

City of Texarkana, Texas



Police Officers' and Firefighters'  
**Civil Service**  
**Rules & Regulations**

Revised by the Civil Service Commission March 2021



## **DEFINITIONS**

Terms used in these rules which are not defined below shall be given the same definition as found in Chapter 143: Municipal Civil Service of the Local Government Code, as amended.

**Appointment** The designation of a person by the City Manager to become an employee in a classified civil service position.

**Business Day** Any day City Hall is customarily open for normal business. "Business Day" does not refer to the employee's workday or holidays observed by the City.

**Certify** means the act of the Director, in supplying the Chief Executive with names of applicants who are eligible to appointment of the class and positions for which certifications are requested.

**Chief Executive** means the City Manager.

**City** means the City of Texarkana.

**Chapter 143** The portion of the Texas Local Government Code containing the civil service provisions.

**Civil Service Rule** Shall be defined to include a rule, regulation, general order, standard operating procedure or special order applicable to civil service employees, whether from Chapter 143, the City's Human Resources Employee Handbook, these Rules and Regulations, or the appropriate Department's rules and regulations, as they may exist from time to time.

**Classification** means a position or group of positions that involve similar duties and responsibilities and require similar qualifications.

**Commission** means the Texarkana Firefighters' and Police Officers' Civil Service Commission.

**Demotion** means the transfer of an employee from a position in one class to a position in another class for which the maximum rate of pay is lower, or a reduction in pay without such transfer unless reduction is part of a general plan to reduce salaries for that class of employment.

**Department** the Texarkana Fire Department or Texarkana Police Department

**Department Head** means the Chief of the Fire Department and the Chief of the Police Department.

**Director** the Director of Civil Service as designated by the Commission to act in the capacity of Secretary to the Commission and Director of Civil Service and includes his/her designee.

**Eligibility List** means the list of applicants who have taken the examination for a position and passed, ranked on the list in order of the score received.

**Employee** as used in these rules means a Firefighter or Police Officer in the Classified Service.

**Position** means a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the services of an employee.

**Promotion** means a change from one grade to a higher grade or rank, or a change in duties or in title for which a promotional examination is required. Promotion shall always mean an increase in responsibilities.

**Raw Score** The numerical grade, based upon the questions correctly answered, on a written examination.

**TCFP** the Texas Commission on Fire Protection, herein referred to as TCFP, is an agency of Texas that has statutory authority under Chapter 419 of the Texas Government Code

**TCOLE** the Texas Commission on Law Enforcement, herein referred to as TCOLE, is an agency of Texas that has statutory authority under Chapter 1701 of the Texas Occupations Code for establishing minimum standards relating to competence and reliability, including education, training, physical, mental, and moral standards, for licensing as a peace officer.

**TLGC** the Texas Local Government Code.

**Veteran** A person who has served a minimum of 180 days of active duty in the armed forces of the United States of America and who has received a DD-214 that reflects an honorable discharge. A person who receives a discharge other than honorable is not a veteran for the purpose of this section.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>CLASSIFICATION</b>		<b>Rule 1</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.021</b>	<b>Pages: 1</b>

- (1) The civil service positions in the Fire and Police Departments are classified on a basis of similarity in duties and responsibilities as follows:

**A. FIRE DEPARTMENT**

Firefighter  
Driver Engineer  
Captain  
Battalion Chief

**B. POLICE DEPARTMENT**

Patrol Officer  
Police Sergeant  
Police Lieutenant  
Police Captain

- (2) The title and number of all authorized positions in each of the classifications in the Fire and Police Departments shall be only those as prescribed by ordinances enacted by the City Council.
- (3) The Department Head (Chief) of the Fire or Police Department shall have the discretion to make assignments of duty within the classifications in the respective departments. Duty assignments shall not be subject to review by the Commission. Changes in duty assignment, work hours and/or schedule shall always be at the discretion of the Department Head or his/her designee.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>IMPLEMENTATION: COMMISSION</b>		<b>Rule 2</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.006</b>	<b>Pages: 1</b>

1. Each member of the Commission shall meet the qualifications for serving as explained in Section 143.006 of the Texas Local Government Code.
2. The City Manager shall appoint, and the City Council shall confirm the appointment of the three members of the Commission who meet the required statutory qualifications. Commission members shall elect one member to serve as Chairperson and one to serve as Vice-Chairperson.
3. When a vacancy on the Commission occurs, the replacement of Chairperson and Vice-Chairperson shall be handled as follows: 1) in the event of a vacancy in the Chairperson position, the Vice-Chairperson shall assume the role of Chairperson and an interim election shall be held to elect a new Vice-Chairperson; and 2) in the event of a vacancy in the Vice-Chairperson position, an interim election shall be held to fill that office.
4. After expiration of the terms of the initial Commission appointments set forth in Section 143.006(d) of Chapter 143, each member of the Commission holds office for a staggered three-year term and thereafter until a successor is appointed and confirmed. An interim vacancy on the Commission shall be filled by appointment of the City Manager and confirmed by the City Council for the unexpired term of the member whose position has been vacated.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>COMMISSION PROCEDURES</b>		<b>Rule 3</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.008</b>	<b>Pages: 2</b>

1. **MEETINGS** - Meetings of the Commission will be scheduled by the Civil Service Director as needed to conduct the business of the Commission. The Commission shall conduct its meeting in such place as designated in the "Notice of Meeting." The Commission shall conduct all meetings in compliance with the provisions of Section 551.001 et seq. of the Government Code (Open Meetings Act), provided the Commission may convene into executive session for deliberations, and otherwise, as authorized by Chapter 143.

A meeting shall be called by the Director or at the request of the Chairperson. Notice of meeting of the Commission shall be given by the Director to the members of the Commission at least seventy-two (72) hours preceding the day of the meeting, except in case of emergency or urgent public necessity, in which case two (2) hours' notice shall be given in accordance with the provisions of the Government Code. The Director shall also give the same notice to the Department Head and shall see that Notices of the meetings are posted at City Hall.

All meetings of the Commission shall be held at Texarkana City Hall and shall be open to the public except as provided by Chapter 143 T.L.G.C. and Texas Government Code.

Each regular and special meeting of the Commission shall be conducted in general compliance with Robert's Rules of Order. It is, however, specifically provided that the failure of the Commission to follow Robert's Rules of Order shall not create any legal right or cause of action; violate any right of any third party, person or citizen that is not then a member of the Commission; or create or give rise to any claim or cause of action (including any claim or cause of action based on due process) for or on behalf of any third party, person, citizen or member. This policy providing for the Commission to generally follow Robert's Rules of Order may be enforced exclusively by the Chairperson, or by majority vote after a member of the Commission raises a timely point of order at the meeting. Upon a point of order being raised by any member of the Commission and upheld by a majority vote of the Commission members present and voting, the Chairperson shall endeavor to conduct the remainder of such meeting in substantial compliance with Robert's Rules of Order. A majority vote of such members of the Commission present and voting shall be finally determinative of any such procedural rule or matter.

The Commission may, by majority vote, make rules of procedure for the administration of Chapter 143. The Chairperson may alter the order of business at his/her discretion.

2. **COMMITTEE OF THE WHOLE**-In the discharge of their duties, members of the Commission act as a body and not as individuals. An individual Commission member shall not speak for the Commission unless specially authorized in advance to do so by action of the Commission.
3. **AGENDA**-The Director shall prepare an agenda for a Commission meeting. If a Commission member wants an item placed on an agenda, he/she shall submit a written request to the Director.
4. **QUORUM**-Two members of the Commission constitute a quorum sufficient to conduct business meetings and hearings.
5. **CONDUCT OF REGULAR BUSINESS MEETINGS**-The Commission shall set reasonable rules and procedures for proper and efficient conduct of business. The Chairperson shall conduct meetings in an orderly and timely fashion.

