

# Chapter 20. Boards and Commissions

## Article II. Civil Service Board

An ordinance revising and restating Chapter 20 of the City Code of Ordinances pursuant to Chapter 144 of the Pa Consolidated Statutes, Title 11, Act 2015-96 of the 2015 Legislative Session.

### § 20-16. Established.

There is hereby created and established the Civil Service Board for the examination of applicants for all civil service appointments and promotions as policemen and firemen in the City of Washington, Pennsylvania, providing for their powers and duties, including promotions, removal or reduction in rank and other powers and duties under the Acts of Assembly of 1931, June 23, P.L. 932, Art. XLIV; 1949, May 14, P.L. 1338, § 1; 1951, June 28, P.L. 662, § 44; 1978, April 18, P.L. 37, No. 19, § 1, as amended

The Board shall operate under Rules and Regulation duly adopted by the Board and approved by City Council.

### § 20-17. Composition of Civil Service board.

There shall be a Civil Service Board that shall provide for and oversee the examination of applicants for appointment to and promotion to any position in the police or fire department, except to the position of Police Chief or Fire Chief, without having first passed all the examinations herein provided for and without having been appointed in the manner and according to the strict terms and provision and conditions of these Civil Service Rules and Regulations. Thus, there shall be Civil Service Board

- a) Board (Primary). The board shall consist of three board members who shall be qualified electors of the city and shall be appointed by the city council initially to serve for the terms of two, three and four years, and as terms thereafter expire shall be appointed for terms of four years or until their successors are appointed.

Any vacancy occurring on the board (Primary) for any reason whatsoever shall be filled by the city council for the unexpired term.

Each member of the board (Primary) created by this subdivision, before entering upon the discharge of the duties of his office, shall take an oath or affirmation of office pursuant to 53 Pa.C.S. § 1141 (relating to form of oaths of office), and file the same, duly certified by the officer administering it, with the city manager.

- a) Board (Alternate). City Council may appoint no more than three qualified electors of the city to serve as alternate members of the board. The term of office shall be four years. An alternate shall be entitled to participate in all proceedings and discussions of the board to the same and full extent as provided by

law for board members but shall not be entitled to vote as a member of the board unless designated as a voting alternate member, pursuant to Section 4403.1 of the Third-Class City Code and outlined in *Section 2.3, c)*, of these Civil Service Rules and regulations. "Alternate" members shall hold no other office in the city.

Each member of the board (Alternates) created by this subdivision, before entering upon the discharge of the duties of his or her office, shall take an oath or affirmation of office pursuant to 53 Pa.C.S. § 1141 (relating to form of oaths of office).

## § 20-18. Ineligibility for appointment.

No City officer, official or employee shall be eligible for appointment to any civil service board.

## § 20-19. Oath required.

Each said member before entering upon the duties of his or her office shall take the oath of office prescribed by the Third Class City Code,<sup>[1]</sup> as amended, for members of other civil service boards in the City.

## § 20-20. No compensation.

No salary or any other compensation shall be paid to any member of the said board except for the Secretary per the City Code and duly adopted rules and regulations.

## § 20-21. Organization of Board-Quorum.

- a) Pursuant to the Fire and Police rules and regulations, The board shall organize for the purpose of transacting all business immediately after the first appointment and thereafter as new appointments to the board are made. After organizing, the board shall appoint one of its members as its chairperson, one as vice chairperson, and one as its secretary.
- b) Two members of the board shall constitute a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members.
- c) If by reason of absence or disqualification of a member, a quorum is not reached, the chairman shall designate as many alternate members of the board to sit on the board as may be needed to provide a quorum. Any alternate member of the board shall continue to serve on the board in all proceedings involving the matter or case for which the alternate was initially designated until the board has made a final determination of the matter or case. Designation of an alternate shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

For purposes of hiring and promoting firefighters under these rules and regulations, each step of the hiring or promotional process requiring official action by the board shall be considered a separate “matter or case” under Subsection (b), above, and each step of the hiring or promotional process need not be voted upon or approved by the same composition of “Primary” board members or “Alternate” board members, as the case may be, provided that the quorum requirement has been satisfied.

## § 20-22. Statutory powers.

Each civil service board shall have all the powers and duties prescribed by and under 53 P.S. §§ 37102 and 39402 et seq., as amended.<sup>[1]</sup>

[1] *Editor's Note: Former 35 P.S. §§ 35101 through 39701 were repealed by either P.L. 52, No. 22, of 5-19-2014 (effective 5-19-2014) or P.L. 242, No. 67, of 11-24-2015 (effective 1-25-2016). See now 11 Pa.C.S.A. §§ 12102 et seq. and 14402 et seq., respectively.*