to which a veteran is entitled under applicable law.

Section 12.6 Applicants for promotion are not entitled to receive veterans' preference points.

RULE XIII  
**CADET PREFERENCE POINTS**

Section 13.1 Additional points will be added to the weighted examination score of any Applicant for original appointment and who, as determined by the Chief in his discretion, has successfully completed a Cadet Program, which shall have been duly adopted by City Council and the Civil Service Board. As of the date of issuance of these regulations, no such Cadet Program has been adopted.

Section 13.2 Such successful Applicants will be awarded five (5) preference points.

Section 13.3 In order to receive the Cadet preference points as specified under these rules, an Applicant for original appointment must first attain a passing grade on all weighted examinations required by the Board.

Section 13.4 In order to receive the Cadet preference points, the Applicant must not have been subject to disciplinary action during the course of their employment. The job performance evaluation of such person must also indicate probable satisfactory performance as a firefighter, as determined by the Chief.

Section 13.5 Applicants for promotion are not entitled to receive cadet preference points.

RULE XIV  
**RESIDENCY PREFERENCE POINTS**

Section 14.1 Upon passing the weighted examination(s) required by the Board, an Applicant for original appointment who has maintained a bona fide residence within the boundaries of the City shall receive one (1) preference point per year for every consecutive year of residency, up to a total of nine (9) points.

Section 14.2 In order to receive residency preference points, the Applicant must be a City resident at the time of application and will be required to furnish proof of residency satisfactory to the Board.

Section 14.3 In order to receive the residency preference points as specified under these rules, an Applicant for original appointment must first attain a passing grade on all weighted examinations required by the Board.

Section 14.4 Applicants for promotion are not entitled to receive residency preference points.

Section 14.5 Only non-veteran Applicants are entitled to residency preference points. A non-veteran Applicant can only receive a maximum of nine (9) preference points as a result of a combination of residency and bi-lingual preference points.

RULE XV  
**BI-LINGUAL PREFERENCE POINTS**

Section 15.1 Upon passing the weighted examination(s) required by the Board, an Applicant with demonstrated fluency in a foreign language (at least at a fourth grade level) shall be granted five (5) preference points.

Section 15.2 In order to receive bi-lingual preference points, an Applicant will be required to pass a language test provided for, and approved by, the Board.

Section 15.3 Applicants for promotion are not entitled to receive bi-lingual preference points.

Section 15.4 Only non-veteran Applicants are entitled to bi-lingual preference points. A non-veteran Applicant can only receive a maximum of nine (9) preference points as a result of a combination of residency and bi-lingual preference points.

#### RULE XVI **RATING ELIGIBILITY LIST**

Section 16.1 Only individuals who score 70% or above on both the written test and oral examination in addition to the other requirements as set forth in these regulations shall have their name entered on the final eligibility list.

Section 16.2 An applicant's final score shall be calculated as follows:

Written examination – 60% of score

Oral examination – 40% of score

Section 16.3 Any preference points as described above shall be added to an Applicant's score only after the minimum score of 70% has been achieved. Applicants must achieve a score of 70% or more in both the oral and written examinations.

#### RULE XVII **CERTIFICATION OF LISTS**

Section 17.1 Applicants shall be duly notified by the Board of the results of their examinations. Any Applicant who feels aggrieved by the grades given the Applicant on any examination or disputes the validity of the testing process itself, may upon written request have such grades or testing process, clarified or reconsidered by the Board. All requested explanations or reconsiderations shall be given at the discretion of the Board. All such requests for explanations or reconsideration must be filed within fifteen (15) days after the date of the publication of the Eligible list. An Applicant's failure to request an explanation or reconsideration within the fifteen (15) day timeframe will result in a summary denial of the request. Following the Board's reconsideration, any decision by the Board shall be final.

Section 17.2 The Board shall make and keep, in numerical order, a list containing the names of all Applicants who pass the required examinations, including any required physical fitness or agility examinations that are job-related and consistent with business necessity.

Section 17.3 Written and oral examinations used to establish an eligibility list shall offer the opportunity to achieve one hundred percentage points.

Section 17.4 If both written and oral examination methods are used in conjunction with each other, the Board, prior to initiating testing, shall establish what constitutes a passing score on each portion of the examination. If only a written examination method is used, the Board shall establish the passing score before the examination is conducted.