The normal order of business at non-disciplinary or non-appeal hearings shall be generally:

- (a) Call to Order
- (b) Approval of Minutes
- (c) Action Items
- (d) Miscellaneous Matters from the Director
- (e) New Business - Commission members may suggest items for future agendas but shall not discuss such items.
- (f) Adjourn

Each individual subject to be considered under each general category shall be listed. The Chairperson may alter the order of business at his/her discretion.

6. **MINUTES**-The Director shall prepare the minutes of each meeting. In addition to complying with the Open Meetings Act, the minutes shall include the following:
  - (a) Adoption of minutes of previous meeting;
  - (b) Appeals and the action taken on the appeals;
  - (c) Rules and procedures adopted by the Commission; and
  - (d) Any other significant actions taken, or reports received by the Commission.

The minutes of a meeting shall be presented for approval at a subsequent meeting of the Commission. The minutes, other than matters discussed in executive session, upon approval by the Commission, shall be kept open for public inspection as governed by applicable State law. A Commission member may record in the minutes an approval of, or objection to, any act of the Commission together with the Commissioner's reasons. A copy of the minutes and records may be obtained from the Director for the standard fee charged by the City for similar official record duplication. The minutes of the Commission shall be signed by the Director and the Chairperson.

7. **ORDERS**-The Director shall prepare Orders and obtain signatures of members on such Orders.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>DECISIONS AND RECORDS</b>		<b>Rule 4</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.011</b>	<b>Pages: 1</b>

1. All records of the Commission shall be governed by the Texas Public Information Act.
2. The Commission and/or the Director shall have the power to correct, amend or revoke any eligibility list, paper or record in which a clerical or procedural error has been made.





## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>DIRECTOR</b>		<b>Rule 5</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.012</b>	<b>Pages: 2</b>

The Director shall administer these Rules and perform work incidental to the Civil Service system as required by the Commission. All communications or requests to the Commission shall be made in writing to the Director. The Director shall also act as Secretary to the Commission. The Director is not expected to prepare or coordinate the service of subpoenas or to personally serve subpoenas for any type of hearing. The Director's duties include, but are not limited to:

- (1) Supervising all examinations, including the preparation, scheduling, scoring and security of test materials and preparation of eligibility list;
- (2) Coordinating the recruitment and examination of applicants, including certifying names from the eligibility list to the Department Head;
- (3) Assisting in the classification of Fire and Police Department positions;
- (4) Assisting the Chairperson in setting the agenda for the Commission meetings;
- (5) Acting as liaison and providing staff support to the Commission;
- (6) Determining whether any matter is appropriately brought before the Commission in a reasonable and timely fashion;
- (7) Calling meetings, posting agendas, scheduling, rescheduling, attending and cancelling meetings of the Commission;
- (8) Acting as records custodian as provided by Chapter 143;
- (9) Maintaining the personnel files of all employees in the civil service as required by Section 143.089.
- (10) Acting on behalf of the Commission for actions and issues not specifically addressed in Chapter 143 or these Rules; this does not require the Director to prepare subpoenas, coordinate subpoenas or serve subpoenas;
- (11) Establishing for the Commission's consideration and monitoring procedures for the discipline and termination of civil service employees;
- (12) When a specific Rule does not address a question or issue, interpreting the Rules based on circumstances, facts and issues, and taking appropriate action;
- (13) Recommending to the Commission changes in these Rules;
- (14) Performing such other functions as may be deemed reasonably necessary regarding the efficient and effective administration of the civil service system of the City;
- (15) Keeping minutes of all Commission meetings and obtaining signatures of Commission members after approval of minutes;
- (16) Maintaining the Record of Certification and Appointment as required by Section 143.037 of Chapter 143 and these Rules; and

- (17) Maintaining a seniority list for the Fire and Police Departments by date of hire as required by Section 143.008 (d) of Chapter 143.
- (18) When the need arises, postpone or cancel entry-level or promotional examinations.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>ELIGIBILITY FOR BEGINNING POSITION</b>		<b>Rule 6</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.023</b>	<b>Pages: 1</b>

1. Applications for initial employment shall be submitted as prescribed by the Civil Service Director. Only applications officially received in the prescribed manner shall be considered.
2. No candidate will be considered to have made application unless there is an application on file. Resumes will not be accepted in lieu of applications.
3. Applicants for appointment to an entry-level police officer position must be at least 20 years of age and must not have attained their 45th birthday to be eligible to take the civilservice entrance examination.
4. All applicants for appointment to an entry-level firefighter position must be at least 18 years of age and must not have attained their 36th birthday to be eligible to take the civilservice entrance examination.
5. All Firefighter applicants must be able to meet certification requirements as specified by the Texas Department of State Health Services and the **TCFP** (Texas Commission on Fire Protection Personnel Standards and Education).
6. Each applicant must show that he/she is physically sound and free from any defect that would adversely affect his/her performance on duty. (143.022)
7. No applicant shall be employed whose background has not been thoroughly investigated. This includes, but is not limited to: (143.023)
  - a. Former Work History
  - b. Criminal History
  - c. Medical History
  - d. Credit History



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>ENTRANCE EXAMINATION</b>		<b>Rule 7</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.025</b>	<b>Pages: 1</b>

1. The Director shall be responsible to the Commission for administering and grading of all tests.
2. Examinations for placement on the eligibility list for an entry-level position in the Fire Department or Police Department shall be an open, competitive, and free examination. The examination shall be a written test based on the person's general knowledge and aptitude and must inquire into the applicant's general education and mental ability.
3. The minimum passing score on the civil service entrance examinations for Police Officers and Firefighters shall be 70 percent.
4. Applicants passing the civil service entrance examinations who served in the Armed Services and received an honorable discharge shall receive an additional five points. Applicants must submit a copy of their Form DD-214 and any attachment listed on Form DD-214 upon request of the Director. This information must be provided prior to the beginning of the test to be eligible to receive additional points.
5. Screening for entrance into the Fire Service or Police Service shall consist of one or more of the following:
  - a. Written Test
  - b. Oral Interview
  - c. Physical Ability and/or Assessment
  - d. Any and all exams required by the State Certification Board
  - f. Physical Examination
  - g. Mental Examination
  - h. Stress Test
  - i. Review Board
  - j. Drug Screen, Polygraph



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>ELIGIBILITY LIST</b>		<b>Rule 8</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b> <b>March 18, 2021</b>	<b>Reference:</b> <b>Section 143.025</b>	<b>Pages: 1</b>

1. Within **24 hours** after the conclusion of the exam, the Director shall post an eligibility list of all applicants passing the test, listed from highest to lowest score.
2. The eligibility list for beginning positions in the Police Department shall be active for a period of **6 months** or until the list is exhausted, whichever comes first.

The eligibility list for beginning positions in the Fire Department shall be active for a period of **6 months** or until the list is exhausted, whichever comes first.

