Rules

Chapter 1 - Introduction

Section 1.000 – Scope and Objective of Rules

- 1. The purpose of these rules is to provide systematic and equitable regulations relating to the examination, appointment, employment and dismissal of custodians and assistant custodians as defined in ORS 2 2.!2".
- 2. The #Rules and Regulations of \$ivil Service %oard of School &istrict 'o. 1(dated) pril *, 1+ " are hereby superseded and all actions ta, en or events after the adoption of these rules shall be governed by these rules. These rules shall not apply to any matter occurring prior to their adoption.
- !.) Il employees of School &istrict 'o. 1 . ortland . ublic Schools/ described in ORS 2 2.!2" and sublect to the exceptions set forth in ORS 2 2.!2" -1/, -a/, -b/, and -c/ are considered to be under the lurisdiction of this %oard as provided in this la1.
- . The %oard recogni2es the custodial classifications, 1 ith those exceptions noted above, as set forth in the current agreement bet1een the School &istrict and the &istrict \$ouncil of Trade and Service 3 nions to be the \$ustodial Services of the School &istrict.
- 4. In the event of any conflict bet1een a provision of these rules and the provisions of any collective bargaining agreement bet1een the School & strict and the collective bargaining agent for employees covered by these rules, the collective bargaining agreement shall prevail.

Section 1.005 - Procedure for doptin! Rules

- 1. These rules are adopted pursuant to ORS 2 2.!+". 5n amending these rules, the %oard shall proceed as follo1s6
 - a/ 'otice of a hearing and copies of proposed rules shall be printed by the \$ivil Service %oard and distributed to ,no1n interested parties and published in a ne1spaper of general circulation not less than ten days prior to the meeting at 1hich the %oard 1ill consider adoption of the rule.
 - b/ 3pon adoption of a rule by the %oard, the %oard shall give notice of the adoption to interested parties and in a ne1spaper of general circulation and the rule shall not become effective until ten days after the publishing date for such ne1spaper.
 - c/) rule adopted by the %oard shall not contain sublect matter other than set forth in the published notice.
- 2.) t the request of any person interested in such adoption, amendment or repeal of rules, the %oard may at its discretion convene a hearing. The final decision as to the adoption,

amendment or repeal of any rule shall be by malority vote of the %oard.

remedy under these rules. 5f this election is made by mailing, the election shall be effective on the date of postmar,.

Section ".0"5 - *earin!s

1. The time and place of any hearing under these rules 1 ill be set by the %oard, and notice

9. %urden of . roof <<

5n any appeal concerning dismissal, the School &istrict shall have the burden of proof and the burden of presenting the facts 1 ithin its control to fully reveal the circumstances of the dismissal. 5n any appeal alleging violation of the civil service statute of these rules concerning examination, classification or promotion, the party filing the appeal shall have the burden of presenting the facts 1 ithin its control and the burden of proving the alleged violation. The School district shall present the facts 1 ithin its control relevant to the alleged violation.

*. Record of . roceedings <<

) Il hearings of the %oard shall be recorded by audiotape or by such other verbatim method as the %oard may prescribe. This shall constitute the official record of the %oard.) ny person 1 ishing to ma, e his or her o1n audio recording of any %oard proceeding may do so by any method, 1 hich does not disrupt the proceedings.

+. %oard &ecisions <<

) Il decisions of the %oard after hearing shall be made solely on the basis of the record at the hearing and on relevant legal authorities. The %oard may ma, e its decision by voice vote at the close of the hearing and shall issue a 1 ritten decision 1 ithin! " days after the close of the hearing record.

