

CITY OF WAXAHACHIE
Firefighters' and Police Officers' Civil Service Commission
Meeting Agenda

A regular meeting of the **Firefighters' and Police Officers' Civil Service Commission** of the City of Waxahachie, Texas will be held at the Charles Beatty Municipal Services Building in the Mean Green Conference Room, 408 S. Rogers, Waxahachie, TX 75165, on Wednesday, June 5, 2024, at 12:00 P.M.

Commission Members:	Bob Aday, Chair
	Teresa McNiel, Vice-Chair
	Jackie Mims

1. Call to order
2. Invocation
3. **Public Comments:** Persons may address the Civil Service Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
4. Approve April 3, 2024 meeting minutes.
5. General Business
 - a. Action Items
 - i. Consider proposed update to the City of Waxahachie Civil Service Local Rule 3.06 and 5.01.
6. Waxahachie Fire Rescue
 - a. Action Items
 - i. Consider approval for an entry Firefighter written examination and physical ability test to be held on July 20, 2024.
 - b. Items for Discussion (no action will be taken on discussion items).
 - i. None
7. Waxahachie Police
 - a. Action Items
 - i. None
 - b. Items for Discussion (no action will be taken on discussion items).
 - i. None
8. Commission member and meeting attendee comments.
9. Adjournment

The Civil Service Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX.

The meeting location is wheelchair accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours before the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

CITY OF WAXAHACHIE
Firefighters' and Police Officers' Civil Service Commission
Meeting Minutes

(4)

A special meeting of the **Firefighters' and Police Officers' Civil Service Commission** of the City of Waxahachie, Texas was held at the Charles Beatty Municipal Services Building in the Mean Green Conference Room, 408 S Rogers, Waxahachie, TX 75165, on Wednesday, April 3, 2024, at 12:00 P.M.

Commission Members Present: Bob Aday, Chair
 Teresa McNiel, Vice-Chair
 Jackie Mims

Others Present: Fire Chief Ricky Boyd
 Civil Service Director, Lindsey Mearns

1. Call to order

Bob Aday called the meeting to order at 12:09 P.M.

2. Invocation

The invocation was given by Fire Chief, Ricky Boyd.

3. Public Comments:

No public comments

4. Approve February 14, 2024 meeting minutes.

Jackie Mims made a motion to approve meeting minutes, seconded by Teresa McNiel. **Motion Passed**

5. Waxahachie Fire Rescue

 a. Action items

- i. Certify Entry Firefighter Exam Eligibility List created by written examination and physical ability test held on March 30, 2024.

Action:** Teresa McNiel made a motion to certify the entry Fire eligibility list created by written examination and physical ability test on March 30, 2024; Jackie Mims seconded. **Motion Passed.

- ii. Certify Fire Pump Engineer Exam Eligibility List created by written examination on March 14, 2024.

Action:** Jackie Mims made a motion to certify the Fire Pump Engineer eligibility list created by written examination on March 14, 2024; Teresa McNiel seconded. **Motion Passed.

- iii. Certify Fire Lieutenant Exam Eligibility List created by written examination on March 14, 2024.

Action:** Teresa McNiel made a motion to certify the Fire Lieutenant eligibility list created by written examination on March 14, 2024; Jackie Mims seconded. **Motion Passed.

- iv. Certify Fire Captain Exam Eligibility List created by written examination on March 15, 2024.

Action:** Jackie Mims made a motion to certify the Fire Captain eligibility list created by written examination on March 15, 2024; Teresa McNiel seconded. **Motion Passed.

- v. Certify Fire Battalion Chief Exam Eligibility List created by written examination on March 15, 2024

Action: Jackie Mims made a motion to certify the Fire Captain eligibility list created by written examination on March 15, 2024; Teresa McNiel seconded. **Motion Passed.**

- b. Items for Discussion (no action will be taken on discussion items).
 - i. None

- 6. Waxahachie Police
 - a. Action items
 - i. None

- b. Items for Discussion (no action will be taken on discussion items).
 - i. None

7. Commission member and meeting attendee comments.

No Public comments.

8. Adjournment

There being no further business to come before the commission, Teresa McNiel made a motion to adjourn, second by Jackie Mims; the meeting was adjourned at 12:32 P.M.

Bob Aday, Chair

Date

Lindsey Mearns, Civil Service Director

RULE 3 – ORIGINAL APPOINTMENT AND ENTRANCE EXAMINATIONS

3.01 – Notice of Entrance Examinations

Notice of entrance examinations and publication of eligibility lists shall be in accordance with Chapter 143.

