

RULES AND REGULATIONS

**ARTICLE I
MERIT SYSTEM-
PERSONNEL ADMINISTRATION**



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ALLEGHENY COUNTY HEALTH DEPARTMENT

Rules and Regulations

Revised: August 1, 2016

ARTICLE I. MERIT SYSTEM-PERSONNEL ADMINISTRATION

101. GENERAL

A. TITLE

These rules shall be known and cited as "Article I Merit System - Personnel Administration - revised of the Allegheny County Health Department".

B. PURPOSE

The purpose of these rules is to attract, retain and advance in the Allegheny County Health Department, persons on the basis of relative ability, assure equal employment opportunities, maintain an adequate system of personnel administration, provide adequate and equitable salaries, establish conditions for appointment and promotion based on merit and fitness, and protect employees from discrimination, political pressures and arbitrary removal.

C. REFERENCES

These rules are to be used in conjunction with the following law and regulations:

Pennsylvania Veteran's Preference Act, Act of May 22, 1945, P.L. 837 as amended.

Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744 as amended.

Pennsylvania Public Employee Relations Act, Act of October 21, 1970, P.L. 195.

Pennsylvania Local Health Administration Laws, Acts of 315 and 322, August 24, 1951.

Pennsylvania Department of Health Rules and Regulations, Chapter 2 Article 211.

Federal Standards for a Merit System for Personnel Administration.

Civil Service Act, Commonwealth of Pennsylvania, Pamphlet Law 752, Act of August 5, 1941 as amended.

D. DEFINITIONS

DEPUTY DIRECTOR means the person with the authority to perform for and in the absence of the Director of the Allegheny County Health Department.

CLASS OR CLASS OF POSITIONS means a group of positions sufficiently similar in respect to the duties and responsibilities thereof that the same requirements as to experience, knowledge and ability are demanded of incumbents, the same tests of fitness may be used to choose qualified appointees, and the same schedule of compensation may be made to apply with fairness under similar working conditions.

DEMOTION means the assignment to an employee of new duties and/or responsibilities that are allocated to a class of positions with a maximum salary lower than the class of positions to which the employee's previous duties and/or responsibilities were allocated.

DEPARTMENT means the Allegheny County Health Department.

DIRECTOR means the Director of the Allegheny County Health Department.

ELIGIBLE means a person who received a passing grade in an examination.

ELIGIBLE LIST means a list of persons who by examination are deemed qualified to carry out the duties of a class or position.

EMERGENCY APPOINTMENT means an appointment required under unusual and unforeseen circumstances calling for immediate action, which appointments shall not be for a period of time greater than sixty days.

EMPLOYEE means a person in the full-time or part-time employment of the department who is paid a salary or wage and who is appointed in accordance with these rules.

EQUAL OPPORTUNITY means that all personnel actions are taken without regard to race, politics, sex, religion, national origin, age, or handicap. Sex, age and physical ability will however, be considered where they constitute a bona fide occupational qualification necessary for the proper and efficient performance of the job.

EXAMINATION means any combination of valid, reliable and objective tests used to determine the relative ability of a person to carry out the duties of a class or position. Tests will include the requirements of the probationary period to determine the ability of an employee to perform satisfactorily.

EXEMPT POSITION is not subject to the Merit System/Personnel Administration and examination policies and procedures of the Allegheny County Health Department except that an individual in an exempt position will be required to serve a probationary period and meet minimum requirements.

FURLOUGH means the releasing from employment of one or more employees without prejudice because of the lack of funds or lack of work, or lack of minimum qualifications when position is re-allocated.

HUMAN RESOURCES MANAGER – means HR Manager of the Office of Human Resources for the Allegheny County Health Department. HR Manager may also serve as the Personnel Officer.

MINIMUM QUALIFICATIONS means the minimum requirements of training, experience, knowledge, skills, abilities and special requirements as prescribed for a given class.

OFFICE of HUMAN RESOURCES means the Office of Human Resources of the Allegheny County Health Department.

ORIGINAL APPOINTMENT means the first appointment of an individual to the department through selection from an eligible list.

PERMANENT EMPLOYEE means an employee who has received permanent status.

PERMANENT STATUS means an appointment following a probationary period made in accordance with these rules.