**At the expiration of either list, another list must be established for that department.**

3. A candidate's name **may not be removed from the eligibility list unless he/she becomes ineligible for certification or licensing; submits a written request to have his or her name removed; or is rejected during the screening and /or the background investigation process.**
4. In the event of a tie on the Civil Service eligibility list for beginning positions, the candidate having the highest raw score shall be considered first. If more than one candidate has the same raw scores as well as equivalent total scores, then the candidates shall be placed in alphabetical order, last name first, first name second and shall be considered accordingly.
5. Notwithstanding any of the provisions above, any firefighter applicant who is either a natural born or adopted child of a firefighter who previously suffered a line-of-duty death while covered by Chapter 143, Texas Local Government Code, shall be ranked **at the top of the eligibility list**, so long as the firefighter applicant receives a minimum passing score of 70% on the entrance exam. The firefighter applicant who meets the requirements of this section shall be required to satisfy all other requirements for eligibility for a beginning position in the fire department contained in Chapter 143 and City of Texarkana, Texas Local Civil Service rules.
6. In order to identify applicants who may be eligible for consideration under Rule 8, the Fire Department **employment application shall contain a question asking applicants if they meet the criteria above.** If an applicant states they are eligible for this consideration, they shall be required to provide evidence verifying this eligibility that is satisfactory to the Civil Service Director. Such evidence must be provided prior to the time of the entrance examination or eligibility for this special consideration is forfeited.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>POLICE APPLICANT SELECTION CRITERIA AND DISQUALIFICATION FACTORS</b>		<b>Rule 9</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section(s) 143.022, 143.023</b>	<b>Pages: 8</b>

### A. General Considerations

The background of applicants for entry-level police officer positions shall be thoroughly investigated to ensure that the applicant, if employed as a police officer, would not pose a direct threat to the health or safety of any individual. All applicants will be interviewed prior to being considered for employment. Applicants must meet all minimum requirements to be considered for employment with the Texarkana, Texas Police Department.

### B. Certification by TCOLE

1. First preference shall be given to applicants who possess certification as a peace officer, as issued by TCOLE (Texas Commission on Law Enforcement) at time of examination. Applicants shall provide evidence of certification on or before date of hire.
2. Second preference shall be given to applicants who are **certifiable** by TCOLE, i.e., applicant has completed all academy training but must undergo and pass TCOLE certification examination. If applicant does not successfully pass TCOLE examination, then the applicant will no longer be given preference in hiring.
3. If applicant does not possess peace officer certification and is not certifiable by TCOLE, he/she must meet all legal requirements necessary to become certified by TCOLE.

### C. Lateral Entry

1. Any applicant eligible for lateral entry consideration must meet all state and local Civil Service hiring requirements. Personnel hired as Police Officers by the Police Department will be compensated for prior police experience under the following guidelines:
  - a. In order to be eligible for consideration of compensation for prior police service, a person certified as a peace officer in the State of Texas can have no more than two years break in service from the time the person left the prior police agency and the time he/she becomes employed with this department, or,
  - b. A person certified as a Peace Officer in any other state or federal agency can have no more than two years break in service from the time the person left the prior police agency and the time he/she becomes employed with this department and shall have successfully passed the State of Texas Peace Officer Certification examination, and or,

- c. Prior Texarkana, Texas police officers who have left in good standing and have remained in full-time law enforcement service with **no more than two years break** in service may be reemployed without the required local civil service entry examination, and will be eligible for lateral entry salary entitlement, and the officer must have separated from the agency or agencies under honorable conditions.
2. Those officers who qualify will be given credit for each full year of service with their prior agency or agencies, to a **maximum of five years**. This will be based on records provided by the applicant and verified with the police agencies and TCOLE standards and education, as well as any other state or federal agency responsible for commissioning the officer. The applicant will be eligible to be placed into the salary step which corresponds to the applicant's service credits up to completion of the fifth year.
3. Officers entering employment with the department who are eligible for lateral entry compensation and who are otherwise eligible for educational and/or intermediate or higher state certification compensation will not receive such compensation until they have successfully completed **one-year probation and meet all other department guidelines concerning certification or educational compensation**. All other authorized compensation or benefits will be based upon the existing local rules, regulations and policies.
4. Officers entering employment with the department who have been credited with previous service time for lateral entry compensation are not eligible for promotion until they have met the Civil Service requirements set forth by Texas Local Government Code 143.028 and **Local Rule 13** governing promotions. **(LGC Section 143.031)**.

#### **D. General Minimum Qualifications**

1. Applicant must be a citizen of the United States.
2. Applicants for appointment to an entry-level police officer position must be at least **20** years of age and must not have attained their **45th** birthday. Applicants for appointment to an entry-level police officer position who have reached their 20th birthday but have not attained their 21st birthday shall be considered for appointment for an entry-level police officer position only **if the applicant is licensed as a peace officer by TCOLE or has received an Associate's Degree or successfully completed 60 semester hours of credit from an accredited college or university or has received an honorable discharge from the armed forces of the United States after at least two years of active service.**
3. Applicants for appointment to an entry-level police officer position must have a high school diploma or have been awarded a high school equivalency certification. An applicant must be able to read and write English.
4. Applicants for appointment to an entry-level police officer position must possess at least 20/30 vision, either corrected or uncorrected in each eye. If an applicant for appointment to an entry-level police officer position is required to wear corrective lenses, the corrective lenses must be worn on duty and during all enforcement activities. The applicant must be free from dichromatic color blindness, nyctalopia (night blindness) and/or any other visual deficiency or limitation. If it is determined by the results of this examination, that the applicant has a vision deficiency or limitation that is correctable, the applicant will be allowed to seek corrective measures, at his or her own expense, before a final determination is made on his suitability for employment.

5. Applicants for appointment to an entry-level police officer position must possess hearing with less than 30 dB loss, either corrected or uncorrected in either ear. If it is determined by the results of an examination, that the applicant has a hearing deficiency that is correctable, the applicant will be allowed to seek corrective measures, at his or her own expense, before a final determination is made on his suitability for employment.

#### **E. Criminal Offenses, Arrests or Convictions**

1. Applicants for appointment to an entry-level police officer position shall be fingerprinted and subjected to a search of local, state and national records and fingerprint files to disclose any criminal record.
2. Evidence of the commission of a felony offense will result in the applicant for appointment to an entry-level police officer position being disqualified from appointment.
3. An arrest for any Class A or Class B misdemeanor within 10 years of the date to taking the civil service entrance examination will result in the applicant for appointment to an entry-level police officer position being disqualified from appointment.
4. A conviction or pending charge involving moral turpitude below a Class B misdemeanor within 5 years of the date to the taking of the civil services entrance examination will result in the applicant for appointment to an entry-level police officer position being disqualified from appointment.
5. Applicants for appointment to an entry-level police officer position must not ever have been convicted of an offense above the grade of a Class B misdemeanor or a Class B misdemeanor within the last 10 years.
6. An applicant must not ever have been convicted for any family violence offense of any degree.
7. An applicant must not be under indictment for any criminal offense of any degree.
8. An applicant must not ever have been or currently on court-ordered community supervision or probation for any offense above the grade of a Class B misdemeanor or a Class B misdemeanor within the last 10 years.
9. Admissions of a Class A or Class B misdemeanor offense will be considered based on severity, frequency, and the time that has elapsed since the commission.
10. Applicants for appointment to entry-level police officer positions must not have any pending litigation. The Chief of Police may approve exceptions on a case-by-case basis.
11. Applicants for appointment to entry-level police officer positions who have military service of at least 24 months active duty must not have been discharged from that service under less than honorable conditions. Service of less than 24 months with a less than honorable discharge based on misconduct will not be considered, others will be reviewed on a case by case basis.
12. Applicants for appointment to an entry-level police officer position must not have had a license issued by TCOLE denied by final order or revoked.



