AN ORDINANCE CONCERNING THE POLICE DEPARTMENT MERIT SYSTEM

WHEREAS, the Evansville Police Department operates pursuant to a Merit System found at MCE Section 30.505 through Section 30.528; and

WHEREAS, changes in circumstances necessitate certain changes in said merit system; and

WHEREAS, the provisions herein are recommended by the Evansville Police Department and the Fraternal Order of Police;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Evansville, Indiana, as follows:

Section I. Amendments

(a) Section 30.513 shall be amended to read as follows:

Section 30.513 Promotions and Examinations

(A) There shall be written competitive examinations given for the purpose of filling any vacancies in the ranks. Only members of the Police Department who are qualified in rank and length of service, as provided herein, shall be given a written final examination and placed on the promotion eligibility list by the grade received.

(B) The promotion eligibility list shall be maintained for a period of two years. A competitive examination procedure conducted by the Merit Commission for the purpose of establishing a new promotion eligibility list shall be held prior to the expiration of the previous list.

(C) The Merit Commission is authorized to purchase materials and equipment and allow other necessary expenditures for the purpose of instructing and testing applicants and members of the Police Department.

(b) Subpart "A" of Section 30.514 shall be amended to read as follows:

(A) In order to be eligible for appointment to the Police Department, an applicant is required to be a citizen of the United States, to be 21 years of age but under 36 years of age and be able to meet all other requirements established as prerequisites by law or regulation. The age requirement in this Subpart "A" shall not apply to those members of the Police Department who have been previously employed as police officers in the department.
(c) Subpart "C" of Section 30.514 shall be amended to read as follows:

(C) All applications for appointment, reappointment or reinstatement to the Police Department are required to be filed with the Merit Commission accompanied by a duly authenticated birth certificate of the applicant or the applicant shall produce satisfactory evidence of the date and place of the applicant's birth. Prior to appointment, the applicant is further required to file with the application, a certificate from a physician appointed by the Board of Trustees of the Police Pension Fund for the City certifying that the applicant meets the standards required for entry into the 1977 Police and Firefighters Pension Fund. Also the applicant shall be required by the Merit Commission to take a drug test prior to the appointment of the applicant.

(d) Subpart "D" of Section 30.514 shall be amended to read as follows:

(D) All applicants for appointment, reappointment or reinstatement to the Police Department shall be required to pass preliminary examinations as established by the Merit Commission including, but not limited to, polygraph examination, psychological examination, background examination, and physical examination, for the purpose of determining their physical condition and general aptitude for service as a police officer. If an applicant fails to pass any one of the preliminary examinations as established by the Merit Commission, such failure shall result in the applicant's automatic failure of the application process and shall disqualify the applicant from further consideration in the applicant process.

(e) Section 30.514 shall be further amended by the addition of a new Subpart "E" which shall read as follows:

(E) If the Merit Commission finds, after the preliminary examinations, that the applicant possess the qualifications which, in the opinion of the Merit Commission, fit the applicant for appointment, the applicant shall then be allowed to compete for ranking on the eligibility list. The following five (5) categories will be considered on an equal basis of twenty percent (20%) per category from which the total score of the applicant will be compiled to determine the applicant's ranking on the eligibility list:

1. IQ testing
2. Entry level examinations
3. Physical fitness testing
4. Applicant's school testing
5. Merit Commission interviews.
Failure to make passing scores in any one of the five (5) categories shall automatically eliminate an applicant from the application process. A passing score for each such test and category shall be determined by the Merit Commission prior to giving any tests for such category.

The eligibility list which is made by the Merit Commission will remain in existence for two years from the date it is announced, or until it is exhausted, whichever period is the shortest.

(f) Section 30.517 shall be amended to read as follows:

Section 30.517 Eligibility List

When any person eligible for appointment reaches his thirty-sixth (36) birthday, that person's name shall be automatically removed from the eligibility list. All persons on the eligibility list shall continue on the eligibility list while it is in effect; provided however, that should circumstances, situations, or other information come to the attention of the Merit Commission which could make an applicant's status as a Police Officer questionable, the Merit Commission may re-examine the applicant's file. If the Merit Commission determines that the applicant does not possess the qualifications which in the opinion of the Commission make the applicant fit for appointment, the Merit Commission may remove that person's name from the eligibility list.