PERSONNEL OFFICER means the member of the staff of the Allegheny County Health Department who is immediately responsible for the merit system in the department and whose duties are described in 103.

POSITION means a set of duties with accompanying responsibilities requiring the services of one employee. It may be part-time, full-time, temporary or permanent, occupied or vacant.

PROBATIONARY APPOINTMENT means an appointment of an employee from an eligible list for the purpose of determining final fitness for permanent employment.

PROFESSIONAL EMPLOYEE is one who is predominately intellectual and varied in character, is one who is required consistently to exercise discretion and judgment, is one who has participated in a specialized study program to achieve a high standard of intellectual achievement, and is one whose output is measured by results.

PROMOTION means the assignment of new duties and/or responsibilities to an employee that are allocated to a class of positions with a maximum salary higher than the class of positions to which the employee's previous duties and/or responsibilities were allocated.

PROMOTIONAL LIST means a list of persons who have been found qualified by a promotional examination for appointment to a position in a particular class.

PROVISIONAL APPOINTMENT means an appointment not to exceed six months to fill a position pending the establishment of an eligible list.

REASSIGNMENT means the change or movement of allotted responsibilities from one location to another within the unit.

RE-EMPLOYMENT LIST means a list of persons who have been furloughed by lack of work or lack of funds and who are eligible for re-employment in the inverse order of their furlough.

REALLOCATION or RECLASSIFICATION means assigning a position to another class upon review of assigned duties and/or responsibilities.

REMOVAL means the separation from the classified services of an employee.

RESIGNATION means the termination of employment of an employee made at the request of the employee or by his/her own act.

SALARY ADVANCEMENT means an increase in salary within the salary range prescribed for the class by the compensation plan.

SPECIFICATIONS means a document showing for each class the class title, a definition of the class, examples of work performed, the minimum experience, training, knowledge, skills and abilities, and special requirements necessary for effective performance of the work, and such other information as may be deemed necessary.

SUBSTITUTE APPOINTMENT means appointment, or promotion from a list to a position for the duration of a special project, or while the former incumbent is on approved leave.

SUSPENSION means an enforced leave of absence for a temporary period for disciplinary purposes.

TEMPORARY APPOINTMENT means the appointment from an eligible list for a period not to exceed six months.

TRANSFER means to move an employee from one unit to another unit; from one physical location to another physical location, from one assignment to another assignment, from one set of responsibilities to another set of responsibilities.

UNIT means any combination of employees assigned to complete a charged responsibility.

WAIVER means the right of an applicant to defer action and yet retain his/her rights for a specific period on an eligible list.

WITHIN REACH means eligibility for certification for a position or positions.

102. APPLICABILITY

A. Coverage

1. All positions now existing or hereafter created in the Department is under Article 1 "Merit System-Personnel Administration."

B. Exemptions

1. These regulations shall apply to all persons who are employed in the Allegheny County Health Department except the Director and Deputy Directors of Health Department, members of any advisory or administrative board of the department, AmeriCorps Director, Attorneys and part-time professional employees who are paid for any type of medical, nursing, or other professional service and who are not engaged in the performance of administrative duties, college students participating in accredited work study program, summer positions as designated for those students interested in public health work, Neighborhood Workers, unskilled laborers to cover program needs, and equal employment/training officer will be in the exempt category.

103. ORGANIZATION FOR PERSONNEL ADMINISTRATION

A. Office of Human Resources

- (1) Establish procedures (subject to the approval of the Board of Health) for the administration of examinations and for the hearing of appeals.
- (2) Utilize whenever possible such examinations as are prepared by national professional organizations and other public examining jurisdictions, administer the examinations, establish and maintain eligible lists, certify names from the eligible lists, and approve appointments as being in compliance with these rules.
- (3) Hear personnel appeals or establish bodies to hear such appeals within the agency appeals procedures.
- (4) Keep classification and compensation plans current and recommend revisions thereto.
- (5) Make recommendations to the Director relative to the department's internal personnel practices.
- (6) Make written report to the Director at least annually on the service rendered to the department.
- (7) Make written recommendations with respect to any amendments to these rules.

