

ARTICLE 33. FIRE FIGHTER TRAINEES AND FIRE FIGHTER PROBATION

Any individual wishing to be considered for employment as a Fire Fighter Trainee in the San Antonio Fire Department must complete the following application and examination process.

Section 1. Submission of Proper Application.

To be considered for the Fire Fighter Trainee, each applicant must first submit a proper application as defined by the Department. A proper application will include, but is not limited to, a questionnaire that solicits information on an applicant's personal information/history, criminal history, driving record, financial history, employment history, and academic background. The information submitted shall be used by the Department to determine whether the applicant meets both the minimum qualifications and suitability requirements as set forth in the Fire and Police Commission Rules and is therefore eligible for processing, to include testing and potential hiring. Nothing in this article precludes the Department from finding candidate unsuitable or unqualified after the testing phase. Applicants who are disqualified for failing to meet minimum qualifications per Civil Service Commission Rule VII may appeal the disqualification to the Civil Service Director. Applicants found unsuitable per Civil Service Rule IX may appeal to the Fire and Police Civil Service Commission.

Section 2. Testing of Applicants.

- a) The Knowledge, Skills, and Abilities exam ("KSA exam") will be administered to each applicant who is deemed eligible for processing to take the KSA exam, in accordance with Section I above. The examination may include testing for counterproductive work behaviors or other similar tests which are job related and validated. KSA exams shall be conducted as needed at a suitable time and location as determined by the Department and may be administered by the Human Resources Department or the Fire Department. Each applicant must take the KSA exam and the physical fitness evaluation to continue processing. The City may also utilize a reading comprehension test as a condition for taking the KSA exam. Applicants will be tested to measure the same knowledge, skills and abilities. However, all examinations are not required to be identical.
- b) Applicants may be administered exams individually or in a group, at different times and different locations, and the order of the various exams may be changed.
- c) An applicant undergoing the physical fitness evaluation must meet or exceed each fitness standard during a single evaluation, practice or final, to successfully complete the evaluation. Applicants will be afforded the opportunity to attend a candidate orientation. Applicants will be allowed a minimum of two (2) practice evaluations and a final evaluation. If an applicant fails to successfully complete the evaluation within their year of eligibility, the applicant will be ineligible to reapply for six (6) months from the date of their KSA exam.

- d) An applicant who fails to pass the KSA exam may retake the exam after a period of six (6) months from the date of their KSA exam. Applicants will be required to restart the process at Section 1. Submission of Proper Application.
- e) Under no circumstances will an applicant be eligible to take a KSA exam within six (6) months of the applicant's most recent examination. Applicants currently processing or on an eligibility list who wish to retest, must first withdraw their current application.
- f) A maximum of five (5) additional points will be awarded to the score of the KSA exam of a qualified applicant with a cut off score of 70% (unless a qualified consultant shall determine a different cut off score, based on the statistical validity of the test), if the applicant provides sufficient proof prior to the exam, as follows:
 - 1) Honorable Discharge from the military with at least 180 consecutive days of active duty service. The recently separated or Active Duty Active reservists or National Guard member will be awarded five points after receiving a letter from the military members' last/current Commander stating that the military member will receive an Honorable Discharge based on current conditions and has served at least 180 consecutive days of active duty. (5 points)
 - 2) Bachelor's Degree or higher from an accredited learning institution of higher education. (2 points)
 - 3) Associates Degree from an accredited learning institution of higher education. (1 point)
 - 4) Local Resident (an individual residing within the corporate city limits of the City of San Antonio for 180 consecutive days or more at the time of taking the KSA examination. (5 points)

Section 3. Background Investigation.

A complete background investigation will be conducted by SAFD personnel into the applicant's general personal reputation, education, military history, driving record, arrest record, drug usage, employment history, and financial history. The background investigation will be conducted by the Fire Department to determine suitability in accordance with the Fire and Police Commission Rules.

Section 4. Medical, Polygraph, and Psychological Examinations.

Applicants who receive a conditional offer of employment will be required to pass a medical examination, polygraph examination, and psychological examination as required by the Personnel Rules of the The City of San Antonio Fire Fighters' and Police Officers' Civil Service Commission.

Section 5. Appointment.

Once applicants successfully pass all phases of the process as described in Sections 1-5 of this Article they will be added to an eligibility list based upon their ranking from the KSA exam (including any additionally awarded points as listed above. The eligibility list shall be dynamic and remain continually active. In the event of equal scores, the date and time of application will be the tie-breaker, with the earliest date and time being given preference. The City's testing consultant may determine a statistically valid band of scores, and all scores falling within the valid statistical band shall be treated as the same score for purposes of processing and selection. The Fire and Police Commission shall receive reports on the progress and status of the eligibility list. No certification of the list prior to processing or hiring shall be required. Appointments to the position of fire fighter cadet are made by the Department Head (Chief of the Fire Department) based upon candidates who have completed processing. If not otherwise disqualified, found unsuitable or appointed to a cadet class, the application shall expire twelve (12) months from the date added to the eligibility list. These applicants will be eligible to reapply and complete processing as outlined in Sections 1-5 of this Article. The Chief may hire a candidate to begin an academy training class at a date in the future.

Section 6. Local Gov't Code Section 174.006.

Pursuant to Section 174.006 of the Texas Local Government Code, the parties to this Collective Bargaining Agreement intend for the terms of this Article to prevail over any conflicting terms of Texas Local Government Code Chapter 143, Subchapter B, Sections 143.021, 143.022, 143.023, 143.024, 143.025 and 143.026 and over any conflicting terms in the Personnel Rules of the Firefighters' and Police Officers' Civil Service Commission of the City of San Antonio. The Civil Service Commission will no longer be required to approve the exam, or to publish or post an exam notice, or to certify an eligibility list or persons from the list for review and selection. Selections shall be made by the Fire Chief and not by the city's Chief Executive.

In superseding these Sections of Chapter 143, the parties recognize the need for more flexibility in the hiring process to meet the needs of the Department and believe it improves the selection process

while providing all candidates a fair opportunity for consideration.

Section 7. Legacy Preferences.

Each applicant who is either a natural-born or adopted child of a fire fighter who previously suffered a line-of-duty death shall be ranked at the top of any eligibility list in which said applicant receives a minimum cut off score on that respective eligibility exam. The applicant who is the child of a deceased fire fighter must otherwise satisfy all of the requirements for eligibility for a beginning position in the Fire Department as outlined in Section 1-5 of this Article.

Section 81. Fire Fighter Trainee.

Persons enrolled in the initial Fire Academy shall hold the position of Fire Fighter Trainee. As such, s/he shall be considered a civilian employee and is not a member of the bargaining unit covered by this Agreement nor shall s/he be subject to any of the terms of this Agreement or of Chapter 143 Local Government Code.

Section 92. Probationary Period.

Upon completion of the Academy, an employee shall be certified as a Fire Fighter and shall hold the rank of Fire Fighter (Probationary). The probationary period shall be extended by a like period if an employee covered by the provisions of this Article is on leave for a period of thirty (30) consecutive calendar days or more. During this probationary period, excluding time spent as a Fire Fighter Trainee as described in Section 1 of this Article, the employee shall be subject to all provisions of this Agreement and of Chapter 143 Local Government Code with the exception that the Chief, in her/his sole discretion, shall have the authority to suspend or discharge said employee without appeal through the grievance procedure or to the Fire Fighter and Police Officer Civil Service Commission.

Section 93. Exemption.

The provisions of this Article shall be exempt from the Maintenance of Standards Article 9 of this Agreement.

Date: _____

For the City

For the Association