

BOROUGH OF MILLERSVILLE

Lancaster County, Pennsylvania

RESOLUTION NO. 2026-07

A RESOLUTION OF MILLERSVILLE BOROUGH, LANCASTER COUNTY, PENNSYLVANIA, AMENDING AND RESTATING THE RULES AND REGULATIONS FOR THE CIVIL SERVICE COMMISSION OF MILLERSVILLE BOROUGH, LANCASTER COUNTY, PENNSYLVANIA.

WHEREAS, the Borough of Millersville, Lancaster County, Pennsylvania, has by Ordinance No. 2007-4, codified as Chapter 16 of the Code of Ordinances, previously adopted certain Rules and Regulations for the Civil Service Commission of Millersville Borough, Lancaster County, Pennsylvania (the "Civil Service Commissions Rules and Regulations"); and

WHEREAS, Chapter 16 further provides that Borough Council may approve future amendments, revisions or restatements of the Civil Service Commission Rules and Regulations by resolution; and

WHEREAS, Borough Council desires to amend and restate the Civil Service Commission Rules and Regulations in their entirety.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, as follows:

Section 1. The foregoing background recitals are incorporated into and made a substantive part of this Resolution.

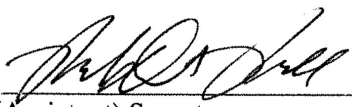
Section 2. Borough Council hereby adopts the Civil Service Commission Rules and Regulations dated 3/17/2026, in the form and content attached hereto as Exhibit "A" and presented to Council at this meeting.

Section 3. In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of Borough Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 24th day of March, 2026, by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MILLERSVILLE
Lancaster County, Pennsylvania

Attest: 
(Assistant) Secretary

By: 
(Vice) President
Borough Council

[BOROUGH SEAL]

MILLERSVILLE BOROUGH CIVIL SERVICE COMMISSION

RULES AND REGULATIONS

REVISED 3/17/2026

Adopted by Council 3/24/2026

Chapter 1. Definition of Terms

- 1.1 Unless otherwise expressly stated, the following words and phrases, wherever used in these Rules and Regulations, shall be construed to have the meaning indicated herein:

Alternate Commissioner: An individual appointed by the Borough of Millersville, Pennsylvania to serve as an alternate member of the Civil Service Commission.

Applicant: Any individual who applies in writing to the Commission in response to a legally advertised notice of examination for any uniformed position in the police department.

Millersville Borough Council: The Borough Council of the Borough of Millersville, Pennsylvania.

Certification: The submission to the Millersville Borough Council pursuant to its request for three names (or those remaining if less than three) taken from the eligible list developed by the Civil Service Commission.

Chairperson: The Chairperson of the Civil Service Commission of the Borough of Millersville, Pennsylvania.

Commission: The Civil Service Commission of the Borough of Millersville, Pennsylvania.

Commissioner: An individual appointed by the Borough of Millersville, Pennsylvania to serve as a member of the Civil Service Commission.

Eligible: A person whose name is recorded on a current eligible list or furlough list.

Eligible List: The list of names of persons, rank ordered from highest score to lowest score, who have passed all examinations for a particular position in the police department. These scores shall include the application of veteran's preference points if applicable.

Examination: The series of tests given to applicants to determine their qualifications for a position in the police department.

Furlough List: The list containing the names of persons laid off from positions in the police department because of a reduction in the number of officers.

