

ORDINANCE NO. 15797

FILE OF CITY COUNCIL

BILL NO. 14 - 2022

MARCH 2, 2022

AN ORDINANCE

Amends Chapter 19, Civil Service Board, of the Codified Ordinances. The Ordinance incorporates Internal Operating Rules of the City of Allentown Civil Service Board

~~SECTION ONE: That the following be added to Chapter 19, Civil Service Board Rules of the Codified Ordinances:~~ City Council hereby adopts the attached Internal Operating Rules of the City of Allentown Civil Service Board:

**INTERNAL OPERATING RULES OF THE
CITY OF ALLENTOWN CIVIL SERVICE BOARD**

MEMBERS

1. The City of Allentown Civil Service Board (hereinafter referred to as the "Board") shall consist of three members who are registered electors of the City of Allentown, excluding any officer, official or employee of the city.
2. The members of the Board shall be appointed by the Mayor, subject to confirmation by City Council.
3. Upon the expiration of the term of any member, a successor shall be appointed to serve a term of four years.
4. If a vacancy occurs prior to the expiration of a term of any member, the vacancy shall be filled for the unexpired term in the same fashion as the original appointment to the Board.

ALTERNATE MEMBERS

1. The Mayor may appoint, subject to approval by City Council, not more than three qualified electors of the City of Allentown to serve as alternate members of the Board. An alternate member shall serve a four-year term.
2. An alternate member shall hold no other office in the City of Allentown.
3. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairperson shall designate as many alternate members to sit on the Board as may be needed to provide a quorum. When seated pursuant to this section, an alternate member shall be entitled to participate in all proceedings and discussions of the Board to the extent as provided by law for Board members, including the right to cast a vote during the proceedings, and shall have all the powers and duties of Board members provided by law. An alternate member 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.
4. Designation of an alternate member pursuant to this section shall be made on a case-by-case basis in rotation according to declining seniority among all alternate members.
5. Any alternate member may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board unless designated as a voting alternate member pursuant to this section.

ORGANIZATION

1. The Board shall reorganize at the first regular meeting each year. The Board shall elect one member as Chairperson and one member as Secretary, each of whom shall serve a one-year term or until his/her successor is duly elected and qualified. The Board shall appoint a Solicitor, who shall be licensed to practice law in the Commonwealth of Pennsylvania.
2. The Chairperson shall preside at all meetings and hearings of the Board, decide all points of order or procedure, and perform any duties required by law or these Rules.
3. The Secretary shall, in the absence of the Chairperson, preside at all meetings and hearings of the Board, decide all points of order or procedure, and perform any duties required by law or these rules.
4. Each member and alternate member of the Board shall take and subscribe to the oath of office prescribed by 53 Pa. C.S. § 1141 (relating to form of oaths of office) and file the oath, duly certified by the officer administering it, with the City Clerk.
5. No salary or other compensation shall be paid to any member or alternate member of the Board.

MEETINGS

1. The Board shall hold a regular meeting on a monthly basis. The date, time and location of the monthly regular meeting shall be as determined by the Board.
2. The Board has the discretion to schedule special meetings on an as-needed basis.
3. The Board shall post notice of regular, special, and re-scheduled meetings of the Board in a newspaper of general circulation as provided by law and on the City of Allentown official website.
4. The meetings of the Board shall be open to the public. However, where an open meeting could adversely affect the rights of a City employee or prospective City employee, the Board shall have the power provided by law to exclude the public from the meeting, provided, however, that the City employee or prospective City employee whose rights could be adversely affected may request, in writing, that the matter or matters be discussed at an open meeting.
5. Two members of the Board shall constitute a quorum necessary for the transaction of business.
6. The order of business of all meetings of the Board shall be as follows:
 - a) Roll call.
 - b) Approval of minutes of previous meeting.
 - c) Old business.
 - d) Hearing of appeals.
 - e) New business.
 - f) Communications and reports.

HEARINGS

1. Notice of the hearing shall be given as provided in these Rules and as required by law.
2. Any party may be represented by legal counsel at the hearing.
3. Any party shall be given the opportunity to be heard, including the presentation of testimony and other evidence, reasonable examination of witnesses and cross-examination of adverse witnesses, and argument regarding the merits of the matter before the Board.
4. The Board shall keep a stenographic record of the proceedings. The original transcript shall be paid for and maintained by the Board. The cost of obtaining a copy of the transcript shall be paid by the person requesting such copy.