## **F. Physical Assessment Test**

1. Applicants for appointment to an entry-level police officer position must successfully complete a physical assessment test in **74 seconds**. At the time of the assessment, applicants will be allowed two attempts to successfully complete the assessments. The physical assessment test shall consist of the following events:
2. Patrol Car: The applicants will be seated in the driver's seat of a patrol car with the door closed, and the window down and be given further instructions by the test monitor.
3. Physical Description: The test monitor will give the applicant verbal instructions to pursue a fleeing felony suspect (imaginary) by providing a description of the clothing the suspect is wearing (example: red shirt, baseball cap).
4. Run: When told to begin, the applicant will exit the patrol car and begin running a timed course pursuing the suspect through a series of obstacles.
5. Traffic Cones/Obstacle Course: The applicant must maneuver, in a zigzag manner through several traffic cones.
6. Fence Climb: During the run, the applicant will encounter and climb a chain link fence six (6) feet high.
7. Ditch Jump: The applicant will then run to a simulated ditch approximately four (4) feet wide, jump across to the other side, run approximately eighteen (18) feet and jump back across the simulated ditch. The applicant must jump clear of the markers of the simulated ditch without contacting the markers of the ditch.
8. Stair Climb/Elevated Platform Jump: The applicant will then run to a set of stairs. Candidate will climb the stairs to a platform at the top, and then jump down approximately three feet to the ground and continue the pursuit.
9. Window Opening Climb: The applicant will encounter and climb through a large framed window near the end of the run.
10. Hill Climb: The applicant will encounter and run up a slight hill.
11. Suspect Identification: After climbing the hill, the applicant will observe four differently dressed suspect targets. The applicant will correctly identify the suspect he was chasing, by calling out the number that is assigned to the suspect clothing description that the applicant was given at the beginning of the test.
12. Pull/Drag: The applicant will then run down the hill to a dummy weighing approximately 165 pounds. The applicant will then pull/drag the dummy to a designated point approximately 10 feet away. The timing of the test stops when the dummy is completely across the end line.

## **G. Medical, Psychological and Polygraph Examinations**

1. Applicants for appointment to an entry-level police officer position shall be examined by a physician, licensed by the Texas State Board of Medical Examiners, and declared in writing to be physically sound and free from any defect which may adversely his or her performance of duty as a peace officer; And the applicant must not show any trace of drug dependency or illegal drug use after a physical examination, blood test, or other medicaltest.
2. If the physician rejects the applicant, the applicant may request another examination by a board of three physicians appointed by the commission. The applicant must pay for the board's examination. The board's decision is final.
3. Applicants for appointment to an entry-level police officer position shall be examined by a psychologist, licensed by the Texas Board of Examiners of Psychologist, and declared in writing to be in satisfactory psychological and emotional health to serve as a peace officer. A psychiatrist may conduct the examination.
4. If the psychologist or psychiatrist rejects the applicant, the applicant may request another examination by a board of three psychologists or psychiatrist as appropriate appointed by the commission. The applicant must pay for the board's examination. The board's decision is final.
5. Applicants for appointment to an entry-level police officer position must complete a polygraph examination.

## **H. Drug Usage**

1. The following will result in an applicant's immediate disqualification from appointment to an entry-level police officer position.
2. The use of marijuana or possession of marijuana within two years to the date of taking the civil service entrance examination. The use of marijuana beyond the two years to the date of taking the civil service entrance examination will be considered on an individual basis with the severity and frequency being considered.
3. The sale or delivery of marijuana to another person in an amount greater than one ounce within 10 years to the date of taking the civil service examination. The sale or delivery of marijuana in excess of one ounce and beyond the 10 years to the date of taking the civil service entrance examination will be considered on an individual basis with the severity and frequency being considered.
4. The act of sale or delivery to another person any controlled substance or dangerous drug that would be classified as a felony violation of the Texas Health and Safety Code or the Texas Penal Code,
5. The act of possession or use of any controlled substance or dangerous drug that would be considered as a felony violation of the Texas Health and Safety Code or the Texas Penal Code within the last 5 years will not be considered. Anything over 5 years will be considered on a case by case basis.

## **I. Driving Record**

1. Disqualification of an applicant to an entry-level police officer position will be based on the applicant's eligibility to operate a motor vehicle.
2. Applicants for appointment to entry-level police officer positions must possess valid driver's license or can obtain a valid driver's license.
3. Applicants for appointment to entry-level police officer positions must not have had his other driver's license suspended within the past 5 years to the date of being employed. However, a driver's license suspension resulting from a one-time violation of the following statutes will result in a two-year disqualification from the last day of the suspension period:
  - a. Texas Alcoholic Beverage Code Section 106.02,
  - b. Texas Alcoholic Beverage Code Section 106.04,
  - c. Texas Alcoholic Beverage Code Section 106.05,
  - d. Texas Alcoholic Beverage Code Section 106.07,
  - e. Texas Health and Safety Code Section 161.252,
  - f. Texas Penal Code Section 49.02 (Public Intoxication-Minor)
4. Applicants for appointment to entry-level police officer positions must not have more than three hazardous traffic violation convictions in the past five years to the date of being appointed.
5. Applicants for appointment to entry-level police officer positions must not have more than non-hazardous traffic violation convictions in the past five years.
6. Applicants for appointment to entry-level police officer positions must not have more than one at-fault vehicle collision on their driving record for each three years of driving experience and no more than two in the last year.

## **J. Marital and Family History**

1. Applicants for appointment to entry-level police officer positions should be able to exhibit the ability to maintain a stable relationship in their personal and family lives. The following will result in immediate disqualification from appointment.
2. Applicants for appointment to entry-level police officer positions must not be married or admit to being married to more than one person at the same time. This includes common law relationships.
3. Applicants for appointment to entry-level police officer positions, if legally bound to support dependent children or former spouses, must not admit to or have current or pending litigation indicating deliberate non-support.

## **K. Financial and Credit History**

1. Applicants for appointment to entry-level police officer positions must provide their written consent to the police department for the department to obtain applicant's consumer credit report. Denial of consent may be considered grounds for disqualification.

2. Applicants for appointment to entry-level police officer positions must not admit nor have a credit history that would result in criminal prosecution, to include but not limited to, child support or conduct intended to defraud or harm just creditor.
3. The filing or a record of bankruptcy, will not be used as the sole reason for disqualification.
4. The failure of an applicant for appointment to an entry-level police officer position to make restitution for any legal judgment against the applicant will disqualify the applicant from appointment.
5. The failure of an applicant for appointment to an entry-level police officer position to pay just debts without good cause may disqualify the applicant from appointment.

#### **L. Membership in Organizations**

1. Applicants for appointment to entry-level police officer positions must not have or admit to membership in any organization that advocates the violent overthrow of the United States Government.
2. Applicants for appointment to entry-level police officer positions must not have or admit to membership in any organization that specifically targets any group of individuals for harassment due to racial or ethnic origin.
3. Applicants for appointment to entry-level police officer positions must be willing to work the days and shifts necessary and perform the duties necessary, up to and including the use of deadly force, and to wear the required uniform regardless of any religious beliefs and or theological limitations.