B. Personnel Officer

An employee who has had training and experience in the field of personnel administration shall be designated as the Personnel Officer. The Personnel Officer is appointed by the Allegheny County Health Department Director and supervised by the HR Manager, and shall be responsible for the internal personnel administration of the department. It shall be the duty of the Personnel Officer or Human Resources Manager to:

- (1) Develop and put into effect procedures for carrying out the merit system and personnel policies of the department.
- (2) Participate in the preparation of and administer the merit system classification and compensation plans.
- (3) Maintain personnel records of persons employed in the department of all personnel

actions.

- (4) Submit reports relating to the permanent appointment or termination of service of probationary appointees and to recommend on the basis of reports received from the supervisory official concerned, the retention or termination of probationary appointees at the close of the probationary period.
- (5) Report to the Pennsylvania Secretary of Health of the selection of eligibles, promotions, salary advancements, demotions, removals, resignations, and all types of appointments.
- (6) When approved by the Director, the Personnel Officer or Human Resources Manager may administer when necessary a system of limited competitive examination programs to meet current social need for sheltered work environments for the physically, mentally or emotionally handicapped or for the culturally deprived or economically disadvantaged. Such programs shall provide for tenure and for experience and training designed to facilitate advancement in the merit system.
- (7) Perform such other related duties as are prescribed by these rules.

C. Pennsylvania State Civil Service Commission

Under the terms of the agreement signed January 20, 1972 between the Pennsylvania State Civil Service Commission and the Allegheny County Commissioners, the following applies, pending the establishment of a County Merit System for Personnel Administration.

- (1) The Pennsylvania State Civil Service Commission will audit and review the examination program as contained in 103., 106., 107., 109., and 117. the functions performed are to be considered as a decentralized Pennsylvania State Civil Service Commission function in terms of supervision, guidance and control.
- (2) The Pennsylvania State Civil Service Commission will act as an impartial appeal board to which appeals can be taken under 108., 112., and 114. The Pennsylvania State Civil Service Commission will not hear appeals that have been heard and adjudicated by the Pennsylvania Human Relations Commission. When the Pennsylvania Human Relations Commission does not have jurisdiction over alleged discrimination, the appeal right for employees shall be to the Pennsylvania State Civil Service Commission. In cases where the alleged discrimination falls within the jurisdiction of the Pennsylvania Human Relations Commission, the appeal may be lodged either with the Pennsylvania Human Relations Commission or the Pennsylvania State Civil Service Commission.

104. CLASSIFICATION PLAN

- A. Preparation of the plan.** The department shall prepare a classification plan and shall thereafter suggest modifications, additions or deletions thereto as may be necessary. Class specifications shall be based on investigation and analysis of duties and responsibilities of each position and each position shall be allocated to its proper class in the classification plan. The plan will be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work. The classification plan shall include for each class a class specification.
- B. Adoption of plan.** The classification plan and any future changes shall be approved by the State Department of Health. Any changes to this plan shall be submitted to the Pennsylvania State Department of Health for the purpose of determining its conformity to their standards of personnel practices as required for local Health Department merit system personnel administration.
- C. Allocation of positions.** Each position in the department covered by these rules shall be allocated to one of the classes established by the classification plan. No person shall be

appointed or promoted to any position until it has been properly classified and herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or re-allocation shall be made to new or existing classes as is necessitated thereby.

- D. **Incumbents or re-allocated positions.** When a position is re-allocated to a different class, the incumbent shall not be deemed eligible to continue in the position unless he possesses the minimum qualifications adopted or established for the class to which the position is being allocated. If the incumbent is ineligible to continue in the position and it is determined that he cannot qualify himself for the class to which the position has been allocated by further training, he may be transferred, promoted or demoted, or if such a transfer, promotion or demotion cannot be made, he may be furloughed.