5. The Board shall not be bound by the formal rules of evidence, and all relevant evidence of reasonably probative value may be received. However, the Board shall have the authority to exclude irrelevant or unduly repetitious evidence.
6. The adjudication of the Board shall be in writing, shall contain findings and the reasons for the adjudication, and shall be served upon all parties or their counsel personally or by mail.

MINUTES

The Board shall maintain written minutes of its meetings that are open to the public. The minutes shall include the date, time, and place of the meeting, the names of the members present, the substance of all official actions, a record by individual member of the roll call votes taken, and the names of citizens who appeared officially. The written minutes of open meetings shall be open to public inspection subject to reasonable regulation.

APPLICATION FORMS

The Board authorizes the City of Allentown Department of Human Resources to develop, and supervise other City employees for the purpose of developing, application forms for use in the civil service application process conducted in accordance with these Rules. The application forms so developed and used shall be approved by the Board.

APPOINTMENT OF EXAMINERS / RECORD OF EXAMINATIONS

1. The Board authorizes the City of Allentown Department of Human Resources to conduct and supervise other City employees for the purpose of conducting, examinations and investigations in accordance with these Rules.
2. The Board shall maintain records of examinations and investigations conducted pursuant to these Rules. The records of examinations shall be confidential and open to public inspection only as provided by law.

INVESTIGATIONS

The Board shall have the power to conduct its own investigations concerning all matters relating to the administration and enforcement of these Rules. The Chairperson shall be

authorized to administer oaths and affirmations for witnesses testifying in matters before the Board.

SUBPOENAS

1. The Board shall have the power to issue subpoenas over the signature of the Chairperson or designee and to require the attendance of witnesses and the production of records and papers pertaining to matters before the Board, including any background investigation conducted pursuant to any applicable rules and regulations. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts.
2. If any person should refuse or neglect to obey any subpoena, the Board may petition the Court of Common Pleas of Lehigh County for a subpoena requiring such persons to attend and testify before the Board and produce any records and papers that the Board has deemed necessary.

ANNUAL REPORT

The Board shall submit an annual report to the Mayor and City Council that sets forth a brief summary of its work during the year. The annual report shall be open to public inspection subject to reasonable regulation.

AMENDMENT OF RULES

1. The Board may, in its discretion, amend or repeal these Rules by majority vote of the Board at any properly convened meeting of the Board. An amendment or repeal of these Rules shall become effective only after approval by City Council.
2. These Rules, and any amendment or repeal of thereto, shall be available for public inspection at City Hall and on the City of Allentown official website.

ADOPTION OF RULES

The foregoing Internal Operating Rules were adopted by the Board on February 4, 2022 and approved by Allentown City Council on March 16, 2022 pursuant to Bill No. 14 – 2022.

AMENDMENT TO CHANGE SECTION ONE TO READ: THAT CITY COUNCIL HEREBY ADOPTS THE ATTACHED INTERNAL OPERATING RULES OF THECITY OF ALLENTOWN CIVIL SERVICE BOARD, PASSED 7 – 0

| | Yea | Nay |
|---------------------------|-----|-----|
| Candida Affa | X | |
| Ce-Ce Gerlach | X | |
| Daryl Hendricks | X | |
| Natalie Santos | X | |
| Joshua Siegel | X | |
| Ed Zucal | X | |
| Cynthia Y. Mota, Pres. | X | |
| TOTAL | 7 | 0 |

I hereby certify that the foregoing Ordinance was passed by City Council on March 16, 2022 and signed by the Mayor on March 18, 2022.



CITY CLERK

LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Civil Service Board

- **Summary and Facts of the Bill**

The Civil Service Board established Internal Operating Rules that they approved on February 4, 2022.

- **Purpose – Please include the following in your explanation:**
 - What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
 - What are the Benefits of doing this/Down-side of doing this
 - How does this Bill related to the City’s Vision/Mission/Priorities

- **Financial Impact – Please include the following in your explanation:**
 - Cost (Initial and ongoing)
 - Benefits (initial and ongoing)

No Cost

- **Funding Sources – Please include the following in your explanation:**
 - If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.

No Cost

- **Priority status/Deadlines, if any**

N/A

- **Why should Council unanimously support this bill?**