

**CITY OF ALLENTOWN POLICE CIVIL SERVICE BOARD RULES FOR  
APPOINTMENT OF CERTIFIED POLICE OFFICERS WITHOUT COMPETITION**

**RULE I      APPLICATIONS AND QUALIFICATIONS**

Section 1.      Purpose

The Police Civil Service Board (hereinafter referred to as the "Board") has established these Rules in order to establish a process for the appointment of police officers without regard to the civil service examination and grading requirements in the Third Class City Code and City of Allentown Police Civil Service Board Rules, when, in the determination of the Mayor, there exist conditions affecting public safety which require the appointment of certified police officers without competition.

In the event that the Mayor determines that there exist conditions affecting public safety which require the appointment of certified police officers without competition, and upon request of the Chief of Police, the Board shall, in accordance with these Rules, conduct recruitment for the purpose of filling the requested number of police officer positions. The process for the appointment of certified police officers without competition, as established in these Rules, shall be in addition to, and not in lieu of, the process for the appointment of police officers in accordance with the civil service examination and grading requirements in the Third Class City Code and City of Allentown Police Civil Service Board Rules.

Section 2.      Applications

Every applicant must secure an application from the Human Resources Department. It is the applicant's responsibility to assure that the Human Resources Department receives the completed, signed application and the required attachments by 4:30 P.M. of the established deadline. An application that does not include the required attachments, or that is not received by the required deadline, will not be accepted. Public notice of the final date for receiving applications will be given at least thirty (30) days in advance and will be conspicuously posted in City Hall and other public agencies and institutions and announced through the media.

The application form is reproduced as Appendix A of these Rules. The applicant shall provide all of the information requested in the application, and shall, along with the application, submit the required non-refundable application fee in the form of a certified check or money order payable to the City of Allentown. No personal checks or cash will be accepted.

Section 3.      General Qualifications

Every applicant shall:

- a. Be a citizen of the United States.
- b. Be at least 20 years old when filing an application and at least 21 years old when appointed to the position of police officer.

- c. Possess a high school diploma or a graduate equivalency diploma.
- d. Posses a valid motor vehicle operator's license prior to appointment.
- e. Hold current certification as a police officer by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program; or hold current certification from another state whose certification is recognized by the Commonwealth of Pennsylvania; or have successfully completed Act 120 qualification training and be able to obtain certification as a police officer by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program.
- f. Be physically and mentally fit to perform the full duties of a police officer.

Section 4. Automatic Eligibility Disqualifications

If one or more of the following disqualifications applies to an applicant, the applicant shall not be eligible for appointment as a police officer:

- a. Does not meet any of the established preliminary requirements or has not filed all of the documents listed in the preceding sections.
- b. Does not meet the standards established by the Municipal Police Officers' Education and Training Commission.
- c. Was dishonorably discharged from any branch of the military service.
- d. Failed to register with the Selective Service System.
- e. Intentionally falsified, omitted, concealed or misrepresented any material information during any portion of the current or any prior employment application process for a position with the Allentown Police Department, including, without limitation, polygraph/CVSA Screening Booklet and interview.
- f. Has been convicted in any state of an offense for which more than one year in prison can be imposed as a punishment.
- g. Has been convicted of False Swearing (18 Pa.C.S. §4903), Unsworn Falsification to Authorities (18 Pa.C.S. §4904) or an equivalent offense in another state.
- h. Has been convicted in any state of an offense that results in a prohibition against possession of a firearm.
- i. Has engaged in the following drug usage:

1. Use of marijuana or steroids within three years of the application date.
  2. Abuse of prescription drugs within five years of the application date.
  3. Use of cocaine, methamphetamine, barbiturates, inhalants, designer drugs, or hallucinogens within five years of application date.
  4. Use, at any time, of heroin or an injected controlled substance.
- j. Has two or more convictions for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
  - k. Has been convicted within five years of the application date of driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
  - l. Has been placed on Accelerated Rehabilitative Disposition (or equivalent disposition in another state) within one year of the application date for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
  - m. Has at any time had his or her driver's license revoked in any state.
  - n. Has at any time incurred three or more suspensions of his or her driver's license (including a combination of suspensions in any state).
  - o. Has within three years of the application date incurred a second suspension of his or driver's license (including a combination of suspensions in any state).
  - p. In addition to any of the other Automatic Eligibility Disqualifications, has two or more convictions of any of the following offenses (or equivalent offenses in another state) within seven years of the application date:
    1. Accidents involving damage to attended vehicle or property (75 Pa.C.S. §3743).
    2. Driving without lights to avoid identification or arrest (75 Pa.C.S. §3734).
    3. Drivers required to be licensed (75 Pa.C.S. §1501).
    4. Required financial responsibility (75 Pa.C.S. §1786).
    5. Obedience to authorized persons directing traffic (75 Pa.C.S. §3102).
    6. Meeting or overtaking school bus (75 Pa.C.S. §3345(a)).
    7. Maximum speed limit (31 miles per hour and over) (75 Pa.C.S. §3362).
    8. Racing on highway (75 Pa.C.S. §3367).

9. Reckless driving (75 Pa.C.S. §3736).
10. Accidents involving damage to unattended vehicle or property (75 Pa.C.S. §3745).
11. False reports (75 Pa.C.S. §3748).

Section 5. Required Documents

Once the applicant is found to meet the general requirements, the applicant shall submit photocopies of the following:

- a. Certificate of Naturalization, if applicable. (See Rule I, Section 3, Paragraph a).
- b. High school diploma or graduate equivalency diploma (See Rule I, Section 3, Paragraph c).
- c. Current valid motor vehicle operator's license (See Rule I, Section 3, paragraph d).
- d. Certificate issued by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program, or certificate issued by another state whose certification is recognized by the Commonwealth of Pennsylvania, or certificate demonstrating completion of Act 120 qualification training and ability to obtain a certificate issued by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program (See Rule I, Section 3, Paragraph e).
- e. A completed Form DD214 from any of the military services, including the specific type and date of discharge, if you have military service.

Any application not accompanied by the required documents shall not be considered.

Section 6. Non-Discrimination

The City of Allentown is an equal opportunity employer. It is the policy of the City and the Board to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran status, marital status, sexual orientation, gender identity or non-job related physical or mental handicap or disability.

**RULE II CERTIFICATION OF ELIGIBILITY LIST AND APPOINTMENT**

Section 1. Certification of Eligibility List

- a. Upon the close of the recruitment period, the Board shall certify to the Chief of Police an Eligibility List of those applicants who meet the minimum qualifications set forth

in these Rules. The applicants on the Eligibility List shall be listed in alphabetical order.

- b. The Eligibility List shall be valid for two years from the date of approval by the Board. The Board may, in its sole discretion, extend the Eligibility List for up to an additional twelve month period. The Board may, in its sole discretion, void the Eligibility List at any time for any reason.

## Section 2. Background Investigation

The Chief of Police or the Chief's designees shall conduct a background investigation. The background investigation shall include, without limitation, a criminal history check, including the submission of fingerprints to the Central Repository for the Commonwealth of Pennsylvania and the Federal Bureau of Investigation; interviews with people who have personal knowledge of the applicant; an investigation of the applicant's credit history; an investigation of the applicant's driving record; and a polygraph examination. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation.

The appropriateness of the applicant for appointment as a Police Officer shall be based on a consideration of the criteria set forth in Rule I, Section 3 and Section 4 of these Rules.

## Section 3. Selection from Eligibility List

The Chief of Police may fill any number of the vacant police officer positions by selecting from among the applicants on the Eligibility List. Criteria for selection from the Eligibility List shall include, but shall not be limited to, consideration of the following:

- a. Veteran's preference.
- b. Prior police officer experience.
- c. Education.
- d. Prior employment experience.
- e. Previous experience as an Allentown Police Cadet.
- f. Specialized training.
- g. Bilingual ability.

Section 4. Certification of Appointment

After an applicant is selected for appointment from the Eligibility List, the Board, upon written request from the Chief of Police, shall issue a memorandum certifying the applicant for the position of police officer.