105. COMPENSATION PLAN

- A. **Preparation of plan.** The department shall prepare a compensation plan for its use and shall thereafter suggest modifications, additions or deletions thereto as may be necessary. The plan shall include salary schedules for the various classes related to the responsibilities and the difficulty of the work. Initial, intervening, and maximum rates of pay for each class shall be established to provide for salary advancements. The plan will take into account prevailing compensation for comparable positions in the recruiting areas for information provided by professional organizations, the State Department of Labor and Industry, other units of government and such other information as may be deemed pertinent.
- B. **Adoption of plan.** The compensation plan and any future changes shall be submitted to the Salary Board of Allegheny County for approval. In-so-far-as the compensation plan and any changes thereto affect any employee of the Department of Health rendering service to or in any section or subsection of any division, bureau or institution of the department, the budget for which comes from federal funds, or is used in matching federal funds, except for exempt positions contained in 102, said plan and any changes thereto shall also be submitted to the State Department of Health for the purpose of determining its conformity to their standards of personnel practices as required for local Health Department merit system personnel administration.
- C. **Salary advancements.** Salary advancements shall be based on a plan which takes into consideration availability of funds and quality and length of service, and such judgments as may be deemed pertinent by the Allegheny County Commissioners.
- D. **Salary adjustment.** Procedures at the time of the installation of a revised compensation plan, promotions, demotions, and reclassifications will be part of the compensation plan.

106. CERTIFICATION OF ELIGIBLES

- A. Upon receipt of a requisition, the Personnel Officer or Human Resources Manager shall certify to the Director, and to the operating bureau the names of available persons. If one position is to be filled, the Personnel Officer or Human Resources Manager shall certify from the promotional list, re-employment list or the open competitive list established for the class of position the three highest available names on each list. If more than one position is to be filled, the Personnel Officer or Human Resources Manager shall, for each class, certify from each of the described eligible lists, a total of names equal to five-thirds of the number of positions to be filled in each class. Fractions shall be considered as the next whole number. If no names are available from any of the above described lists, the Personnel Officer or Human Resources Manager shall so report to the Director and the operating bureau.
- B. If an eligible receives a probationary or permanent appointment, such appointment shall constitute, for its duration, a waiver of his/her right to certification from any other eligible list on which his/her name appears for a class the salary of which is equal to or lower than the salary for the class to which he was appointed unless, at the time of such appointment, he requests in writing that his/her name be retained for certification from such eligible list or lists.

- C. The name of each employee whose name appears on an eligible list for a class with a higher entrance salary than that of his/her present class shall be certified by the Personnel Officer or Human Resources Manager in accordance with 106 A.
- D. After a name has been rejected three times in favor of others on the same eligible list, such name shall not again be certified except upon written request of the Director.
- E. If the eligible list contains less than three names for each vacant position the Director may declare the list insufficient.
- F. The Director shall give preference to applicants who are veterans in accordance with the Veteran's Preference Act.
- G. An eligible list will be valid for one year from the date of its original posting. Applicants placed on an eligible list as a result of continuous recruitment procedures will remain qualified for a period of one year.

107. APPOINTMENTS

A. Original Appointments

- (1) Original appointments shall be made by the Director from the names certified in accordance with 106. In-so-far-as practicable, when in the best interest of the service the Director may make appointments from names certified from the promotion or re-employment list.
- (2) The Director and his/her authorized agents shall be permitted to examine the applications and reports of investigations of persons certified for appointments and to interview them. Final appointments shall be reported in writing to the Personnel Officer or Human Resources Manager. Notification to the Pennsylvania Department of Health on the appointment of new applicants to possible permanent status with the Allegheny County Health Department will be made under Section 10 (b) of P.L. 315--August 24, 1951 as it pertains to standards of personnel administration. Other types of appointments will be processed to their termination under the administrative procedures of the Allegheny County Health Department.
- (3) If the eligible selected declines the appointment, evidence of declination shall be transmitted to the Personnel Officer or Human Resources Manager. An eligible may be considered by the Director as having declined appointment if he fails to reply five days after the mailing of a registered letter of appointment. If an eligible accepts an appointment and fails to present himself for duty at the time and place specified, without giving proper reasons for the delay satisfactorily to the Director, he may be deemed to have declined appointment.

B. Provisional Appointments

- (1) If in the opinion of the Director, there are urgent reasons for filling a position and there is an insufficient list, the Director may submit to the Personnel Officer or Human Resources Manager the name of a person to fill the position pending examination and the establishment of an eligible list. If such person is certified by the Personnel Officer or Human Resources Manager as meeting the minimum qualifications for the class of position, such person may be given a provisional appointment by the Director to fill the position.
- (2) No individual may receive successive provisional appointments. No provisional appointment shall be continued for more than thirty days after an appropriate eligible list has been established for the class. No provisional appointment shall continue for more than six months or until appropriate list is established.