- Loudermill Hearing:** A pre-deprivation meeting, which occurs before the Borough reaches a decision on discipline, during which a police officer is provided the opportunity to respond, in an informal setting, to allegations against him that may result in disciplinary action. Except in rare circumstances when a tenured (non-probationary) officer is at risk for a loss of income as a result of the imposition of discipline Loudermill meetings are mandatory although the Borough is not prevented from deciding on a matter of potential discipline where it offers the relevant officer a Loudermill meeting and the officer declines to participate.
- M.P.O.E.T.C.:** Municipal Police Officer's Education and Training Commission.
- Patrol Officer:** For purposes of these Rules and Regulations, a sworn full-time employee in the Police Department who meets the requirements established by the Borough of Millersville and the Commonwealth of Pennsylvania (including M.P.O.E.T.C.)
- Police Department:** The Police Department of the Borough of Millersville, Pennsylvania.
- Probationer:** An officer in the police department who has been appointed from an eligible list, but who has not yet completed the work test period.
- Reduction in Rank:** A change to a different position or rank where the employee fulfilled all of the requirements of these Rules and Regulations for both the prior and current position or rank. However, a decrease in salary without a change to a different position or rank shall not necessarily constitute a reduction in rank.
- Removal:** The permanent separation of a police officer from the police department.
- Secretary:** The Secretary of the Civil Service Commission of the Borough of Millersville, Pennsylvania.
- Suspension:** The temporary separation with or without pay of a police officer from the police department.

Vice Chairperson: Performs the duties of the Chairperson of the Civil Service Commission of the Borough of Millersville, Pennsylvania in their absence.

1.2 Gender

The words "he," "his," "him" and "men" when used in these Rules and Regulations represent both the masculine and feminine genders.

Chapter 2. The Civil Service Commission

2.1 Officers

The Commission shall consist of three commissioners who shall be qualified electors of the Borough of Millersville and shall be appointed by the Millersville Borough Council initially to serve for the terms of two (2), four (4) and six (6) years and as terms thereafter expire shall be appointed for terms of six (6) years.

The Commission shall also consist of three alternate commissioners who shall be qualified electors of the Borough of Millersville and shall be appointed by the Millersville Borough Council initially to serve for the terms of two (2), four (4) and six (6) years and as terms thereafter expire shall be appointed for terms of six (6) years.

Any vacancy occurring in the Commission for any reason whatsoever shall be filled by the Borough Council for the unexpired term within the period of thirty (30) days after such vacancy occurs.

Each member of the Commission, before entering upon the discharge of the duties of their office, shall take an oath or affirmation, administered by the Mayor or other appropriate official, to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform their official duties with fidelity. No civil service commissioner shall receive compensation.

2.2 Offices Incompatible with Civil Service Commissioner

No commissioner shall at the same time hold an elective or appointed office under the United States government, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth, except that one member of the Commission may be a member of the Millersville Borough Council and one may be a member of the teaching profession.

2.3 Organization of Commission

The Commission first appointed shall organize within ten days of its appointment and shall elect one of its members as its chairperson, vice-chairperson and one as its secretary. The Commission shall thereafter meet and organize on or before the first Monday of February of each even numbered year. Two members of the Commission

shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members. Unless prevented by facts which constitute a conflict of interest as defined by Pennsylvania statutory or case law, a Commissioner must vote "yea" or "nay" on every motion, decision or adjudication which comes before the Commission.

For purposes of hiring and promoting police officers under these Rules and Regulations, each step of the hiring or promotional process requiring official action by the Commission shall be considered a separate "matter or case" and each step of the hiring or promotional process need not be voted upon or approved by the same composition of commissioners, as the case may be, provided that the quorum requirement has been satisfied.

2.4 Duties of Chairperson

The chairperson, or in his absence, the vice chairperson, shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform any duties required by law or these Rules and Regulations. He may be aided in these duties by a solicitor to the Commission. Any such solicitor or legal counsel must have an active license to practice law in Pennsylvania and cannot also function as the Borough Solicitor or be affiliated with the law firm of the Borough Solicitor.

2.5 Duties of Secretary

The Secretary shall carry on at the direction of the Commission all official correspondence of the Commission, send out all notices required by law and these Rules and Regulations, keep a record of each examination or other official action of the Commission, and perform all other duties required by law, by these Rules and Regulations and by the Commission.

