

Rule 410

Examination Announcements and Applicants

Article I: Equal Employment Opportunity Policy

Applicability: Article I, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA).

Article II: Examination Announcements

Applicability: Article II, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) except those represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Article III: Applicants

Applicability: Article III, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) except those represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Article IV: Applications and Notice of Examinations

Applicability: Article IV, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Article V: Qualifications of Applicants

Applicability: Article V, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A.

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Article I: Equal Employment Opportunity Policy

Applicability: Article I, Rule 410 shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA).

Sec. 410.1 Civil Service Commission Equal Employment Opportunity Policy Related to Examination Announcements and Application Procedures

It is the goal and policy of the Civil Service Commission to achieve a work force that is fully reflective of the multicultural, ethnic, and gender diversity of the City and County of San Francisco. The MTA Director of Transportation/Designee shall conduct outreach for the purpose of announcing upcoming examinations. Outreach shall include such procedures among others as periodic mailings, job fairs, and presentations to inform the public of the employment opportunities and the examination process within the civil service merit system.

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Article II: Examination Announcements

Applicability: Article II, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) except those represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Sec. 410.2 Examination Announcements

The examination announcement shall be the official notice of an examination and shall provide the qualifications, dates, and other particulars regarding the selection procedure. Applicants must be guided solely by the terms of the examination announcement.

Sec. 410.3 Minimum Posting Periods for Examination Announcements

Examination announcements shall be posted on the MTA's official employment opportunities website for a minimum period as determined by the MTA Director of Transportation/Designee not to be less than three (3) business days. In establishing the minimum period, the MTA Director of Transportation/Designee shall consider among other factors, number of vacancies, turnover in the classification, labor market availability, stability and reliability of the messaging platform in sending and receiving notifications, extent of access by the labor market to the means for receiving timely notification, and equal employment opportunity and racial equity goals. Appointing officers shall make reasonable efforts to properly notify employees. MTA will, on a regular basis, report to the CSC on the progress of advance notification of upcoming employment opportunities for postings of five (5) days or less on the employment opportunity website.

Sec. 410.4 Appeals of Examination Announcements

Appeals concerning the provisions of an examination announcement must be received by the MTA Director of Transportation/Designee within five (5) business days from the issuance date. The MTA Director of Transportation/Designee shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules.

Sec. 410.5 Reissuance of Examination Announcements

After considering appeals submitted under these Rules, the MTA Director of Transportation/Designee may reissue an examination announcement. When reissued, an examination announcement is not open to appeal.

Sec. 410.6 **Correction of Examination Announcements**

Examination announcements may be corrected by the MTA Director of Transportation/Designee with respect to clerical errors, misprints, and incorrect wording by posting notice of such corrections next to the original examination announcement. When examination announcements are corrected under the provisions of this section, additional time shall not be allowed for the protest or appeal of the substantive provisions contained in the original examination announcement.

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Article III: Applicants

Applicability: Article III, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) except those represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Sec. 410.7 Recruitment of Applicants

Recruitment shall be conducted to attract qualified applicants and to maximize the multicultural, ethnic, and gender diversity of the workforce in the City and County of San Francisco. Where appropriate or needed, the MTA Director of Transportation/Designee shall conduct targeted outreach and recruitment programs, including cooperative efforts with community organizations, to attract qualified members of underrepresented groups.

Sec. 410.8 Definition of an Applicant

An applicant is a person who has filed an application for examination within the time limits or under the conditions specified on the examination announcement.

Sec. 410.9 Qualifications of Applicants

410.9.1 Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Experience gained in violation of Commission Rules shall not be recognized. City and County employees in Service-Critical classes at the Municipal Transportation Agency shall receive credit only for the duties of the class to which appointed or assigned unless sufficient and credible documentation is provided to verify performance of other duties. Employees in Service-Critical classes at the Municipal Transportation Agency may receive credit for duties not usually performed by incumbents in a Service-Critical class if their employee file contains contemporaneous documentation that the duties were assigned and performed. By way of example but not limitation, records that describe and verify the out-of-class assignment that may be accepted as documentation include a valid performance appraisal completed during the normal evaluation period, payroll records filed at the time of the assignment and Notice of Assignment. Credit for duties in Service-Critical classes at the Municipal Transportation Agency not usually performed by incumbents in a Service-Critical class

Sec. 410.9 Qualifications of Applicants (cont.)**410.9.1 (cont.)**

based on non-contemporaneous documentation shall require the certification of the Municipal Transportation Agency Deputy Director, Labor Relations and Human Resources, and the approval of the Director of Transportation.

