

ITEM #:	<u>35</u>
DATE:	<u>10-08-24</u>
DEPT:	<u>POLICE</u>

COUNCIL ACTION FORM

**SUBJECT: TEMPORARY SUSPENSION OF CERTAIN CIVIL SERVICE
REQUIREMENTS FOR THE POLICE DEPARTMENT**

BACKGROUND:

Chapter 400 of Iowa Code requires that cities follow civil service rules in the hiring, promotion, discipline, and discharge of most full-time employees. The purpose of these rules is to ensure that employment decisions are made on the basis of merit. **One aspect of the civil service regulations is that the process to hire employees can be more cumbersome than hiring for non-civil service positions, which is challenging in areas where there are a substantial number of vacancies to fill.**

The current process for hiring employees in the Police Department includes certifying a list of eligible candidates at a monthly Civil Service Commission meeting. Once a list has been certified, all names on the list are considered eligible for hire, and the City cannot begin a new recruitment process until the people on the list have been hired or removed from the list. The background process in the Police Department is extensive, and oftentimes candidates are removed from the list due to a failure of some aspect of this process. This means recruitments can take considerably longer than for other departments.

There are currently six vacant Police Officer positions. Five other officers are in training and not yet able to be assigned to shifts. Five other officers are currently on military leave or light duty assignments as a result of injuries. Therefore, the staffing situation within the department currently is a substantial challenge.

In July 2024, legislation went into effect that created Iowa Code Section 400.12A. This new section provides the option for a city council, by majority vote, to suspend certain Civil Service requirements for a City department for a period of 12 months. Specifically, the City Council now has the authority to suspend Section 400.11(1)(a), which describes the process of creating a Civil Service list. City staff is asking the Council to utilize this new flexibility to suspend the requirements of Iowa Code section 400.11(1)(a), as they apply to the Ames Police Department.

In approving this measure, all candidates would continue to be evaluated for positions based on previously used requirements (including a preliminary qualifications screening, oral interview, written exam, Chief's interview, background investigation, psychological exam, polygraph exam, clinical interview, and physical exam, as applicable for the position). However, by removing the requirement for the Civil Service Commission to certify a list of qualified candidates, the City will be able to run continuous recruitments. This will allow a more efficient hiring process that should allow the department to reach full staffing levels more quickly.

The suspension of the Civil Service Commission certification process does not affect the rights of an employee once they have been appointed to a position--the employee would still have the right to appeal certain employment actions to the Civil Service Commission if such an action occurred. The suspension of the civil service hiring practices may be in effect for no more than one year, unless the City Council votes for an extension upon the expiration of the original suspension period.

If approved by the City Council, staff would intend to begin a new, non-Civil Service recruitment effort for Police Officers immediately.

ALTERNATIVES:

1. In accordance with the authority in Iowa Code Section 400.12A, approve the suspension of the Civil Service hiring requirements in Iowa Code Section 400.11(1)(a) for the Police Department for the period of October 9, 2024 through October 8, 2025.
2. Direct staff to continue to recruit Police Department employees in accordance with normal civil service requirements.
3. Refer this item back to staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Iowa Code Chapter 400.12A is a new provision that allows a City Council to suspend the creation of a list of eligible hires (Iowa Code Section 400.11(1)(a)) for a department of the City for a period of 12 months. Taking this action for the Police Department will create a more efficient process that will allow for continuous recruitments and help the department fill vacancies more quickly. Therefore, it is the recommendation of the City Manager that City Council adopt Alternative No. 1, as outlined above.