Section 17.5 In the event of two Applicants having identical compiled scores, their positions on the eligibility list shall be decided by the time and date the Applicant's application was received by the Fire Bureau, with the earlier application receiving preference.

Section 17.6 When more than one person takes examinations for any position at the same time, the names of all those successfully passing the examination shall be entered upon the Eligible list in the order of their respective point totals, the highest coming first.

Section 17.7 The Board shall furnish to City Council and the Mayor a certified copy of the Eligible list for applicants for original appointment. Such list shall be maintained for a period of two years or until a new list is certified to City Council, whichever occurs first. The Board, or its designee, shall provide notice to the Applicants on the voided list, or whose eligibility period has expired, that their eligibility has terminated and they must reapply and retake the examinations to be considered for positions in the future.

Section 17.8 Whenever Council is advised by the Mayor or Fire Chief that an original appointment is to be made to the Bureau of Fire, the Mayor, as Director of the Department of Public Safety, shall make written application to the Chairperson of the Board, who shall forthwith certify to the Mayor and City Council, in writing, the three names on the eligibility list of applicants for the position having the highest number of points, unless there are less than three eligible names on the list, in which event the Board shall certify the names. The Mayor shall nominate to City Council a person from the Eligible list submitted to fill the vacancy.

Section 17.9 If City Council approves the nomination for original appointment, the person nominated shall be conditionally appointed by City Council to fill the vacancy, and shall be assigned for service in the Bureau of Fire, subject to any required physical or psychological medical examinations that may be required by the Board as a condition of permanent appointment.

Section 17.10 If City Council does not approve the nomination for original appointment, or if the appointee is determined by the medical examination process to be unqualified, then Mayor shall submit another nomination for the position from the remaining names, if any. If the nomination is not approved by City Council, or if the appointee is determined by the medical examination process to be unqualified, the Mayor shall submit the third name, if any.

Section 17.11 The person whose nomination by the Mayor is approved by City Council shall be appointed to fill the civil service position under consideration.

Section 17.12 The name of the person so appointed shall be immediately stricken from the certified list of the Board, and, except as otherwise provided in this rule, the names of the non-appointed persons shall immediately be restored to their proper place on the certified list. In accordance with Pennsylvania Law, If the name of any applicant has been submitted to City Council and been rejected three times or City Council and the conditional applicant has not been appointed for three such times or the conditional applicant has been determined by the medical examination process to be unqualified, then the name shall be stricken from the certified list. Should the law of Pennsylvania change regarding the provisions of this Section 19.11, the requirements hereunder shall be eliminated. Any action by the Board with respect to the provision hereof shall at all times comply with Pennsylvania law and it is intended that this provision shall be modified automatically and at all times to conform with applicable law.

Section 17.13 The Eligible list shall be annually examined by the Board for the purpose of deleting therefrom persons who are permanently unavailable for or disqualified for the position or positions involved, either by death, permanent removal from the area, or otherwise.

Section 17.14 In order to remain on the Eligible list, if an individual is on the Eligible list without appointment for a period of one year or more, the Applicant may be requested to take and pass another physical medical examination and/or psychological examination by the health care provider engaged by the Board.

Section 17.15 All examination papers, together with all other papers concerning Civil Service Board examinations, shall be kept by the Secretary of the Board for a period of not less than five years from the date of the examination.

Section 17.16 Section Nos. 17.6-17.10, above, apply solely to original appointments. All appointments for promotion shall be governed by Chapter 42 of the Code of the City of Lancaster.

## RULE XVIII ORIGINAL APPOINTMENTS

After an Applicant successfully passes all the required testing and background checks of the Board, the Applicant will be placed on a list according to scores achieved. The Applicant must complete training at a Fire Bureau approved fire training school and receive certification as Firefighter Level II. During the fourteen (14) week fire training and certification period, an Applicant shall be considered a Lancaster City employee (Firefighter Trainee). Following completion of such training, the Applicant may receive an appointment to a position in the Lancaster Bureau of Fire, which appointment shall be for a probationary period of six (6) months from the time sworn in. A trainee or appointee may be dismissed at any time and for any reason during the training or probationary period, or if at the close of the training or probationary period the conduct or ability of the trainee or probationer is not satisfactory to the Fire Chief. In that case, the trainee or probationer shall be notified in writing by the appointing officer that he/she will not receive permanent appointment, whereupon, their employment will cease. The Chief of the Fire Bureau shall conduct a sufficient and periodic review of all Applicants, trainees and probationer appointees during such training and probationary periods.