3.02 – Application for Entrance Examinations

Application forms for entrance examinations shall be designed and prepared by the Director in cooperation with the Chiefs of the departments and shall be presented to the Commission for approval prior to use. The applications shall enable the Director to determine whether an applicant meets the minimum qualifications for the position. It shall be the duty of the Director, after examining the applications, to notify each applicant of the action taken on the applications and to instruct the applicants meeting the minimum requirements to appear for the examination.

3.03 – Applicable Minimum Qualifications for Entrance Examination

Applicants for an original position in the Fire or Police Departments shall be considered eligible to take the written civil service entrance examination if they meet the applicable minimum qualifications. Applicable minimum qualifications shall be those that comply with statutory requirements and or minimum standards set by the Civil Service Commission and/or the appropriate State certification agency and include the following:

- a) Application Form – The application form must be completed in detail, and filed in accordance with the requirements of the public announcement published concerning the vacancy and these Rules.

- b) Age – No one shall be allowed to take a civil service entrance exam except as authorized and regulated by applicable State and Federal law.
- c) Relatives – No individual shall be hired to fill any position that would result in any employee supervising another employee who is related within the third degree consanguinity or second degree of affinity to the supervising employee.
- d) Physical Fitness – Application and preliminary interview must show that the applicant is physically sound and free from any defect which would adversely affect his performance of duty.
- e) Criminal Record – Applicants must meet current requirements as established by the Texas Commission on Law Enforcement Officers Standards and Education or the Texas Commission on Fire Protection Personnel Standards and Education, as applicable.
- f) Certification – Police applicants must be able to meet the certification requirements of the Texas Commission on Law Enforcement Officers Standards and Education. Fire Applicants must be certified as either a Firefighter/Paramedic, Paramedic only, or Firefighter/EMT by the Texas Commission on Fire Protection or the National Registry of Emergency Medical Technicians &/or the Texas Department of State Health Services as appropriate.
- g) Minimum Education – All applicants must have a high school diploma or its equivalent. Applicants for Police Officer with a GED must have 12

hours of college credit or twenty-four (24) months of active duty service in the military.

- h) All applicants must be able to read and write the English language.
- i) Citizenry – All applicants must be a citizen of the United States. *(changed 1-11-13)*

3.04 – Disqualification of Applicant

It is the responsibility of the Director to review completed applications to determine if each applicant meets the minimum legal and departmental qualifications for the position. The Director may reject any application from an applicant who has failed to comply with any of the minimum requirements or qualifications for a beginning position in the classified service established by the law or these Rules. The applicant shall be promptly notified, in writing, by the Director in cases where qualifications are not met and the reason for the disqualification. The following are also causes for rejection:

- a) False statement in any material fact or practiced or attempted to practice any deception or fraud in the application process.
- b) Addiction to the use of narcotics or intoxicating beverages.
- c) Experimentation with illegal drugs within the last full year prior to the date of the entrance examination in question.
- d) Found to lack any of the minimum qualifications set forth in the published notice and established as minimum qualifications.

3.05 – Entrance Examination Procedures

- a) I.D. Verification – Appropriate identification shall be required for admittance to the testing area and all applicants will be required to sign in prior to taking the examination. *(Changed 2/10)*
- b) Examination Instructions – Instructions for taking the examination will be given by the Test Proctor. No applicant shall be admitted once test instructions begin. *(Changed 2/10)*
- c) Honorable Discharge Credit – An additional five (5) points shall be added to the passing score of any applicant taking the Entrance Examination who has provided proof of an honorable discharge prior to the deadline for acceptance of applications. Any discharge by whatever name known that includes any language other than “Honorable Discharge” is not creditable for the purpose of this section.
- d) Failure to Appear – The application of persons who fail to appear for the Entrance Examination shall be voided and shall be disposed of by the Director of Civil Service.
- e) Cancellation or Postponement of Entrance Exam – The Commission may cancel or postpone until a later date a scheduled Entrance Examination for sufficient cause.
- f) Cheating – Any applicant who uses or attempts to use any unfair or deceitful means to pass an Entrance Examination shall be informed by the Examiner and shall be disqualified by the Director from further participation in the employment selection process.

- g) Test Monitors – The Director may select a reasonable number of persons employed by the City of Waxahachie to assist in the administration, proctoring and grading of Entrance Examinations.
- h) Personal History Statements – Applicants shall be given a Personal History Form to be completed and returned at a time designated by the Chief of the respective department. Failure to return this form at the prescribed time shall constitute reason for removal from the eligibility list.
- i) Smoking – Smoking shall be prohibited at all times in the testing room.