2.6 Meetings

Except for the biennial organization meeting, all non-judicial meetings shall be held either at the call of the chairperson or at the call of two members of the Commission. Unless all members shall waive the requirement, the Secretary of the Commission shall give each commissioner a twenty-four (24) hour notice in writing of each and every meeting of the Commission. When the Commission is functioning in a non-judicial capacity .

any official actions and any deliberations by a quorum of the Commission shall take place in a meeting open to the public unless closed pursuant to 65 Pa. C.S.A. Section 708. The judicial deliberations of the Commission shall always be conducted in private. However, official actions of the Commission, when it is performing in its judicial capacity, shall take place in a meeting open to the public. If the individual who has invoked the judicial authority of the Commission has requested an open hearing, then the entire decision of the Commission shall be rendered publicly. If that individual has demanded a closed hearing, then only the final order of the Commission shall be rendered in public.

2.7 Quorum

Three members of the Commission shall constitute a quorum. If, by reason of absence or disqualification of a member, a quorum is not reached the chair shall designate an alternate member of the Commission to sit on the Commission to provide a quorum.

When seated pursuant to this section, an alternate shall be entitled to participate in all proceedings and discussions of the commission to the same and full extent as provided by law for commission members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties as otherwise provided by law.

Unless prevented by a conflict of interest, as that phrase is defined in Pennsylvania statutory or case law, a Commissioner must vote "yea" or "nay" on every motion, decision or adjudication which comes before the Commission.

2.8 Order of Business

The order of business of all non-judicial meetings of the Commission shall be as follows:

- A. Roll Call;
- B. Approval/disapproval of the minutes of the previous meeting;
- C. Unfinished business;
- D. Hearing of cases;
- E. New business;
- F. Communications and reports.

2.9 Clerks and Supplies

The governing body shall furnish the Commission with such supplies and clerical assistance as may be necessary for the Commission to fulfill its duties. In addition, the Commission may retain counsel, and any other consultants or experts, including physicians and psychiatrists, as are necessary. The elected and appointed officials of the Borough of Millersville shall assist the Commission with all reasonable and appropriate efforts including compensation for any counsel or experts retained by the Commission.

2.10 Rules and Regulations; Amendments

The Commission may amend, revise, void or replace these Rules and Regulations for any reason by action of a majority of the Commission at any properly convened meeting of the Commission. Before any changes to these Rules and Regulations become effective, those changes must be approved by the Millersville Borough Council. These Rules and Regulations, and any amendments thereto shall be made available to the public for distribution or inspection.

2.11 Minutes and Records

The Commission Secretary shall keep minutes showing the vote of each member upon each question and records of examinations and other official actions. If a member is absent, cannot vote due to a conflict of interest or fails to vote, the Secretary shall indicate that fact in the minutes. All records of the Commission shall be preserved and disposed of according to the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued by the Local Government Records Committee under the authority of the Municipal Records Act, 53 Pa. C.S.A. § 1381 et seq.

Commission records pertaining to all aspects of its business (except minutes) shall be maintained for five (5) years after which they shall be destroyed. A record of Commission minutes shall be permanently maintained. Records relating to litigation or probable litigation shall, in no case, be destroyed until such time as the litigation or litigation threat has been resolved. Documents and information qualifying as public records will be available to the public. The Commission adopts the procedures employed by the Borough, as they may from time-to-time be modified, relative to responding to requests for public records.

Any and all records relating to any disciplinary action filed with the Commission shall be open to public inspection (which public inspection shall be subject to reasonable regulation) only in those cases where the employee who is subject to the discipline has requested an open hearing before the Commission challenging the discipline.

2.12 Investigations

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of these Rules and Regulations. The Chairperson of the Commission is authorized to administer oaths and affirmations for witnesses testifying in connection with such investigations.

2.13 Subpoenas

The Commission shall have the power to issue subpoenas over the signature of the Chairperson, or his/her designee, to acquire the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry or to any hearing, including any background investigation conducted pursuant to Section 4.9 of these Rules and Regulations. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expenses of the Commission.

All officers in public service and employees of the Borough of Millersville shall attend and testify when required to do so by the Commission.

