

**CUYAHOGA COUNTY
PERSONNEL REVIEW COMMISSION**



MEMORANDUM

DATE: July 12, 2023

TO: Chairwoman Deborah Southerington
Commissioner F. Allen Boseman
Commissioner Thomas Colaluca

FROM: Director Rebecca Kopcienski

RE: Proposed PRC Administrative Rule Change

Commissioners, I am proposing a change to the PRC Administrative Rule 9.03 Breaking Tied Grades and 10.02 Number of Names to be Certified to facilitate a more merit-based approach to addressing ties on civil service tests administered by the PRC.

Recently a member of the Human Resources department raised a question about the fairness of our practice regarding tied scores on our civil service exams. Our current practice essentially provides that candidates with tied scores shall be placed on an eligibility list in order of the time they filed their applications for the position. The policy as stated in 9.03 reads as follows:

In the event two (2) or more candidates receive the same grade on an open competitive examination in which rank ordering is used in establishing the eligibility list, priority in the time of filing the application shall determine the order in which their names shall be placed on the eligibility list; candidates eligible for uniformed service credit shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among candidates receiving military service credit shall be decided by which application was filed earlier with the Commission.as described in PRC Administrative Rule 9.03, provides a process of determining the rank order of candidates with tied scores on a test by ordering them according to when they submitted their application for the position.

In reviewing the policy with George Vaughan, I am proposing that we change the practice to be more consistent with a system of merit and fitness, to allow persons with tied scores to hold the same rank order position on an eligibility list, and that they are put in order alphabetically on the eligibility list. This avoids penalizing people who simply applied at a later time than someone else who achieved the same score on a competitive examination. I am proposing that 9.03 be changed to read as follows:

9.03 Ranking Tied Grades

In the event two (2) or more candidates receive the same grade on an open competitive examination in which rank ordering is used in establishing the eligibility list, those candidates shall receive the same rank on the eligibility list. Within that same rank, those candidates shall appear on the eligibility list in alphabetical order.

Also, I am proposing to change to our process for certifying names to the Appointing Authority to reflect the proposed change to 9.03:

10.02 Number of Names to be Certified

When certifying names from an eligibility list established through competitive means, the Commission, through its staff, shall certify the names and rank of the top twenty-five percent (25%) or a minimum of ten (10) names, whichever is greater, of the candidates remaining on the eligibility list for the class to which the position is classified. If the last name to be certified from the eligibility list has the same rank as other names, then all names that share that rank shall be certified. When certifying names from an eligibility list established through noncompetitive means, the Commission, through its staff, shall certify all of the names remaining on the eligibility list for the class to which the position is classified.

If a name has been certified to an Appointing Authority, and sufficient justification is found to remove that name from the eligibility list per Rule 9.05 before a conditional offer has been extended from that certification, the name will be removed. After removing the name, if fewer than the top twenty-five percent (25%) or fewer than a minimum of ten (10) names — whichever is greater — remain from the original certification, then a replacement name will be certified to the Appointing Authority. The replacement name will be the highest-ranked name remaining on the eligibility list that was not already certified to the Appointing Authority. If the highest-ranked name remaining on the eligibility list has the same rank as other names remaining on the eligibility list, then all names that share that rank shall be certified to the Appointing Authority.

When fewer than ten (10) names remain on the eligibility list at the time a certification is made, the Commission may certify fewer than ten (10) names and a new examination may be scheduled. If all names remaining on an eligibility list have been certified to an Appointing Authority and there is sufficient justification to remove any names per Rule 9.05 such that the number of remaining names is fewer than ten (10) before a conditional offer is extended, a new examination may also be scheduled.

These changes will help to ensure that our practices regarding tied grades on civil service exams are more consistent with the principles of merit and fitness we hold in our other practices.

Respectfully,