#### **M. Cause for Rejection**

Applicants may be denied appointment to an entry-level police officer position for the following causes:

1. Is found to lack any minimum qualification for appointment to an entry-level police officer position as set forth in any rule or regulation adopted by the Commission.
2. Has made a false statement of material fact or practiced or attempted to practice any deception or fraud in his or her application, any required examinations, in the background investigation, or appointment to an entry-level police officer position.
3. Is found to have a record of unacceptable history, including financial history, educational performance, employment history, unemployment history, military service, general reputation, interpersonal skills, and the inability to read, write or fluently speak the English language.
4. Is unable to meet any requirement for licensure as a peace officer as promulgated by the rules and regulations of TCOLE.

## **N. Lateral Entry for Police Officers with Previous Law Enforcement Experience**

1. Any applicant eligible for lateral entry consideration must meet all state and local Civil Service hiring requirements. Personnel hired as Police Officers by the Police Department will be compensated for prior police experience under the following guidelines:
  - a. In order to be eligible for consideration of compensation for prior police service, a person certified as a Peace Officer in the State of Texas can have no more than **two years** break in service from the time the person left the prior police agency and the time he/she becomes employed with this department, or
  - b. A person certified as a peace officer in any other state or federal agency can have no more than two years break in service from the time the person left the prior police agency and the time he/she becomes employed with this department and shall have successfully passed the State of Texas Peace Officer Certification examination, and the officer must have separated from the agency or agencies under honorable conditions.
2. Those officers who qualify will be given credit for each **full year of service** with their prior agency or agencies, to a maximum of five years. This will be based on records provided by the applicant and verified with the police agencies and the Texas Commission on Law Enforcement Officer Standards and Education, as well as any other state or federal agency responsible for commissioning the officer. The applicant will be eligible to be placed into the salary step which corresponds to the applicant's service credits up to completion of the fifth year.
3. Officers entering employment with the department who are eligible for lateral entry compensation and who are otherwise eligible for educational and/or intermediate or higher state certification compensation will not receive such compensation until they have successfully completed one-year probation and meet all other department guidelines concerning certification or educational compensation. All other authorized compensation or benefits will be based upon the existing local rules, regulations and policies.
4. Officers entering employment with the department who have been credited with previous service time for lateral entry compensation are not eligible for promotion until they have met the civil service requirements set forth by Local Rule 13 governing promotions and enhances LGC Section 143.031.

## **O. Preference for Certified Officers**

1. First preference shall be given to applicants who possess certification as a peace officer, as issued by TCOLE at time of examination. Applicant shall provide evidence of certification on or before date of hire.
2. Second preference shall be given to applicants who are certifiable by TCOLE, i.e., applicant has completed all academy training but must undergo and pass TCOLE certification examination. If applicant does not successfully pass TCOLE examination, then the applicant will no longer be given preference in hiring.
3. If applicant does not possess peace officer certification and is not certifiable by TCOLE, he/she must meet all legal requirements necessary to become certified by TCOLE.

## **P. Reemployment of Prior Texarkana, Texas Police Officers**

Former Texarkana, Texas Police Officers may be eligible for reemployment providing the following conditions have been met:

1. The officer left the Police Department under honorable conditions in good standing, and
2. Has not been out of the City's employment for more than five years, and
3. Currently possesses a valid Texas Peace Officer license, and
4. Providing an authorized vacancy is available.
5. Civil Service Testing Exemption: An officer meeting the requirements stated above in 1-4 of this section shall be exempt from sitting for the local civil service entry examination and may be considered for immediate reemployment.
6. Background Investigation Required: Reemployment of any former police officer is contingent upon completion of all prescribed Police Department pre-employment testing and verifications except for the physical assessment test as described in section (F) of this rule.



**City of Texarkana, Texas  
Local Civil Service Rules**

<b>Subject:</b> <b>FIREFIGHTER APPLICANT SELECTION CRITERIA AND DISQUALIFICATION FACTORS</b>		<b>Rule 10</b>	
<b>Effective Date:</b> <b>June 1, 2019</b>	<b>Amended Date:</b> <b>March 18, 2021</b>	<b>Reference:</b> <b>Section(s) 143.022, 143.023</b>	<b>Pages: 6</b>

**A. General Minimum Qualifications**

1. Citizenship: Applicant must be a lawful permanent resident of the United States.
2. Age: Applicants for appointment to an entry-level firefighter position must be at least 18 years of age and must not have attained their 36<sup>th</sup> birthday as of the date of appointment to Probationary Civil Service status.
3. Education: Applicants for appointment to an entry-level firefighter position must have a high school diploma or have been awarded a high school equivalency certificate. An applicant must be able to read and write the English language.
4. Driver's License: Applicant must possess a valid driver's license in his or her state of residence.

**B. Physical Ability**

1. Physical Ability Test: Applicants must successfully complete the Texarkana Fire Department Physical Ability Test (PAT) as validated by Standard & Associates in 2000 and 2004. Each portion of the PAT must be completed within the time allowed in the administration guide. This test consists of activities as listed in the following sections.
2. Administration Guide: Full details of the Texarkana Fire Department physical ability test are in the "Physical Ability Test Administration Guide" as produced by Standard & Associates when their validation study was completed. All applicant physical ability tests shall be conducted in accordance with this guide.
3. Obstacle Course: The obstacle course consists of a series of job-related tasks. These tasks include a 5" uncharged hose drag, a 1 ¾" charged hose drag, a 3" hose carry, a simulated pike pole ceiling pull using a breech and pull machine, a ladder extension, an equipment carry upstairs, and a dummy drag.
4. Aerial Ladder Climb: The aerial ladder climb consists of a climb up and down an aerial ladder extended 70 feet at 75 degrees elevation.

5. Blind Hose Crawl: The blind hose crawl consists of a crawl along 150' of charged 1 ¾" hose, around obstacles, while wearing an SCBA face piece that has been "blacked out," eliminating normal vision.

### **C. Background Investigation & Standards**

1. The TCFP is the regulating agency for all career Fire Departments in the state of Texas. TCFP regulations state, in Section 403.1 (b): "The duties and responsibilities of persons who hold certifications issued by the commission each involve matters that directly relate to public safety. Fire protection personnel often have access to areas not generally open to the public. The public relies on the honesty, trustworthiness, and reliability of persons certified by the commission. Thus, crimes involving moral turpitude, including but not limited to fraud and dishonesty, are directly relevant. In addition, the ability of such persons to function unimpaired by alcohol or the illegal use of drugs, in dangerous or potentially dangerous circumstances, including but not limited to the operation of emergency vehicles is paramount in light of the duty to protect the health and safety of the public." This regulation and the obligation of the Fire Department to provide for the safety of the public and maintain the trust of the citizens provide the basis for these regulations.
2. It is understood that many people make mistakes when they are young. Accordingly, all time periods in this section refer to offenses that occurred after age 17. Offenses that occurred at age 17 or earlier will be considered on a case by case basis, considering the severity and frequency of the offense along with the elapsed time since the offense. The Fire Chief and Oral Review Board may consider these same factors of frequency, severity, and elapsed time in any case where it is appropriate. Isolated instances of misconduct that occur within the indicated time periods, but that are not indicative of normal behavior patterns, may be allowed.
3. Criminal Convictions: The honesty and integrity of firefighters is vital to the operation of the department. Home and business owners trust firefighters to enter their premises in emergency situations. This trust is vital to the mission of the department and a history of criminal conviction in department employees could undermine that trust. In addition, TCFP requires criminal background checks on all applicants for firefighter certification. A history of criminal convictions can prevent an applicant from being certified as a firefighter. For these reasons, the following standards for criminal conviction history will be followed when reviewing the background of employment candidates:
  - a. Felony (all degrees): No conviction in adult history. Juvenile convictions will be considered on a case by case basis, considering the severity and frequency of the offense along with the elapsed time since the offense.
  - b. Misdemeanor (Class A or B): No convictions in past five years and no more than one conviction in adult history.
  - c. Misdemeanor (Class C- non traffic): No convictions in past three years. No more than one conviction in past five years. No more than two convictions in past ten years.
  - d. All Levels: No conviction that would impact the ability of an applicant to obtain firefighter certification from the TCFP or EMT certification from the Texas Department of State Health Services.
  - e. Admissions: Admissions of criminal offenses that did not result in a conviction will be considered on a case by case basis, considering the severity and frequency of the offense along with the elapsed time since the offense.
  - f. Indictments: An applicant must not be under indictment of any criminal offense.