If any person shall refuse or neglect to obey any subpoena issued by the Commission, upon conviction of such refusal or neglect in a summary proceeding,

that person shall be sentenced to pay a fine not to exceed one hundred dollars (\$100), and in default of the payment of such fine and cost shall be imprisoned not to exceed thirty (30) days.

If any person shall refuse or neglect to obey any subpoena, the Commission may apply by petition to the Court of Common Pleas of Lancaster County to enforce that subpoena, requiring the attendance of such persons before the Commission or the court to testify and to produce any records and papers necessary, and in default thereof shall be held in contempt of court.

2.14 Annual Report

The Commission shall make an annual report to the Millersville Borough Council containing a brief summary of its work during the year and a full accounting for any expenditure of public monies. The annual report shall be available for public inspection.

Chapter 3. Applications and Qualifications

3.1 Eligibility for Hiring/Examination

In order to be eligible for participation in the hiring/examination procedure for any position with the police department, every applicant must submit a completed application form to the Commission before the deadline stated by the Commission for that specific examination. The applicant must make an oath or affirmation that the application is completed truthfully, and the applicant is subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities. The application form shall be that provided and approved by the Commission.

3.2 Discrimination

The Borough of Millersville is an equal opportunity employer. It is the Borough's and the Commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, genetic information, veteran status, marital status or non-job related physical or mental handicap or disability, as long as the person can perform the essential functions of the job with or without reasonable accommodations. The Borough and the Commission will provide equal opportunities in employment and promotion.

3.3 Availability

When there is an open position and the Commission is accepting applications the application forms shall be available to all interested persons in the Millersville Borough Police Department Office, 100 Municipal Drive, Millersville, Pa. 17551 during normal business hours. Application forms may be mailed to an applicant upon written or telephone request. However, the Commission assumes no responsibility for missed filing deadlines due to a delay in the mail.

3.4 Age Requirement

All entry-level applicants must have reached their twentieth (20th) birthday before the date of hire.

3.5 General Qualifications for Entry-Level Patrol Officer

Applicants shall possess a diploma from an accredited high school or have a graduate equivalency diploma and the Commission may also require that all applicants be Act 120 certified or have completed training to become Act 120 certified. In addition, every applicant must be a United States citizen, be physically and mentally fit to perform the full duties of a police officer, be of good moral character, be eligible to receive certification from the Municipal Police Officers' Education and Training Commission (MPOETC), and, prior to appointment, possesses a valid motor vehicle operator's license issued by the Commonwealth of Pennsylvania. In the case of a foreign-born applicant, evidence satisfactory to the Commission shall be produced showing the person to be a naturalized citizen.

The essential functions for the position of patrol officer are contained in the job description.

3.6 Entry-Level Patrol Officer Sequence of Selection Process

To ensure the proper order of the selection process, the following sequence of events shall generally be followed in the selection of entry level police officers.

- A. Application
- B. Physical Agility Testing
- C. Written Examination
- D. Oral Examination
- E. Background Investigation
- F. Creation of Eligibility List
- G. Conditional Offer of Employment
- H. Medical/Psychological Examination to include drug screening/Polygraph Examination
- I. Probation
- J. Permanent Appointment

3.7 General Qualifications for Corporal

If the position of Corporal is in existence, prior service with the Millersville Borough Police Department is a prerequisite for the position of Corporal. In addition to meeting the qualifications in Section 3.5 above, an applicant for the position of Corporal shall have at least three (3) years of experience as a patrol officer within the Millersville Police Department. Further, the applicant shall have been rated at exceeds expectation or higher on his or her last two evaluations, shall have no disciplinary suspensions within the prior three (3) years, and shall have an otherwise good disciplinary record. The applicant must also have demonstrated

supervisory ability, including the ability to carry out orders from superiors, the ability to supervise and direct other officers and subordinates, and have demonstrated a working knowledge of police science and administration requisite for the position. The Commission shall review the personnel file(s) of the applicant as part of its review of the general qualifications. Should no applicants within the Department qualify for the position, then the position may be advertised and may be open to non-Millersville Police Department applicants. In any case, written and oral examinations will be conducted to establish an eligibility list. Individuals on the eligibility list not presently employed by the Millersville Police Department will undergo a background investigation.