3.06 – Eligibility List for Original Appointment

- a) The List shall be in effect from the date that the examination was given, and all appointments to said position shall be made from this List for a period of twelve (12) months, unless exhausted. Preparation of Eligibility List – Not more than twenty-four (24) hours after the conclusion of an Entrance Examination, the Director shall prepare a list of the names of all applicants participating in the examination, presented in order from the highest score to the lowest score. This list shall then be presented to the commission at its next regularly scheduled meeting. The Commission shall then approve the list as the Eligibility List for the position for which the examination was given. The Firefighter List shall be in effect from the date that the examination was given, and all appointments to Firefighter shall be made from this List for a period of twelve (12) months, unless exhausted. The Police Officer List shall be in effect from the date that the examination was given, and all appointments to Police Officer shall be

made from this List for a period of twelve (12) months, unless exhausted.

(changed 8/08)

- b) Final Grade – The applicant’s total final grade for purpose of the entrance eligibility list will be computed by using the score on the written examination plus honorable discharge credit if applicable. Five (5) points for honorable discharge credit shall be added only to an applicant’s score which meets or exceeds the minimum passing grade. In no case shall such points be added to an applicant’s score to qualify for the minimum passing grade.
- c) Tie Breaking Procedure – In the event that two or more applicants make identical total final grades as computed under these Rules, then the order of their rank on the Eligibility List shall be determined by giving priority to the person who has:
 - 1. The highest level of EMS Certification or Police Certification
 - 2. The lowest time recorded on the physical ability course
 - 3. The highest education degree obtainedShould there still be a tie score, rank on the Eligibility List shall be determined by drawing lots for the places on the list. *(changed 10/07)*
- d) Each person on the Eligibility List shall file with the Director written notice of any change of address and failure to do so may cause his name to be removed from the List

e) Applicable to Fire Department Applicants Only

1. Each applicant who is a natural born or adopted child of a fire fighter who died in the line of duty, upon receiving a passing grade on the entrance examination, will be automatically ranked at the top of that eligibility list, subject to meeting all entry-level hiring requirements.
2. A municipality covered by Chapter 143 of the Texas Local Government Code must have employed the deceased fire fighter's parent.
3. The applicant must provide the name of the deceased fire fighter's parent on his or her application. The Director will be responsible for verifying the information relating to the line of duty death prior to placing that applicant at the top of the eligibility list.

3.07 - Selection from Eligibility List

- a) Selection Process – When the Chief of the department received a current Eligibility List for original appointment in his department, he shall begin the selection process to determine the applicant's job qualifications. The Fire Chief may give preference to applicants who are on the fire eligibility list who already possess EMT certification at the paramedic level at the time of hire. The Fire Chief shall declare before the exam if paramedics will be given preference on the exam and that the procedure shall be followed on that exam until the list is exhausted or expired. The Chief of

the department shall notify the Director, in writing, of the names and dates of employment of all persons he appoints from an Eligibility List.

- b) Investigations – A thorough investigation of an applicant shall be conducted to determine qualifications for employment. Police background investigations shall follow guidelines established by the Texas Commission on Law Enforcement Officer Standards and Education. The Director of Civil Service will be furnished a report of the results of the investigation.
- c) Declining Appointment – The name of any eligible person who has been offered appointment by the Chief of the department and declines the appointment, shall be stricken from the Eligibility List unless the person shall decline for reasons of temporary inability, physical or otherwise, to accept appointment. The person shall state his reasons in writing and shall present them to the Chief of the department who shall forward them to the Commission with his recommendation. The Commission may allow the person to remain on the Eligibility List for consideration at some future date during the life of the Eligibility List.
- d) Notice Sent to Applicant – A notice of the certification of an applicant for appointment shall be mailed to the applicant at the applicant's last known address on file with the Fire or Police Department. Notices sent to an applicant's last known address shall be considered sufficient. The applicable Department Head shall be responsible for mailing such notices.

- e) When an applicant certified for appointment shall fail to notify the Department Head that he will accept an offer of appointment made by mail or otherwise, within the ten (10) days succeeding the appointment notice, it shall be considered he has declined the appointment.

3.08 - Probationary Period

The Department Head of the Police or Fire Department may, at his or her discretion, extend the probationary period of a person who is appointed to a beginning position in the Department for up to eighteen (18) months from the date of appointment. This extension will only be permitted if the appointee is required to attend a basic training academy necessary for initial certification by the Texas Commission on Fire Protection or the Commission on Law Enforcement Officer Standards and Education. The decision of the Department Head is not subject to appeal under this Chapter.