4. **Military Service:** Applicants for appointment to an entry-level firefighter position who have military service and have been discharged from that service under less than honorable conditions will be evaluated on a case by case basis.
5. **Driving Record:** All firefighters employed by this department operate and drive departmental vehicles at some point. Driving a fire apparatus that may weigh more than 40,000 pounds under emergency conditions requires a commitment to safety and maturity in driving habits. In addition, the City could face significant liability if an individual with a poor driving record were hired and then had an accident in a fire apparatus. For these reasons, the following standards will be followed in assessing the driving record of potential employees.
  - a. **Moving violations:** No more than two moving violations in most recent twelve-month period. No more than three moving violations in most recent thirty-six-month period.
  - b. **DWI/DUI:** No DWI or DUI conviction in past five years. No more than two convictions in adult history.
6. **Drug Usage:** Firefighters respond to emergency situations that threaten the lives and property of the citizens of Texarkana. To effectively respond, make decisions, and take actions to protect the citizens and their property requires a mind that is functioning at full capacity. In addition, each firefighter depends upon fellow firefighters to be unimpaired. No amount of impairment due to substance abuse is acceptable. The City of Texarkana, Texas, through its personnel manual, recognizes the problems of substance abuse in our society and the negative impact of that abuse on the workforce. This same manual establishes a policy of a drug-free workplace. While recognizing that some experimentation with illegal drugs is common and that rehabilitation is possible, the following guidelines will be used to ensure that applicants for employment have established themselves in a drug-free lifestyle prior to employment.
  - a. **Marijuana:** No use or possession within two years. Use or possession beyond two years will be considered on an individual basis with the severity and frequency considered.
  - b. **Hallucinogens:** No use within five years and no recurrence of side effects.
  - c. **Other controlled substances:** No use within five years.
  - d. **Possession to distribute:** Not ever.
7. **Financial and Credit History:** Applicants for appointment to entry-level firefighter positions must provide their written consent to the Fire Department for the Department to obtain the applicant's consumer credit report.
  - a. Denial of consent may be considered grounds for disqualification.
  - b. Applicants for appointment to entry-level firefighter positions must not admit nor have a credit history that would result in criminal prosecution, to include but not limited to, child support or conduct intended to defraud or harm just creditors.
  - c. The filing or a record of bankruptcy, will not be used as the sole reason for disqualification.
  - d. The failure of an applicant for appointment to an entry-level firefighter position to make restitution for any legal judgment against the applicant will disqualify the applicant from appointment.
  - e. The failure of an applicant for appointment to an entry-level firefighter position to pay just debts without good cause may disqualify the applicant from appointment.

8. Membership in Organizations:
  - a. Applicants for appointment to entry-level firefighter positions must not have or admit to membership in any organization that advocates the violent overthrow of the United States Government.
  - b. Applicants for appointment to entry-level firefighter positions must not have or admit to membership in any organization that specifically targets group of individuals for harassment due to racial or ethnic origin.
  - c. Applicants for appointment to entry-level firefighter positions must be willing to work the days and shifts necessary, to perform the duties necessary, and to wear the required uniform regardless of any religious beliefs and/or theological limitations.
9. Interview, Polygraph, & Oral Review Board
  - a. All candidates will be interviewed by the Fire Chief or his designee. This interview will focus on departmental information, candidate's general background information, and the candidate background questionnaire.
  - b. Applicants for appointment to an entry-level firefighter position must complete a polygraph examination.
  - c. All candidates will interview before an Oral Review Board composed of Fire Department personnel and should include one civilian representative. Candidates will respond to a standard set of questions dealing with general character and situations that may arise in Fire Department employment. The board shall also review each candidate's background information. After the interview, each member of the board shall make a recommendation to the Fire Chief or their designee on the candidate's suitability for employment.
10. Physical Examination
  - a. Each candidate shall undergo a physical examination prior to employment. This physical examination shall be conducted under the direction of the Medical Director of the Texarkana Bowie County Family Health Clinic.
  - b. If it is determined by the results of this examination that the applicant has a correctable medical condition or limitation that would affect employment, the applicant will be allowed to seek corrective measures, at his or her own expense, before a final determination is made on his or her suitability for employment.

#### **D. Cause for Rejection or Bypass**

1. Applicants may be rejected for cause. Applicants rejected for cause are removed from the employment eligibility list.
2. The following are declared to be cause for rejection of any applicant for appointment to an entry-level firefighter position:
  - a. Applicant is found to lack any minimum qualification for appointment to an entry-level firefighter position as set forth in any rule or regulation adopted by the Commission.
  - b. Applicant has made a false statement of material fact or practiced or attempted to practice any deception or fraud in his or her application, any required examinations, in the background investigation, or appointment to an entry-level firefighter position.
  - c. Applicant is found to have a record of unacceptable history, including financial history, educational performance, employment history, unemployment history, military service, general reputation, interpersonal skills, or the inability to read, write or fluently speak the English language.

- d. Applicant is unable to meet any requirement for certification as a firefighter as by the TCFP or as an EMT by the Texas Department of State Health Services.
3. Applicants may be bypassed in favor of more qualified applicants. Applicants bypassed in favor of more qualified applicants are not removed from the employment eligibility list but remain in the same position on the list to receive consideration for future openings.
4. The following criteria may be considered in determining the qualification level of applicants. Criteria are listed in the order of priority:
  - a. Possession of structural firefighter certification from the TCFP
  - b. Possession of Emergency Medical Technician - Basic or higher certification from the Texas Department of State Health Services
  - c. Prior experience as a career firefighter

#### **E. Lateral Entry for Firefighters with Previous Fire Department Experience**

1. An entry firefighter may be eligible to be placed in an initial pay grade higher than the normal entry pay grade, based upon prior experience as specified in this section. This process shall be known as lateral entry for firefighters with previous Fire Department experience.
2. Any applicant eligible for lateral entry consideration must meet all state and local Civil Service hiring requirements. Placement in a higher pay grade shall not be construed to affect the probationary status of the employee. Personnel granted a higher pay grade under the provisions of this section must still serve the same probationary period as any other entry level civil service employee of the department.
3. Personnel hired as firefighters by the Fire Department will be compensated for prior Fire Department experience under the following guidelines:
  - a. In order to be eligible for consideration of compensation for prior Fire Department service a person certified as a firefighter in the State of Texas can have no more than two years break in service from the time the person left the prior Fire Department and the time he/she becomes employed with this department, or
  - b. A person certified as a firefighter in any other state or federal agency can have no more than two years break in service from the time the person left the prior Fire Department and the time he/she becomes employed with this department and shall have successfully completed the required certification process with the TCFP and
  - c. only prior full-time service as a certified firefighter in a career department or a career employee of a combination department will be considered. Part-time firefighter experience and volunteer firefighter experience will not be considered for this credit regardless of certification status.
4. The firefighter must have separated from the department(s) where employed under honorable conditions.
5. Those firefighters who qualify will be given credit for each full year of service with their prior department(s), to a maximum of three years. Partial years of service will not be considered. Prior experience will be evaluated based on records provided by the applicant and verified with the applicable Fire Department(s) and the Texas Commission on Fire Protection, as well as any other state or federal agency responsible for certifying the firefighter. The applicant will be eligible to be placed into the salary step which corresponds to the applicant's service credits up to completion of the third year.