The essential functions for the position of Corporal are contained in the job description.

3.8 General Qualifications for Sergeant

Prior service with the Millersville Borough Police Department maybe a prerequisite for the position of Sergeant. In addition to meeting the qualifications in Section 3.5 above, an applicant for the position of Sergeant shall have at least five (5) years of experience as a patrol officer within the Millersville Police Department. Further, the applicant shall have been rated at exceeds expectation or higher on his or her last three evaluations, shall have no disciplinary suspensions within the prior three (3) years, and shall have an otherwise good disciplinary record. The applicant must also have demonstrated supervisory ability, including the ability to carry out orders from superiors, the ability to supervise and direct other officers and subordinates, and have demonstrated a working knowledge of police science and administration requisite for the position. The Commission shall review the personnel file(s) of the applicant as part of its review of the general qualifications. Should no applicants within the Department qualify for the position, the position may be advertised and may be open to non-Millersville Police Department applicants. In any case, written and oral examinations will be conducted to establish an eligibility list. Individuals on the eligibility list not presently employed by the Millersville Police Department will undergo a background investigation.

The essential functions for the position of Sergeant are contained in the job description.

3.9 General Qualifications for Lieutenant

Prior service with the Millersville Borough Police Department maybe a prerequisite for the position of Lieutenant. In addition to meeting the qualifications in Section 3.5 above, an applicant for the position of Lieutenant shall have at least five (5) years of experience as a Sergeant within the Millersville Police Department. Further, the applicant shall have been rated at exceeds expectation or higher on his or her last three evaluations, shall have no disciplinary suspensions within the prior five (5) years, and shall have an otherwise good disciplinary record. The applicant must also have demonstrated supervisory ability, including the ability to carry out orders from superiors, the ability to supervise and direct other officers and

subordinates, and have demonstrated a working knowledge of police science and administration requisite for the position. The Commission shall review the personnel file(s) of the applicant as part of its review of the general qualifications. Should no applicants within the Department qualify for the position, the position may be advertised and may be open to non-Millersville Police Department applicants. In any case, written and oral examinations will be conducted to establish an eligibility list. Individuals on the eligibility list not presently employed by the Millersville Police Department will undergo a background investigation.

The essential functions for the position of Lieutenant are contained in the job description.

3.10 Recording and Filing of Application

Applications (CSC-1) will only be accepted after the Commission has legally advertised its intention to conduct an examination for a position in the Millersville Borough Police Department. The Commission may decline to accept applications if there are no open positions or vacancies to be filled. Applications for positions in the Millersville Borough Police Department shall be received at the Millersville Borough Police Department, 100 Municipal Drive Millersville, Pa. 17551 during normal business hours. Applications will be received by the municipal officer designated in the public advertisement or that officer's designee. That person shall record the receipt of all applications. Applicant shall receive a written notice of the time and place for the first portion of the testing procedure. Any application not including any application fee as set by the Millersville Borough Council or containing material errors or omissions may, at the discretion of the Commission, be returned to the applicant for correction prior to the deadline for filing applications, after which no new applications or amended applications will be accepted.

An application shall become invalid one (1) year after the date upon which it was received.

3.11 Disqualification/Rejection of Applicant

The Commission may refuse to examine, or, if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for examination prescribed in these Rules and Regulations for the particular position for which the applicant has applied. This includes but is not limited to any of the qualifications for promotional positions as set forth in Paragraphs 3.7, 3.8 and 3.9 above.

The Commission may refuse to examine, or if examined, may refuse to certify any applicant who is physically or mentally unfit to perform the full duties of the position to which he seeks employment, or who is a habitual substance abuser, who is guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office.