(g) Section 30.519 shall be amended to read as follows:

Section 30.519 Probationary Period

Every appointment to the Police Department shall be for a probationary period of one year of actual service. If at any time during the probationary period the conduct or capacity of the probationer is found not to be satisfactory, which fact shall be determined by the Merit Commission, the probationer shall be notified in writing by the Merit Commission that he will not receive a regular appointment, whereupon employment shall cease; otherwise, the probationer's retention in service after the expiration of the probationary period shall be equivalent to and shall constitute a regular appointment.

(h) Subpart "A" of Section 30.521 is hereby amended to read as follows:

(A) Demotions, dismissals, reprimands, forfeitures, suspensions and punishment of members of the Police
Department shall be by the Merit Commission and shall be for cause, except as herein otherwise provided, and under the same rules of procedure, including the right of appeal, as are now or may hereafter be provided by laws pertaining to the City, specifically including, but not limited to, the provisions of I.C. 36-8-3-4 unless specifically provided otherwise herein, except that wherever in the laws reference is made to Commissioners of Public Safety, Board of Public Safety, Board of Public Works and Safety, Board of Metropolitan Police Commissioners, Board of Metropolitan Police and Fire Department, or Board, it shall be construed, for purposes of this subchapter (Sections 30.505 through 30.528), to refer to the Police Merit Commission. For purposes of I.C. 36-8-3-4(m), "upper level policymaking position" refers only to the Police Chief.

(i) Section 30.523 shall be amended to read as follows:

Reduction in department size shall be as provided in the current contract between the City and the Fraternal Order of Police, or if no current agreement is in existence, the last valid contract between the City and the Fraternal Order of Police.

(j) Subpart "A" of Section 30.525 shall be amended to read as follows:

(A) The salary of a first class police officer and of a probationary police officer for purposes of pay only shall be as provided in the contract between the City and the Fraternal Order of Police or if no current agreement is in existence, the last valid contract between the City and the Fraternal Order of the Police. However, no language within this subparagraph shall be considered to effect the pension basis currently in effect or as required by State Law.

(k) Subpart "B" of Section 30.525 shall be amended to read as follows:

(B) All members of the Police Department shall receive longevity payments as provided by the contract between the City and the Fraternal Order of the Police or if no current agreement is in existence the last valid contract between the City and the Fraternal Order of Police.
(1) Section 30.526 shall be amended to read as follows:

Section 30.526 Vacations

Any member of the Police Department, after serving the probationary period, shall receive vacation thereafter as set out in the current contract between the City and the Fraternal Order of Police, or if no current agreement is in existence, the last valid contract between the City and Fraternal Order of Police.

Section II. Effective Date

This Ordinance shall be in full force and effect from and after its passage by the Common Council and signing by the Mayor.
PASSED BY THE COMMON COUNCIL of the City of Evansville, Indiana, on the 26 day of January, 1987, and on said day signed by the President of the Common Council and attested by the City Clerk.

[Signature]
President, Common Council

ATTEST:
[Signature]

PRESENTED by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said City, this 27 day of January, 1987, at 9 o'clock A.M., for his consideration and action thereon.

[Signature]
City Clerk of the City of Evansville, Indiana

HAVING EXAMINED the foregoing Ordinance, I do now, as Mayor of the said City of Evansville, Indiana, approve said Ordinance and return the same to the City Clerk, this 28 day of January, 1987, at 9 o'clock A.M.

[Signature]
Mayor of the City of Evansville, Indiana

APPROVED AS TO FORM:
By: Richard L. Young
Corporation Counsel
COMMITTEE REPORT

Mr. President:

Your committee on __________ to whom was referred
ORDINANCE/RESOLUTION G-87-1 as amended wishes to
recommend the following action by Council:

DO PASS___________ DO NOT PASS___________

(Amendments as follows)

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© Maximum Hiring Age 36 per State Law

© Fire Category C 8000 weight

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Date 1/26/87

FILED

JAN 26 1987

Betty Sue Jordan

CLERK

Signed

Chairman

Filed

Betty Wright Smith

Jack Conn

Jan Vail

Harold Brust

Reps