- 410.9.2** Except with permission of the MTA Director of Transportation/Designee, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class nor for a class in which the employee has current permanent appointment.

Sec. 410.10 Review of Applicant Pool Demographics

When there is underrepresentation of an ethnic or gender group for a specific class or occupational category, the MTA Director of Transportation/Designee shall review the ethnic and gender demographics of the pool of qualified applicants. Where the pool of applicants does not reflect the demographics of the relevant labor market, and upon consideration of factors such as the number of anticipated vacancies and the level of underrepresentation, the MTA Director of Transportation/Designee may take such action as appropriate including extending the filing period, reopening the examination for filing, or canceling the examination.

Sec. 410.11 Promotional Applicants

Applicants for promotive only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, employees with six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment type qualify as promotive applicants.

Sec. 410.12 Change of Address

In all cases of change of address, MTA must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or an employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

Sec. 410.13 Custody of Examination Applications

Examination applications and supporting documents become the property of MTA when received. Return of such documents shall require the approval of the MTA Director of Transportation/Designee.

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Article IV: Applications and Notice of Examinations

Applicability: Article IV, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Sec. 410.14 **Qualifications of Applicants**

410.14.1 Every applicant for entrance or promotional examination must possess and maintain the qualifications required by law and by the announcement of the examination for which applied. Experience gained in violation of Commission Rule will not be recognized. It is the responsibility of the appointing officer and of the employee to have out-of-class experience recorded as provided elsewhere in these Rules.

410.14.2 Except with permission of the MTA Director of Transportation/Designee, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class. No employee may participate in an examination for a class in which the employee has current permanent appointment status except with the approval of the MTA Director of Transportation/Designee.

Sec. 410.15 **Application Time Periods**

An applicant is a person who has filed an application for examination within the time limits specified in the announcement of the examination for which the applicant applied. Verification shall be the official time receipt of the MTA or postmark. Examination announcements shall not be distributed after the end of the filing period.

Sec. 410.16 **Minimum Posting Periods for Examination Announcements**

Examination announcements shall be posted on MTA's official employment opportunities website for a minimum period as determined by the MTA Director of Transportation/Designee not to be less than three (3) business days. In establishing the minimum period, the MTA Director of Transportation/Designee shall consider among other factors, number of vacancies, turnover in the classification, labor market availability, stability and reliability of the messaging platform in sending and receiving notifications, extent of access by the labor market to the means for receiving timely notification, and equal employment opportunity and racial equity goals. Appointing officers shall make reasonable efforts to properly notify employees. MTA will, on a regular basis, report to the CSC on the

Sec. 410.16 **Minimum Posting Periods for Examination Announcements (cont.)**

progress of advance notification of upcoming employment opportunities for postings of five (5) days or less on the employment opportunity website.

Sec. 410.17 **Additional Notice of Promotional Examinations**

Notices of promotional examinations shall be distributed to the appropriate departments. Appointing officers shall employ any method of distribution to insure that employees are properly notified.

Sec. 410.18 **Application Custody**

Applications and supporting documents become the property of MTA when received. Return of such documents shall require the approval of the MTA Director of Transportation/Designee.

Sec. 410.19 **False Statements by Applicants**

Significant false statements, whether intentional or unintentional, made or permitted by any applicant on the application or in the qualifications appraisal interview shall be good cause for the exclusion by the MTA Director of Transportation/Designee of such person from any examination, the removal of the applicant's name from the eligible list, and may be good cause for removal or discharge from the City and County service.

Sec. 410.20 **Promotional Applicants**

Applicants for promotive only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, employees with six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment type qualify as promotive applicants.

Sec. 410.21 **Change of Address**

In all cases of change of address, the MTA designated department must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or the employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

Sec. 410.22 **Correction of Examination Announcements**

Examination announcements may be corrected with respect to clerical errors, misprints and incorrect wording by the MTA Director of Transportation/Designee, by posting notice of such corrections next to the original examination announcement. The issuance of examination announcements corrected under the provisions of this section shall not allow additional time for protest or appeal of the substantive provisions contained in the original examination announcement.

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Article V: Qualifications of Applicants

Applicability: Article V, Rule 410, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A.

Sec. 410.23 **Application for Examination**

Any person having the qualifications prescribed by these Rules and the terms of the examination announcement may submit himself or herself for any examination under conditions established by MTA.

Sec. 410.24 **Recruitment of Candidates**

MTA shall advertise and may take further appropriate means to interest suitable applicants.