- (3) A provisional appointment will immediately cause action to be taken to schedule an examination if one is not in progress.

C. Emergency Appointments

- (1) Whenever an emergency exists which requires the immediate service of one or more persons and it is not possible or feasible to secure any persons from appropriate eligible lists, the Director may appoint a person or persons without regard to the provisions of these rules governing appointments. No emergency appointment shall continue for more than sixty days.
- (2) No individual may receive successive emergency appointments.
- (3) Each emergency appointment shall be reported to the Personnel Officer or Human Resources Manager.

D. Temporary Appointments. If an employee is needed for a temporary period, certification shall be made by the Personnel Officer or Human Resources Manager of the names of the eligibles who, in order of their places on the appropriate eligible lists, have indicated willingness to accept temporary employment. Appointments shall be made in the same manner as prescribed in 107 B. The duration of a temporary appointment shall be limited to the period of the need and in no event shall a temporary appointment continue for more than six months in any twelve-month period. The acceptance or refusal of a temporary appointment shall not affect a person's standing on an eligible list nor his/her eligibility for certification for any appointment from the list. The period of temporary service may constitute a part of the probationary period.

E. Qualifications for Exempt Appointments. Except for the Director, all positions exempt in 102, may be appointed without examination provided the Personnel Officer or Human Resources Manager certifies that such persons meet the minimum qualifications for the class of position. The appointment of the Director shall be approved by the Pennsylvania Secretary of Health.

108. PROBATIONARY PERIOD

A. Nature, Purpose and Duration. All original appointments to permanent positions shall be made from officially established lists of eligibles for a probationary period. The length of the probationary period shall be six months. The probationary period may be extended for an additional three months by the Director of the Allegheny County Health Department in those cases where the six months period is deemed inadequate. The probationary period shall be utilized for the most effective adjustment of a new employee and for the elimination of any probationary employees whose performance does not meet the required standard of work.

B. Conditions Preliminary to Permanent Appointment. At least four weeks prior to the end of an employee's probationary period, the Personnel Officer or Human Resources Manager shall obtain a written statement from the employee's supervisor as to whether the services of the employee during the probationary period have been satisfactory and whether permanent appointment is recommended. The statement shall contain an appraisal of the employee's services and a service rating. The Personnel Officer or Human Resources Manager shall refer the statement and recommendations to the Director for action. The Director shall determine whether the probationary appointment shall be made permanent or whether the services of the employee should be terminated. The employee and the Personnel Officer or Human Resources Manager shall be notified of the action taken.

C. Dismissal During Probation

- (1) At any time during the probationary period an employee may be separated by the Director without right of appeal, except for appeals concerning alleged discrimination, but the reasons given for the dismissal shall be submitted in writing to the Personnel Officer or Human Resources Manager and a copy should be filed with

the Pennsylvania Health Department. In the case of promotion of a permanent employee, removal for unsatisfactory service shall not be from the departmental service. Employees shall be returned to a position in his/her former class as soon as practicable.

- (2) A Person who was dismissed during the probationary period shall not be certified for a position in the class unless so requested by the Director.

D. Transfer During Probation. An employee shall not be transferred during his/her probation period to a position of another class for which an eligible list exists unless so requested by the Director and provided the employee is within reach on an eligible list for the other class of position.

109. PROMOTIONS

A. Promotion Preference. Vacancies in positions in the classified service shall be filled, as far as practicable, by promotion.

B. Methods of Promotion. Vacancies may be filled by promotion in the following ways.

- (1) By appointment of probationary or permanent employees from an appropriate promotional list resulting from a promotional examination.
- (2) By appointment of permanent employees without formal examination, based upon meritorious service, seniority, and the concurrent recommendation of the employee's Deputy Director or Program Administrator.

C. Promotion Examinations. Examinations shall be as follows:

- (1) Except as indicated in this subsection, promotion examinations shall be open to permanent or probationary status employees who meet the qualifications and who occupy positions with a lower maximum salary. As determined by the Director, promotion examinations may be limited to employees occupying positions in specified classes.
- (2) The Director may establish the length of service required of candidates in the qualifying class or classes for eligibility to participate in promotion examinations.