6. Firefighters entering employment with the department who are eligible for lateral entry compensation and who are otherwise eligible for educational and/or intermediate or higher state certification compensation will not receive such compensation until they have successfully completed one-year probation and meet all other department guidelines concerning certification or educational compensation. All other authorized compensation or benefits will be based upon the existing local rules, regulations and policies.
7. Firefighters entering employment with the department who have been credited with previous service time for lateral entry compensation are not eligible for promotion until they have met the civil service requirements set forth by Texas Local Government Code 143.028 and local rules governing promotions.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>PROBATIONARY PERIOD</b>		<b>Rule 11</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.027</b>	<b>Pages: 1</b>

1. In the Police Department, a person hired after October 31, 2005, who is required to attend a basic police training academy for initial licensure by the TCOLE shall be required to serve a probationary period of eighteen months beginning on that person's date of employment as a police officer academy trainee.
2. In the Police Department, a person hired who is licensed by TCOLE as a peace officer when employed shall be required to serve a probationary period of one year beginning on that person's date of employment as a police officer.
3. In the Fire Department, a person hired after October 31, 2005, who is required to attend a basic fire academy for initial certification by TCFP as a structural firefighter shall be required to serve a probationary period of eighteen months beginning on that person's date of employment as a firefighter academy trainee.
4. In the Fire Department, a person hired who is certified by TCFP as a structural firefighter when employed shall be required to serve a probationary period of one year beginning on that person's birthday of employment as a firefighter.
5. In the absence of any report from the Department Head that a probationary employee's performance is unsatisfactory, such employee automatically becomes a regular, full-time employee at the end of the applicable probation period.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>PROMOTIONS</b>		<b>Rule 12</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section(s)</b> <b>143.028- 143.034</b>	<b>Pages: 2</b>

1. Candidates for promotional exams in the Police and Fire Department shall register for the exam with the Director. The deadline for registration shall be 5 working days prior to the exam. A **minimum of three candidates** must register by the deadline in order to have a competitive examination.
2. Within 24 hours after the conclusion of the exam, the Director shall prepare an eligibility list of all applicants passing the test, listed from highest to lowest score.
3. In the event of a tie on a promotional examination, the tie will be broken by placing the candidate who has the most time in-grade over the candidate with a lesser time in-grade. Should there be an unusual circumstance whereby both candidates were employed the same day, or were promoted to present rank the same day, then the candidate whose name appeared first on the eligibility list (which will be posted alphabetically where ties exist) would be placed ahead of the other candidate.
4. The eligibility list for promotional exams shall be active for a period of one year or until the list is exhausted, whichever comes first.
5. Candidates for promotional exams in the Fire Departments shall meet the eligibility requirements listed in the LGC. Candidates for promotional exams in the Police Department shall meet the eligibility requirements listed in **Local Rule 13 which enhances LGC Section 143.031**.
6. Promotion shall be based upon competition, written exam, and the superior qualifications of the person(s) promoted as shown by his/her previous service, knowledge and qualifications for work, extra credit being allowed for seniority.
7. Successful candidate(s) must be found to be physically qualified by a thorough examination administered by the Health Department. The examination shall be the same for all applicants participating in the specific examination. The Commission shall abide by the findings and recommendations of the physician, except that the Commission may have any or all the applicants re-examined by the same or by another physician appointed by the Commission. After obtaining a signed medical release from the promotional candidate, the physician shall, as a result of the physical examination, furnish a report to the Director, along with recommendations as to whether, based upon this examination, the applicant should be appointed to the position.

8. If a promotional candidate's examination is rejected by the City Physician, he or she has the right to request another examination by a board of three (3) physicians appointed by the Commission but paid for by the candidate. The board's decision is final.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>POLICE ALTERNATE PROMOTIONAL SYSTEM</b>		<b>Rule 13</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.035</b>	<b>Pages: 2</b>

### 1) Eligibility to Take Written Promotional Examination

(a) A minimum of three candidates must take a promotional examination for it to be considered competitive.

#### (b) Sergeant's Promotional Examination

Police Officers must have not less than five (5) years of service in the Texarkana Police Department to be eligible to take the Sergeant's Examination. In the event three or more Officers with this length of service do not give their notices of intent to take the promotional examination, Police Officers with not less than three (3) or more years of experience will be eligible to take the written examination.

#### (c) Lieutenant's Promotional Examination

Sergeants with not less than four (4) years of service in the Sergeant's rank will be eligible to take the Lieutenant's examination. In the event three or more Sergeants with this length of service do not give their notices of intent to take the promotional examination, Sergeants with not less than three (3) years of service will be eligible to take the written examination.

#### (d) Captain's Promotional Examination

Lieutenants with not less than two (2) years of service in the Lieutenants rank will be eligible to take the Captain's examination. In the event three or more Lieutenants with this length of service do not give their notices of intent to take the promotional examination, Lieutenants with less than two years of service will be eligible to take the written examination. If there are still not three or more Lieutenants who have given notices of their intent to take the promotional examination, then Sergeants with not less than 4 years of service will be eligible to take the written examination.



**2) Minimum Passing Score.**

The minimum score for passing a written promotional examination is 70, not including up to ten (10) seniority points, which shall be added only to candidates' scores whose grade is 70 or higher on the written examination. Seniority points are calculated in full years, not in increments, and shall reset after every classification promotion.



**City of Texarkana, Texas Local  
Civil Service Rules**

<b>Subject:</b> <b>REMOVAL OF NAME FROM ELIGIBILITY LIST</b>		<b>Rule 14</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>N/A</b>	<b>Pages: 1</b>

**A. The names of eligible will be removed from the eligible list or eligible lists concerned by operation of any of the following causes:**

1. Appointment through certification from any such list to fill vacancy in any department.
2. Filing of a statement by the eligible that he/she is not willing to accept appointment from the eligible list.
3. Failure to respond within 7 days to any inquiry of the Director or appointing authority relative to availability for appointment.

**B. Expiration of the Term of Eligibility on any Eligible List.**

1. The name of any eligible person on a promotional list shall be removed upon his/her separation from service of the City except for a lay-off.
2. Any cause or condition specified in these rules for rejection of an application shall likewise be cause for the removal of the name of an eligible from any eligible list on which it appears.
3. The Director, upon noting any declination or failure of any eligible to respond shall send a notice to the eligible of the removal of his/her name from the list.
4. It shall be considered impossible to locate an eligible person when any communication mailed to him/her at the last address of record supplied by him/her is not replied to within 7 days or is returned unclaimed, or if a telegram is not replied to within 3 days.
5. When a declination of appointment is on file with the Director, such record shall be considered by the Director that an eligible person is not available or willing to accept certification from the eligible list.