3.09 - Reappointment After Resignation

A classified employee who voluntarily resigns from the City of Waxahachie Police Department may be reappointed as a Police Officer with the Department without taking another entrance examination or being placed on an Eligibility List. Reappointment of a classified employee is totally at the discretion of the Police Chief.

- a) The former officer shall submit a written request to be reappointed, within thirty-six (36) months from the date of separation, to the Police Chief, who makes the final recommendation to the City Manager for reappointment.
- A candidate for reappointment shall not be considered unless

recommended by the Police Chief. A candidate for reappointment may not appeal his/her rejection by the Police Chief.

- b) Prior to recommending reappointment of a former classified employee to the department, the Police Chief may review past performance records of the officer, conduct a background investigation, require appropriate alcohol and drug tests and require any other portion of the employment process he/she deems appropriate.
- c) Upon receiving a conditional offer of reappointment, the Police Officer shall pass a drug test and a physical and psychological examination prescribed by the City. If the former employee is currently employed as a peace officer in another jurisdiction, the psychological exam may be waived by the Chief of Police.
- d) A candidate for reappointment shall fully meet the requirements of the Texas Commission On Law Enforcement Officer Standards and Education.
- e) A candidate for reappointment may be appointed regardless of the availability of a list of eligibles. A candidate for reappointment has priority over candidates on a list of eligibles.
- f) In addition to the reasons for rejection as listed in Section 143.023, a candidate for reappointment may be rejected for reasons related to previous work performance as a Waxahachie Police Officer.
- g) Any candidate reappointed to the Police Department after more than eighteen months (18) break in service from the Police Department shall

serve a one (1) year probationary period and prior service shall not count toward service for promotional eligibility. Any candidate reinstated shall not be credited with previously accrued sick leave or vacation.

- h) Any candidate reappointed to the Police Department after less than eighteen (18) months break in service from the Police Department will not be subject to the one (1) year probationary period but prior service still shall not count toward service for promotional eligibility. Any candidate reinstated shall not be credited with previously accrued sick leave or vacation.
- i) The candidate's years of prior service shall be counted to determine placement in the salary step system, after successful completion of a one year probationary period, if required. The time separated from the department will not be credited for any computations.
- j) The candidate's years of prior service shall not count for determining vacation eligibility and rate of accrual.
- k) No person will be twice re-appointed under this provision.
- l) Age limitations, as provided under Section 143.023(c), do not apply to reappointments.

RULE 5 – AGE, PHYSICAL, AND EDUCATIONAL REQUIREMENTS FOR

APPOINTMENT

5.01 – Minimum Age Requirements

- a) Firefighter – Applicants for original appointment to the Fire Department must be at least eighteen (18) years of age and not more than thirty-five (35) years of age at the time of the entrance examination.
- b) Police Officer – Applicants for original appointment to the Police Department must be at least twenty-one (21) years of age at the time of certification to a beginning position. *(changed 9/05)*

5.02 – Physical Examination for Original Appointment

All applicants are required, prior to employment, to pass a medical/physical examination performed by a physician selected by the Commission. The physical examination shall include a thorough medical examination including back x-ray and laboratory tests as necessary. The physician may administer additional tests and examinations as are deemed necessary and proper to determine whether such applicants are physically capable of performing the duties of the position for which they are being considered. *(Changed 2/10)*

5.03 – Ability Test for Original Appointment

Police and Fire applicants will be required to pass a physical ability test as part of the application process. *(Change 10/18)* The Director will recommend to the Commission physical events designed to measure an applicant's ability to carry out the normal physical components of the position. The Commission has the

responsibility of determining the events to be included as part of the Firefighter Physical Ability Test and the Police Officer Physical Ability Test. *(Changed 2/10)*

5.04 – Mental Examination for Original Appointment

Police Officer applicants shall be required to take a mental examination by a psychiatrist or psychologist appointed by the Commission prior to appointment.

The Commission may require Firefighter applicants to take a mental examination prior to appointment.

5.05- Determination of Physical and Mental Fitness

A firefighter or police officer shall submit to the Commission a report from the person's personal physician, psychiatrist or psychologist, as appropriate, if a question arises as to whether a firefighter or police officer is sufficiently physically or mentally fit to continue the person's duties.

5.06 – Additional Test for Original Appointment

Additional test that assess an applicant's personality and ability to perform the mental demands of the position may be administered. *(Added 2/10)*