1". 7xamination) ppeals <<

a/) ny candidate for appointment 1 ho is aggrieved by the results of an examination, including a security chec,, or physical examination must first request revie1 by the &istrict. Such revie1 must be requested in 1 riting 1 ithin ten days of the date the applicant is notified of his examination or security chec, or physical examination results. The &istrict shall render a decision 1 ithin 14 days of the filing of any such appeal.

b/ 5f the applicant is not satisfied 1 ith the &istricts decision, the applicant may file a 1 ritten appeal 1 ith the %oard 1 ithin ten days of the date the applicant receives the &istricts decision. Such appeal must be in 1 riting and must specify the reasons 1 hy the applicant believes the decision of the &istrict 1 as contrary to these rules or any provision of civil service la1 and the corrective action being requested.

11.) ppeals from &ismissals <<

The %oard recogni2es the &istrict®s authority to terminate employees in the custodial service for cause as defined in ORS 2 2.:2".) ny employee removed from the custodial service may, 1 ithin ten days of the effective date of his her removal, file a demand for investigation 1 ith the %oard. The %oard shall conduct an investigation as defined by to \$2\cdot 20.5 \text{20.} \text{20.}

such action, as it deems necessary to fulfill the purposes and principles of these rules and the custodial civil service la1.

Chapter + - , -a (ination and ppoint (ent

Section +.000

The &istrict shall from time to time establish an eligibility list of candidates for initial appointment.; hen it is determined by the &istrict that such a list is necessary, the follo1ing process shall be follo1ed6

- 1. The &istrict shall invite applications for a period of time that shall be at least 9 days, but shall not be more than ! " days, regardless of the number of applicants received6
 - a. Cob notification 1 ill be via &istrict 1 ebsite, various lob search engines and collective bargaining agent for all . . S custodial employees.
 - b. 5f the number of applicants exceeds 24", the &istrict may, by public lottery, select an appropriate number to be examined or may examine all applicants. 5f the number of applicants is 24", or fe1er, all applicants shall be examined.
 - c. The Secretary to the %oard or another designee of the %oard shall superintend the examination of the candidates.
 - d. The examination shall be practical in character and relate only to those matters 1 hich test the relative fitness of the persons examined to discharge the duties for the respective positions for 1 hich they are applicants.
 - e. The examination process shall consist of t1o steps6
 - 1/; ritten test6 The 1 ritten test shall be administered to identified applicant pool6
 - a/ The competencies of the 1 ritten test 1 ill address general, no 1 ledge of industrial safety practices
 - b/ = eneral , no 1 ledge and ability to clean and disinfect
 - c/!@naty lo reldvland dmvifey d opproroate nritten tttro@ld.!@naty lo ioaeidst chions l svc! N

- b/) pplicant ran, ing6 The 1 ritten test and oral intervie 1 1 ill be equally considered in ran, ing the candidates.
- 2. The &istrict 1ill call from the eligibility list in ran, order 1hen a vacancy becomes available. The candidate must clear a security bac, ground chec,, fingerprinting clearance, reference chec,s, and the physical s,ills test pursuant to ORS 2 2.4 " before becoming eligible for hire.
- !. \$andidates 1 ho are veterans and eligible for the employment advantages of state statute upon submitting satisfactory evidence shall be a1 arded the benefits including five -4/ additional percentage points for honorable discharge or separation from the) rmed Borces of the 3 nited States 1 ith a minimum of six -:/ months active duty and five -4/ additional percentage points for an) merican prisoner of 1 ar or a veteran of military service 1 ith ! " D or more service<connected disability, all as prescribed in ORS "*.21" through "*.2!4.
 - . The &istrict shall screen candidates to determine their fitness as described in ORS

Section ..005 - Involuntar% /0ree\$in!1

; hen one of the three most senior employees is not selected for promotion, that employee shall be considered #passed over(for promotion.) n employee 1ho accepts an intervie1, but later declines to attend the intervie1 or accept the promotion, 1ill also be considered involuntarily fro2en.) candidate passed over for promotion three times shall be considered ineligible for future promotional intervie1 for 12 months except as specifically provided herein. 5f a candidate is passed over three times upon request, that candidate shall be given