D. Promotion Without Examination. Promotion without examination may be accomplished under the following circumstances.

- (1) When a trainee in a lower level training title has successfully completed the prescribed period of training, the trainee will be promoted without further examination to the higher level title.
- (2) When the Director desires to fill a vacant position by promotion without examination, based on meritorious service and seniority, it may follow one of the following alternatives. The employee selected shall receive the concurrent recommendation of the Deputy Director or Program Administrator and have exceeded job requirements in their present position. The alternatives are as follows:
 - a. **Competitive promotion without examination.** The Director shall post the vacancy, consider the eligible employees who express an interest and make the promotion, decision based upon an objective review of each employee's meritorious service and seniority. Seniority for this purpose shall be the length of continuous service of an employee in the designated next lower classes if there has been no break-in-service. Eligibility for consideration for the promotion may be limited by the Director to a particular program area. The posting shall, whenever possible, specify the classes determined to be next lower. Otherwise, the posting shall state that applications will be

reviewed to determine if employees previously held permanent status or currently hold permanent status in a class for which there is a logical occupational, functional or career development relationship to the posted position or if there is a clear linkage between the required knowledge, skills and abilities of the previously or currently held class with those needed for the posted position.

- b. **Noncompetitive promotion without examination.** The Director will insure that the employee meets the experience and training requirements of the higher level position, and that the employee has permanent status.
- E. When a classification audit reveals that a position held by a permanent status employee should properly be classified to a higher level, the incumbent of the position will be promoted without examination to the higher level, if the incumbent possesses the established requirements for the higher classification.
- F. **Eligibility for Promotion.** An employee, whose last permanent or probationary performance evaluation is unsatisfactory or otherwise fails to meet that position's requirements, will be disregarded for appointment or promotion from any list and will not be eligible for promotion without examination.

110. TRANSFERS AND DEMOTIONS

A. Transfers

- (1) A transfer of an employee from a position in one unit or institution of the department to a position of the same class in another unit or institution of the department may be made at any time by the Director. The Director shall file a written statement of his/her reasons for this action with the Personnel Officer or Human Resources Manager who will notify the Pennsylvania Department of Health.
- (2) A transfer of an employee from a position in one class to a position in another class having the same maximum salary may be made by the Director with the certification of the Personnel Officer or Human Resources Manager that the employee has the minimum qualifications for the position in the new class.
- (3) When there is no appropriate listing existing from which appointments may be made, an applicant may be appointed from an appropriate eligible list which may be from a higher class of positions. The applicant must be informed in writing of the lower pay range and lower minimum job qualifications. A copy of the applicant's acceptance letter must be submitted to the Personnel Office before the effective date of appointment. The applicant will retain his/her position on the list to which he was originally certified. Should a vacancy occur in the higher category he may then be transferred or promoted to the position.

- B. **Demotions.** The Director, fifteen days after notice in writing to an employee stating the reasons therefore, may demote an employee for inefficiency or for any other proper cause.

111. SEPARATIONS, TENURE AND REINSTATEMENT

- A. **Resignations.** An employee who resigns shall present the reasons therefore in writing to the Director. A copy of the resignation shall be forwarded to and recorded by the Personnel Officer or Human Resources Manager. Any employee who does not report for his/her regular duties without giving reason therefore to his/her immediate superior may, after reasonable investigation of his/her absence, be deemed to have resigned and the immediate superior shall so notify the Personnel Officer or Human Resources Manager, provided that the period of absence from work equals or exceeds five workdays.
- B. **Removals.** The Director, fifteen days after notice in writing to an employee stating the

specific reasons therefore, may remove any employee for any of the following causes: dishonesty, incompetency, inefficiency, insubordination, immorality, violation of the rules and regulations of the department, physical or mental disability, addiction to the use of narcotics or the habitual use of intoxicating liquors to excess, advocating the overthrow or destruction of the government of the United States or of Pennsylvania or Allegheny County, by force, or for any other proper cause. No employee shall be removed for refusing to participate in any political activity or for refusing to make contributions for political purposes.

