



# CITY OF TORRANCE

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## POLICY OF THE CIVIL SERVICE COMMISSION

### EXAMINATION and ELIGIBILITY LIST PROTEST PROCEDURES

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#### I. MULTIPLE CHOICE WRITTEN TESTS

##### A. Key Copy Review Period and Protests

1. Candidates must be notified at the time the written test is given that a key copy will be available for review and that individual items may be protested.
2. The review period shall be three (3) working days following the administration of the written test for non-safety positions unless a longer period is announced at the onset of the written test or printed on the test material. The review period shall be five (5) working days for safety positions.
3. The appropriate review period applies to open and promotional examinations.
4. Longer review periods may be adopted when deemed appropriate by the Civil Service Staff.
5. Review of key copies of written tests shall be under the supervision of the Civil Service Department at all times.
6. Review of Standardized or Validated written tests shall not be permitted, however such tests may be protested.
7. Protests will be accepted regarding:
  - a. Correctness of the keyed answer;
  - b. Job relatedness of the question;
  - c. Procedures followed in the administration of the test.
8. Protests must be written on forms provided by the Civil Service Commission.
  - a. Protests regarding factual information must cite a source or document to support the protest;

- b. Protests involving the application of a local unwritten policy or practice must provide a clear statement of what the local policy is perceived to be as it relates to the test item;
  - c. Protests of the job-relatedness of a test item must include a clear statement or description showing how or why the item does not relate to the job.
9. When special administrations of written tests are provided for the convenience of the applicant, the review period for said applicant shall be as normally scheduled. However for special administrations given subsequent to the normally scheduled review period, the candidate may review the keyed copy only after having completed the test and prior to the close of the normally scheduled review period.

#### B. Composition of Protest Review Committee

1. The Civil Service Administrator will be responsible for bringing together a protest committee and determining how many committee members shall serve;
2. Protest committees shall consist of a minimum of three (3) members, however, membership may be expanded for more complex examinations, such as midmanagement promotionals;
3. The employee group which represents the class for which the examination was held shall appoint one or more members of the protest committee;
4. Management shall appoint the same number of protest committee members as does the employee group;
5. Protest committee members appointed by management or by an employee group shall be knowledgeable in the field for which the examination was conducted. Such members may be removed for a lack of expertise by a majority vote of the other members of the Committee provided however that another member must be appointed in their place;
6. Protest committee members shall not be participants in the examination;
7. The Civil Service Commission Chairperson shall appoint one commissioner to serve on the protest committee. If no commissioner is available the Chairperson may appoint the Civil Service Administrator. The committee member representing the Civil Service Commission shall serve as the committee chairperson and shall not be subject to removal.

#### C. Procedures of Protest Committee

1. Meetings of the protest committee shall be conducted in public after having given 24 hours public notice, except that all discussion of validated or standardized examinations shall be in closed session;

2. All decisions of the protest committee shall be by majority vote;
3. Local policy, practice or procedure shall be given great deference in determining appropriate key answers;
4. The protest committee may let a key response stand, eliminate a question, or provide for multiple key responses to a question;
5. The protest committee may reject a protest for being inadequately documented or for failure to provide a clear statement of basis for the protest;
6. Protestants may be heard before the protest committee only at the committee's invitation and only for clarification of previously submitted written material;
7. No certification may be made from the eligible list prior to the end of the three (3) working day appeal period.

## II. PERFORMANCE, ORAL, ESSAY, OR OTHER TESTS

### A. Protest Procedures

1. All protests must be made in writing within close of the following work day of the date of the portion of the examination being protested;
2. Protests will be accepted regarding:
  - a. Qualifications of a rater;
  - b. Prejudice of a rater;
  - c. Fraud;
  - d. Improper conduct of the examination;
  - e. Job relatedness.
3. All protests must clearly state specific and substantial reasons for the protest.

### B. Review and Appeal

1. All protests must be submitted to the Civil Service Administrator who shall investigate and make a decision thereon;
2. All decisions of the Civil Service Administrator shall be appealable to the Civil Service Commission. Such appeals must be in writing and must be filed within five (5) working days of the notice of the decision of the Civil Service Administrator.
3. The Civil Service Commission may direct that appeals be heard by a Hearing Officer or an appeals committee established under the procedures prescribed for deciding protests of written tests;

4. No certification may be made from the eligible list prior to the end of the five (5) working day appeal period.

### III. ELIGIBILITY LIST

#### A. Protest Procedures

1. Candidates must be notified once an eligibility list has been promulgated of their right to protest the results;
2. All protests must be made in writing within ten (10) calendar days from the date of the promulgation of the eligible list.
3. Protests must clearly state specific and substantial reasons for protesting the list.
4. All protests must be submitted to the Civil Service Administrator who shall place the matter on the Civil Service Commission agenda and notify all parties of the date of the Commission meeting.
5. The Civil Service Commission as a whole shall make a determination which shall be final for all purposes.