RULE XIX  
**TEMPORARY APPOINTMENTS**

When there are urgent reasons for filling a vacancy and there is no list of persons eligible for appointment after competitive examination, a temporary appointment may be made without examination. Such appointment may continue no longer than ten (10) days after the establishment of a suitable eligibility list and in no case shall it continue longer than three (3) months.

In case of riot or other public emergency, temporary appointments of firefighters may be made without examination. Such appointments shall terminate as soon as the public emergency which led their appointment is at an end.

RULE XX  
**SUSPENSION, DISCHARGE AND DISCIPLINE**

Section 20.1 All employees subject to civil service shall be subject to suspension, discharge and discipline by the director of the department in which the employee works for misconduct or violation of any law of this Commonwealth, ordinance of the city or regulation of the department. If it should become necessary to reduce the number of employees in said department for purposes of economy, seniority rights shall prevail, and any and all removals for such cause or causes shall be from the members last appointed, and the member or members serving the shortest time shall be removed first; but members with longer times of service may be discharged for cause. Any employee aggrieved by the suspension, discharge or discipline imposed by a department director more serious than a suspension of three days without pay may request a hearing before City Council, or by the Board if designated by ordinance. At the hearing, the employee may be represented by counsel.

Section 20.2 Any civil service employee aggrieved by the decision of the Council or the Board shall have the right to appeal in accordance with 2 Pa.C.S. Ch. 7 Subch. B (relating to judicial review of local agency action). This review shall be exclusive. Where no such appeal is taken within the time prescribed by law, the decision by City Council or the Board shall become final in accordance with the law. The issue before the court shall be whether the action of City Council or the Board shall be affirmed or be modified in any respect or whether the charges should be dismissed or whether the suspension or demotion made by the director shall be affirmed or rescinded. Where any employee has been suspended and the charges are dismissed or the suspension rescinded on appeal, the employee shall receive full compensation for the entire period of suspension.

Section 20.3 In any case in which a police officer or firefighter who is a member of a bargaining unit is subject to suspension, discharge or discipline, the police officer or firefighter shall have the option of challenging the suspension, discharge or discipline imposed by using the procedures provided in Section 18.1 or by a proceeding in grievance arbitration. A choice to proceed either by Section 18.1 or by grievance arbitration shall foreclose the opportunity to proceed in the alternative method.

RULE XXI  
**RESERVATION OF RIGHTS**

Section 21.1 Upon recommendation of the Chief of the Fire Bureau, and approval by the Board, any of these Rules and Regulations may be waived or modified by the Board, except those mandated pursuant to statute.

Section 21.2 These Rules and Regulations are declared to be severable.

RULE XXII  
**PUBLIC EMPLOYMENT**

No paid firefighter under Civil Service shall hold any other public office.

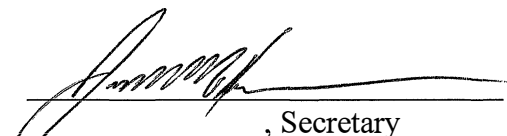
RULE XXIII  
**APPEALS**

Any Applicant aggrieved by any decision of the Bureau of Fire or decision or action of the Civil Service Board may appeal that action or decision by filing with the Secretary of the Civil Service Board a written request for a hearing within ten (10) days of the occurrence of the aggrieved action. The written request shall include specific details as to the matter complained of and appealed in sufficient detail that the Board can determine from such written notice the name of the matter being appealed of or complained of. The Board shall thereafter schedule and conduct a public hearing on the matter complained of. All findings of the Board on such appeal shall be provided in writing to the Applicant.

CIVIL SERVICE BOARD  
CITY OF LANCASTER

  
\_\_\_\_\_  
Chairperson

CERTIFIED TO BE A TRUE  
AND CORRECT COPY.

  
\_\_\_\_\_, Secretary  
Civil Service Board of the City of Lancaster

Date: 4/11/2023