C. Suspension. The Director, may after written notice, suspend any employee without pay for misconduct or minor infractions of the causes for removal outlined in 111B. for a period or periods not to exceed an aggregate of more than thirty days in any one calendar year. A copy of the notice to the employee shall be forwarded to the Personnel Officer or Human Resources Manager.

D. Furlough. The Director may separate any employee without prejudice whenever necessary because of curtailment of work, lack of funds, or re-allocation of position. The furloughing of permanent employees should be based upon systematic consideration of type of appointments, length of service and efficiency, of all employees serving in the effected class. The order of furlough shall be: emergency employees, temporary employees, provisional employees, probationary employees, and permanent employees. In the case of permanent employees, furloughs will be determined in the following numerical sequence:

- (1) Those who are eligible and desire to accept pensions will be furloughed first.
- (2) Seniority - those in the lowest quartile of performance will be furloughed in the inverse order of seniority.

E. Tenure of Office. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his/her duties except as provided in 111 D.

F. Re-employment of Furloughed Employees. A permanent employee who has been furloughed may be given preference for re-employment within a period of one year over eligibles on any list for similar positions. Prior length of service shall be the basis for recall provided the current minimum qualifications for the class of the position are met.

G. Reinstatement

(1) Eligibility for reinstatement

The following persons shall be eligible for reinstatement to the position formerly held by them:

- a. One who has resigned his/her position and who was in good standing at the time of his/her resignation.
- b. One who has been separated from the Health Department service without any delinquency or misconduct on his/her part.

(2) Time limitation

Upon written request of the person seeking reinstatement and with the approval of the Director's Office, persons deemed eligible may be reinstated at any time at the discretion of the Director. Persons deemed eligible may be restored to duty without examination other than physical, but any prior time in the service will not count for seniority purposes.

(3) Procedure for reinstatement

The appointing officer having jurisdiction over the position proposed shall advise the Personnel Officer or Human Resources Manager in writing:

- a. That a vacancy exists in the position.
- b. The name and address of the person nominated for reinstatement together with full particulars concerning the record of the nominee and the circumstances connected with his/her separation from the service.
- c. The Personnel Officer or Human Resources Manager with approval of the Director shall within 10 calendar days advise the appointing officer in writing of his/her approval or disapproval.

112. APPEALS

- A.** Any permanent employee of the Allegheny County Health Department, except the Director, who is demoted, suspended, transferred, removed, or furloughed shall, within thirty (30) days after receiving written notice of such action, have the right of appeal in writing to the Pennsylvania State Civil Service Commission for a public hearing which shall be conducted in a manner prescribed by them.

Such hearing shall be held 60 days after receipt of the employee's appeal and the employee shall be notified of the date and place of the hearing in writing. The employee shall have the right to appear at such hearing with counsel. The Pennsylvania Civil Service Commission shall notify the employee and the Director in writing of its decision as soon as possible after conclusion of the hearing. Any employee aggrieved by any determination of the Pennsylvania State Civil Service Commission shall have the right of appeal to the Commonwealth Court, under the laws of the Commonwealth of Pennsylvania.

- B.** All applicants and employees alleging discrimination shall have a right of appeal to an impartial body; the Pennsylvania State Civil Service Commission or the Pennsylvania Human Relations Commission when it has jurisdiction. Any adjudications issued by either body are appealable to the courts of the Commonwealth of Pennsylvania. The decision of the court will be binding.

113. CAREER ADVANCEMENT

- A.** Employee performance and potential will be evaluated systematically in order to improve individual effectiveness to assess training needs and plan training opportunities, and to provide a basis for decisions on placements, promotions, separations, salary advancements, furloughs and other personnel actions.
- B.** The Director shall establish and maintain a system of periodic service ratings designed to give a fair evaluation of performance.

114. EQUAL EMPLOYMENT OPPORTUNITY

Equal employment opportunity is a policy of the Allegheny County Health Department. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other aspect of personnel administration because of political or religious opinions or because of race, national origin, age, sex, physical handicap, and other non-merit factors will be prohibited. Specific age, sex, or physical requirements which constitute a bona fide occupational qualification necessary to proper and efficient administration are permitted. Whenever deemed applicable, exceptions on age and sex will be submitted to the State Human Relations Commission for approval prior to posting an examination notice.