**City of Texarkana, Texas  
Local Civil Service Rules**

<b>Subject:</b> <b>DISCIPLINARY ACTIONS</b>		<b>Rule 15</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Subchapter D</b>	<b>Pages: 2</b>

- A. When the Department Head enters an order for the suspension of an employee in the classified service, he/she shall, within 120 hours, deliver a copy of the written reasons for the suspension filed with the Commission to the suspended employee.
- B. No appointment except a temporary appointment shall be made to fill the vacancy until the period of suspension has lapsed.
- C. Violation of any operating procedure or special order of the following acts shall be declared to be grounds for disciplinary suspension, including suspensions not exceeding 15 days and indefinite suspensions, or demotion from the Fire Department or the Police Department.
  - 1. Has been convicted of a felony or other crime involving moral turpitude; or
  - 2. Has been guilty of an immoral or criminal act; or
  - 3. Has been guilty of brutality or cruelty to an inmate or prisoner of a city institution or to a person in custody; provided, the act committed was not necessarily or lawfully done in self-defense, or to protect the lives of others, or to prevent the escape of a person lawfully in custody; or
  - 4. Has violated any of the provisions of the Civil Service Law or rules of the Commission; or
  - 5. Has violated any of the rules and regulations of the Fire Department, Police Department, and special orders; or
  - 6. Has violated any of the City's Human Resources; or
  - 7. Has been guilty of drinking intoxicants while on duty, or of intoxication or using drugs while on or off duty; or
  - 8. Has been guilty of acts which amount to an act, or acts, of insubordination, whether such acts were committed while on or off duty; or
  - 9. Has violated any lawful and reasonable regulation or order, or failed to obey any lawful or reasonable direction made and given by his/her superior officer, where such violation or failure to obey amounts to an act of insubordination or a serious breach of

proper discipline, or resulted, or reasonably might be expected to result in loss or injury to the City of Texarkana, Texas, or to the public, or the prisoners, or wards of the City of Texarkana, Texas; or

10. Has been guilty of an act, or acts, showing a lack of good moral character; or
11. Has been guilty of acts of discourtesy to the public, or to fellow employees, while in the line of duty; or
12. Has been offensive in his conduct or language toward the public, or toward City officials or employees, or has been profane or vulgar toward any persons in any public place; or
13. Has been guilty of incompetency, inefficiency, or violation(s) in the performance of the duties of his/her position; or
14. If an employee has knowledge that a fellow employee has violated the duties of his other position, it shall be reported immediately to the senior officer in charge; or
15. Has been guilty of conduct prejudicial to good order; or
16. Has had a judgment filed against him/her for failure to pay his/her just debts; or
17. Has been absent from duty without leave, or has failed to report after leave of absence has expired or after leave of absence has been revoked or cancelled by the Department Head; provided, however that if such absence or failure to report is excusable the Department Head or the Commission may cancel such discharge; or
18. Has been guilty of shirking his/her duty; or
19. Has been guilty of cowardice while on duty; or
20. Has been guilty of taking an active part in the political campaign of another for an elective position of the City in violation of the Texas Municipal Code, as amended, and of these rules; or
21. Has, by himself/herself or in cooperation with any other persons, or person, defeated, deceived, or obstructed any person in respect to his/her right of examination; or has furnished to any person so examined any special or secret information for the purpose of either improving or injuring the prospects or chances of persons so examined, being employed, or promoted; or
22. Has been guilty of engaging in a strike or agitation of a strike against the City or any department or division thereof; or
23. Has been guilty of conduct of a nature to bring discredit upon the Fire Department or Police Department of which is prejudicial to the good order and discipline of said departments.



## City of Texarkana, Texas Local Civil Service Rules

<b>Subject:</b> <b>RESIGNATION</b>		<b>Rule 16</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.0251</b>	<b>Pages: 2</b>

- A. Any employee wanting to leave the service in good standing shall, except in unusual circumstances recognized by the Department Head, file his/her resignation with the Department Head and the Director at least 10 calendar days before leaving. The Department Head may, if in the best interest of the department, waive this requirement.
- B. Former employees in the classified service of the Fire Department wishing re-employment must participate in an entrance examination, and if successful may be appointed from the eligibility list.
- C. Any sworn member of the Texarkana Police Department who has voluntarily resigned from the department may be reappointed without taking another Civil Service entrance examination providing all other requirements of this section are met.
1. An application for reappointment must be submitted to the Chief of Police within two calendar years of the voluntary resignation date. The application will be in a form designated by the Chief of Police.
  2. Applicants will not be accepted for further processing if he or she voluntarily resigned while under any Internal Affairs investigation, pending disciplinary action from that investigation or during any appeal period from that investigation or disciplinary action.
  3. If a vacancy in an entry-level police officer position does not occur within one calendar year after the applicant is accepted for processing, the applicant will be rejected but will be eligible to apply for an entry-level police officer position through the normal civil service process including passing a civil service entrance examination.
  4. Once eligibility has been established, the applicant will be required to successfully complete all other elements of the current hiring process, including, but not limited to, a background investigation, polygraph, oral interview board, and work fitness examination.
  5. If the applicant successfully completes the hiring process as set forth above, the Chief of Police may submit the name of the said applicant for appointment, to the City Manager for appointment to the classification of police officer.
  6. See also Rule 9, Section (P), Reemployment of Prior Texarkana, Texas Police Officers.

7. The Chief of Police shall determine the necessary retraining for an applicant after placing the officer in the Field Training Program for a minimum of one month. An evaluation will be conducted after one month to determine if there is a need for additional training.
  8. Any applicant who is rehired under this procedure shall serve a one calendar year probation period before regaining Civil Service status. During the one-year probationary period, the police officer is an "at-will" employee who can be disciplined and/or indefinitely suspended without cause. Department seniority for internal assignments will begin with the new hire date. Rehired police officers must serve at least two years with the department immediately before the date of a promotional examination is held to be eligible to take the examination.
  9. Rehired police officers that held the position of police officer at the time of their resignation shall be hired at the salary commensurate with their longevity at the time of their resignation.
  10. Rehired police officers that held positions above the classification of police officer at the time of their resignation shall be hired at the salary commensurate with their longevity within the pay grade for the police officer classification.
- D. Unauthorized absence from duty for a period of three working days may be considered by the Department Head and the City Manager as a resignation.
- E. Failure to return City property upon termination of employment shall result in an equivalent amount of cash being withheld from the respective employee's final paycheck.



**City of Texarkana, Texas  
Local Civil Service Rules**

<b>Subject:</b> <b>SEVERABILITY CLAUSE</b>		<b>Rule 17</b>	
<b>Effective Date:</b> <b>June 18, 2019</b>	<b>Amended Date:</b>	<b>Reference:</b> <b>Section 143.008</b>	<b>Pages: 1</b>

Consider the following: Severability

- (1) The rules of the Commission currently in effect are only those contained herein. These Rules have been approved by the Commission and shall remain in effect until officially amended, revised or repealed by the Commission.
- (2) Amendment to these Rules may be made at any meeting of the Commission and such amendment shall become effective on the date of compliance with the posting, publication, and notice requirements of Chapter 143 and of these Rules. All rules and amendments shall be printed and made reasonably available for access by all civil service employees.
- (3) Where there is a conflict between these Rules and other rules pertaining to civil service employees of the City, these Rules shall take precedence. If any section, subsection, paragraph, sentence, clause, phrase or word contained in these Rules shall be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portion of these Rules.
- (4) These Rules are enacted by the Commission pursuant to the statutorily delegated authority of Chapter 143. These Rules were not acted upon in any official manner by the City Council. Therefore, these Rules do not constitute any form of "policy" nor any other official act of the City Council.