

**New or amended language in *BOLD Italics*.  
Language deletions appear as strikethroughs.**

**Proposed Charter Amendment City of Wooster:**

**This amendment, if passed would:**

- a. Remove the limit on the number of Administrative Assistants as this is more appropriately handled outside of the Charter.
- b. Remove the governance of civil service from the Charter as Civil Service Rules are a more efficient method.
- c. Allow employees to move from the classified to the unclassified civil service as this restriction has been overly restrictive to employees who wish to change.

**A majority affirmative vote is necessary for passage**

**Shall Article V and Article IX of the Charter of the City of Wooster be changed and amended as follows:**

**ARTICLE V**  
**THE CIVIL SERVICE**

**SECTION 5.03. CLASSIFIED AND UNCLASSIFIED SERVICE.**

Unless otherwise provided in this section, all compensated positions in the service of the Municipality shall be in the classified service and shall be appointed and promoted pursuant to competitive examinations. The following shall comprise the unclassified service of the Municipality:

1. Mayor;
2. President of Council;
3. Members of Council;
4. Clerk of Council and other employees of Council;
5. Directors; department heads and assistant department heads; and division heads and assistant division heads except in the Police and Fire divisions;
6. Members of boards and commissions established by this Charter or by ordinance of Council;
7. ***Administrative Assistants*** ~~One administrative assistant to the Mayor; and one administrative assistant for each department;~~
8. All staff and employees of the Wooster Community Hospital;
9. Volunteer members of the Fire Division, and members of the auxiliary police unit of the Police Division;
10. Employees working less than an established work week; and seasonal employees;
11. Temporary employees;

12. Persons filling positions determined by Council to require exceptional qualifications of a scientific, managerial, professional, or educational character.

#### SECTION 5.04. CIVIL SERVICE EXAMINATIONS.

*All matters relating to the hiring and promotion of Civil Service employees shall be in compliance with the Civil Service Rules as passed by City Council.*

~~In administering competitive examinations the administrative officer appointed by the Mayor may use any one or more of the following methods:~~

- ~~1. Standard written aptitude, achievement, and intelligence examinations;~~
- ~~2. Written or oral dissertations of objective nature designed to test the applicant's familiarity with the classification;~~
- ~~3. Written or oral examinations which evaluate mental fitness, character traits, and attitudes;~~
- ~~4. Performances or skill examinations which provide for assessment of the applicant's abilities and manual skills to perform the work required in the classification;~~
- ~~5. Evaluation examinations which objectively and uniformly rate and evaluate the applicant's education, training, and past experience;~~
- ~~6. Physical examinations of agility, endurance, coordination and muscular strength when pertinent to the classification;~~
- ~~7. Oral examinations which demonstrate general knowledge, personal qualities, and communications skills;~~
- ~~8. Any other method authorized by Council.~~

#### SECTION 5.05. NEW EMPLOYEES.

~~All new classified employees of the Municipality shall serve a one-year probationary period. During this period, the supervisor of each employee shall evaluate the performance of the employee in writing, on an approved form, not less than three times and not less than fifteen days before the probationary period of the employee ends, and shall file a copy of the same with the Administrative Officer for the Commission.~~

~~Based on the evaluation reports and at any time within the probationary year, the Director of Administration may terminate the employment of the probationary employee without cause. Such action by the Director is final and not subject to appeal to the Municipal Civil Service Commission. Failure to terminate the employment of the probationary employee within the probationary year shall be deemed to constitute a permanent appointment in the classified service of the Municipality.~~

#### SECTION 5.06. PROMOTIONS IN THE CLASSIFIED SERVICE.

~~Except as otherwise provided in this charter, vacancies in positions in the classified service shall be filled, as far as practicable, by promotions. Promotions shall be made according to merit and fitness, determined by competitive examinations.~~

#### SECTION 5.07. PROMOTION TO CHIEF IN THE POLICE AND FIRE DIVISIONS.

~~When a vacancy occurs in the position of Chief in the Police Division, all regular sworn members of the Division above the rank of patrolman, who have completed five years of service in the division as regular sworn members, shall be eligible to take the examination for Chief.~~

~~When a vacancy occurs in the position of Chief in the Fire Division, all regular sworn members of the Division above the rank of firefighter, who have completed five years of service in the division as regular sworn members, shall be eligible to take the examination for Chief.~~

~~In either the Police or Fire Division, the Mayor may nominate two additional candidates to take the examination for Chief.~~

#### SECTION 5.05 ~~5.08~~-DISCIPLINE.

***All matters relating to the discipline of Civil Service employees shall be in compliance with the Civil Service Rules, the various collective-bargaining agreements, the Employee Handbook, and Department policies and procedures.***

~~Except where the employee is otherwise subject to a collective bargaining agreement, the Mayor, Director of Administration or designee may discipline, suspend, demote, or dismiss a classified employee of the Municipality for reasonable and just cause including but not limited to the following: neglect of duty, insubordination, conduct unbecoming an employee, malfeasance, nonfeasance, misfeasance, abuse of leave policy of the Municipality, physical incompetence, mental incompetence, failure to maintain a high level of professional performance, and any other cause that may be established by Council as a uniform rule. A department head or division head may also discipline or suspend, but not demote or dismiss, a classified employee within his/her department or division for the reasons provided above. The disciplining officer shall serve the employee with written notice of the charges preferred against him/her and written notice of the action taken, and shall also file a copy of the same within the Municipal Civil Service Commission.~~

~~Except where the employee is otherwise subject to a collective bargaining agreement, any employee within the classified service of the Municipality disciplined, suspended, demoted, or dismissed from his/her position shall have the right to a formal hearing before the Municipal Civil Service Commission, providing such employee files a written request for hearing with the Commission within ten (10) days after receipt of charges preferred against him/her and notice of the action taken. Not less than fifteen (15) days after its timely receipt of a written request for hearing, the Commission shall convene a hearing at which time the employee and his/her representative, and the disciplining officer and his/her representative, may participate. Such hearing shall be as informal as is compatible with the requirements of justice. Formal rules of evidence shall not be required; and the burden of proof necessary to support the discipline, suspension, demotion, or dismissal shall be a preponderance of the evidence. The hearing shall be conducted in public unless the employee waives the same in writing prior to the time of hearing. The Commission shall announce a decision within a reasonable time after the hearing has been completed. A majority vote of Commission members shall be required to render a decision.~~

~~The decision of the Municipal Civil Service Commission shall be a final appealable order.~~

~~The Municipal Civil Service Commission shall be charged with the responsibility of developing rules, regulations and procedures not in conflict with this Charter to govern the~~

~~execution of its duties. These rules, regulations and procedures shall be adopted by Council as stated in Section 5.01 of this Charter.~~

~~SECTION 5.06 5.09. POLITICAL ACTIVITY.~~

~~No classified employee shall participate in any manner in any municipal political campaign. A classified employee may participate in any non-municipal political campaign, except during working hours. Any employee who violates this section shall be subject to discipline as provided in Section 5.058 of this Charter.~~

**ARTICLE IX**  
**TRANSITION**

~~SECTION 9.05. TRANSITION FROM CLASSIFIED TO UNCLASSIFIED SERVICE.~~

~~Any employee holding a position in the classified service, which position is subsequently placed in the unclassified service by amendment to this Charter, shall continue as a classified employee. Subsequent vacancies in such position shall be filled in the manner provided in this Charter for positions in the unclassified service.~~