115. POLITICAL ACTIVITY

- A. Employees have the right to:**
 - 1. participate in voter registration drives on a nonpartisan basis.

2. express opinions about candidates and issues.
3. participate in campaigns where none of the candidates represent a political organization.
4. contribute money to a political organization or attend a political fund-raising function.
5. wear or display political badges, buttons or stickers.
6. join a political club or party.
7. sign nominating petitions.
8. campaign for or against referendum questions, constitutional amendments, municipal ordinances, etc.
9. register and vote as they choose.

B. Employees may not:

1. use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
2. may not directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
3. may not take an active part in political management of a partisan political campaign.
4. may not campaign for partisan candidates or political parties.
5. may not work to register voters for one party only.
6. may not make campaign speeches or engage in other activity to elect a partisan candidate.
7. may not be a candidate or work in a campaign if any candidate represents a national or state political party.
8. may not collect contributions or sell tickets to political fund-raising functions.
9. may not distribute campaign material in a partisan election.
10. may not organize or manage political rallies or meeting.
11. may not hold office in a political club or party.
12. may not circulate nominating petitions.
13. may not campaign for or against a candidate or slate of candidates in a partisan election.
14. solicit political contributions.

116. CONFLICT OF INTEREST

No employee shall engage in any activity of employment that will conflict with the powers and duties of the Allegheny County Health Department. Determination of violation of this/her provision shall be made by the Director. Violation of this/her provision shall be cause for removal.

117. RECRUITMENT AND SELECTION

- A.** The recruitment program shall be planned to meet current and all projected manpower needs. Recruitment will be timely, designed for each class, and be directed to all appropriate sources of applicants in order to compete successfully for applicants and attract an adequate number of candidates for consideration. Recruitment publicity will be carried out through all appropriate media for a minimum of three weeks to assure open opportunity for the public to apply and be considered for public employment on the basis of abilities and potential. Such publicity will indicate that the Allegheny County Health Department is an equal opportunity employer.
- B.** The Personnel Officer or Human Resources Manager shall give appropriate examinations to establish employment and promotion lists whenever necessary to meet or to anticipate the needs of the service. The Personnel Officer or Human Resources Manager shall fix the relative weights of all subtests in the examination prior to the public notice of such examination.

118. EMPLOYEE MANAGEMENT RELATIONS

- A.** The Pennsylvania Public Employee Relations Act is applicable.
- B.** All negotiators for contracts applicable to the Allegheny County Health Department will be informed of the need to assure that provisions contrary to the intergovernmental personnel standards will not be included in any signed agreement.

119. PERSONNEL RECORDS AND REPORTS

Personnel records will be maintained to insure proper administration of a merit system by the Personnel Office. Periodic reports will be prepared as necessary to comply with proper governmental requirements.

120. INTERGOVERNMENTAL COOPERATION

Nothing within these regulations will preclude or interfere with the possibility of close cooperation with any other government agency. The Allegheny County Health Department recognizes the need for cooperation among the various levels of government. Federal and State grants to strengthen existing merit systems will enable county level government to assume effectively its responsibility toward the over-all delivery of services to its people. Training programs to implement these services will enable county government to establish jurisdictional boundaries for services and decrease the over-lap with state and federal agencies for similar services. The Allegheny County Health Department is an ideal place to establish a merit system training program. It offers its services and knowledge to those Health Departments who must establish merit systems to comply with intergovernmental standards for a merit system of Personnel Administration and offers certain of its personnel on a career advancement plan to serve as a nucleus for Health Departments starting merit systems.

121. EFFECTIVE DATE

These rules shall become effective upon adoption by the Allegheny County Board of Health and approved by the Allegheny County Commissioners.

122. APPENDIX

A. Exempt Positions

1. Director - Allegheny County Health Department
2. All members of the Board of Health
3. Attorney

4. AmeriCorps Program Manager

123. INTERAGENCY AGREEMENT

The Director will have the authority to accept those Allegheny County regular or probationary status employees from County Departments who have been hired under the State Civil Service process. Those employees will be considered to have resigned from the Department currently employed and be given probationary status by the Health Department.