Section 5. Conditional Offer of Appointment

Once the applicant has been certified for the position of police officer, the applicant shall submit to a physical examination and psychiatric and/or psychological examination. The appointment of the applicant to the position of police officer shall be contingent upon the applicant successfully passing the physical examination and the psychiatric and/or psychological examination.

a. Physical Examination:

- i. After an offer of employment has been made, each applicant shall undergo a physical examination (including drug screening) by a physician selected by the Board, for the purpose of determining whether the applicant possesses the physical attributes necessary to sustain the labors and exposures of the position of police officer.
  - ii. The applicant must maintain visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. In addition, the applicant shall have normal depth and color perception and be free of any other significant visual abnormality.
- b. Psychiatric/Psychological Examination: After an offer of employment has been made, the applicant shall be evaluated by a board certified psychiatrist and/or psychologist selected by the Board, for the purpose of determining whether the applicant is able to perform the essential duties of the position of police officer.

Section 6. Appointment Procedure

- a. The name of the applicant to be hired shall then be submitted to City Council in the form of a Resolution. A vote for final approval of the applicant shall be conducted at a regularly scheduled City Council meeting.
- b. After approval of the Resolution by City Council, the applicant shall receive a final offer of employment outlining the details of employment.

Section 7. Rejection of an Applicant

In accordance with the Pennsylvania Civil Service Code for Third Class Cities, should City Council on three (3) separate occasions reject an applicant whose name has been placed before City Council for appointment, that applicant's name shall be stricken from the Eligibility List.

**RULE III PROCEDURE FOR APPEALS**

Section 1. An applicant who believes that he/she is aggrieved by an action taken under these Rules may file an appeal with the Board.

Section 2. An aggrieved applicant who wishes to file an appeal shall file a written statement with the Board which:

- a. Is signed and dated by the aggrieved applicant.
- b. Is filed with the Board at the following address: Police Civil Service Board, 435 Hamilton Street, Room 233, Allentown, PA 18101.
- b. Is filed no later than fifteen calendar days after the date on the written notice of the action which is being challenged (if filed by mail, the written statement shall be deemed filed on the postmark date).
- c. States the action being challenged.

Section 3. The Board shall provide the aggrieved applicant with written notice of the time and place for a hearing on the appeal.

Section 4. After receipt of the written notice of the time and place for the hearing on his/her appeal, the aggrieved applicant shall provide the Board with a written statement which:

- a. Is signed and dated by the aggrieved applicant.
- b. Is filed with the Board at the following address: Police Civil Service Board, 435 Hamilton Street, Room 233, Allentown, PA 18101.
- c. Is filed no later than five calendar days prior to the date of the hearing (if filed by mail, the written statement shall be deemed filed on the postmark date).
- d. States the basis for the appeal and is accompanied by supporting evidence for the aggrieved applicant's position (e.g. statements from other parties that support the aggrieved applicant's position).

Section 5. An aggrieved applicant who fails to comply with the requirements of Section 2 and Section 4 shall be deemed to have waived his/her right to file an appeal.

Section 6. The hearing shall be conducted pursuant to the procedures set forth in the Local Agency Law.

Section 7. The Board shall render a written decision on the aggrieved applicant's appeal within 45 days after the last hearing before the Board.

#### **RULE IV PROBATION**

All appointees shall serve a probationary period of eighteen (18) months, shall have no seniority rights during this period, and may be disciplined, terminated, or laid off at any time at the sole discretion of the City. Nevertheless, the aforesaid right to discipline or terminate shall be for just cause. The probationary employee shall have no rights to appeal the discipline or the termination other than through Civil Service. Upon satisfactory completion of the probationary period, the employee shall acquire seniority status retroactive to the employee's hour and date of employment.

#### **RULE V AMENDMENTS**

These Rules may be amended by a quorum of the Board. Pursuant to the Sunshine Act, amendments to be acted upon shall be publicized through the media prior to the meeting where the action will be taken.

ADOPTED AND APPROVED THIS 2ND DAY OF FEBRUARY, 2012, BY THE CITY OF ALLENTOWN POLICE CIVIL SERVICE BOARD:

ATTEST:

  
David M. Howells, Sr.,  
Chairperson

  
Sandra Easterling, Member

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Damien C. Brown, Member

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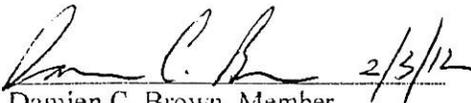
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