Further, an applicant may be disqualified or rejected for one of the following criteria:

- A. Having been convicted of a crime for which the punishment can be one year or more imprisonment as defined in Title 18 of the Pennsylvania Crimes Code, as defined in the jurisdiction where the crime occurred or as defined in the Military Code of Conduct.
- B. Having been released from any military or civilian police department for actions or inactions which, though not committed while employed as a Borough of Millersville police officer, could result in discipline if engaged in by a member of the Borough of Millersville Police Department.
- C. Having been released from any civilian police department during probation.
- D. Having a history of heavy gambling loss, failure to remain current in the payment of taxes or poor credit.
- E. Failure to provide support for minor children.
- F. Evidence of fairly recent illegal use of controlled substances as defined in schedules I through V of Section 102 of the Controlled Substances Act, (Public Law 91-513, 21 U.S.C. § 802.

3.12 Hearing for Disqualified Applicants

Any applicants or other persons who believe that they are aggrieved by the actions of the Commission in refusing to examine or to certify them as eligible after examination, may request a hearing before the Commission. Within ten days after such request, the Commission shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. § 101 et seq. The applicant or aggrieved party must make his request for a hearing in writing within ten calendar days of the date when the party knew or should have known of the Commission's action which is being challenged. This request for a hearing should be served upon the Secretary of the Commission or his designee the Police Chief at the Millersville Borough Police Department, 100 Municipal Drive, Millersville, Pa. 17551.

In the event that the Civil Service Commission elects to serve as the interview panel themselves and an applicant wants to appeal the decision of the interview panel, he or she may request a hearing before the Millersville Safety Committee. Within ten days after such request, the Millersville Safety Committee shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. § 101 et seq. The applicant or aggrieved party must make his request for a hearing in writing within ten calendar days of the date when the party knew or should have known of the Commission's action which is being challenged. This request for a hearing should be served upon the Secretary of the Commission or his designee the Police Chief at the Millersville Borough Police Department, 100 Municipal Drive, Millersville, Pa. 17551.

3.13 Penalty for False Statement

The statements made by the applicant in the official application shall contain no falsification, omission or concealment of material fact. Should investigation disclose any willful misstatement, falsification or concealment with respect to an application:

- A. The application shall be invalid and the applicant shall be disqualified from examination;
- B. If the applicant shall have been examined, the name of such applicant shall be removed from the eligibility list;
- C. If the applicant shall have been appointed, such deliberate falsification, omission or concealment shall constitute grounds for dismissal from the Police Department. Such falsification, omission or concealment shall be grounds for dismissal no matter how long the timeframe between appointment and the discovery of the falsification, omission or concealment.

Any applicant or other person who believes that they are aggrieved as a result of the actions of the Commission referenced in this section may request a hearing before the Commission pursuant to Chapter 3.12.

No person who shall make any application containing a deliberate misstatement, falsification, omission or concealment shall be permitted to make any future application for any position in the Police Department of the Borough.

3.14 Public Notice

The Commission shall conspicuously post in the Borough building an announcement of the hiring and/or promotional testing and set forth the time and place of every examination, together with the information as to the type of position to be filled, the requirements for that position, where applications may be obtained, and the deadline for filing those applications. In addition, at least two weeks prior to the close of the application period, publication of the notice shall occur in at least one newspaper of general circulation or a newspaper circulating generally in the Borough of Millersville.

Chapter 4. Examination and Grading Procedure

4.1 Physical Fitness Testing

An applicant for any position in the Millersville Borough Police Department must successfully pass a physical fitness exam that meets the current standards and guidelines of MPOETC (currently the Cooper Standards) which determine the physical fitness for an applicant to be a certified police officer in Pennsylvania. This test is graded on a pass/fail. Candidates must pass each phase of the physical fitness testing to successfully pass the Physical Fitness Testing. Only those candidates that first successfully pass the Physical Fitness Testing will be eligible to proceed to the next phase of hiring.

- A. A model letter informing an applicant that he passed the Physical Fitness Testing is attached as Appendix CSC-16 and a model letter informing an applicant that he failed the Physical Fitness test is attached as Appendix CSC-17.

4.2 General Examination Requirements for the Position of Patrol Officer

- A. The examination for patrol officers will consist of a written examination and an oral examination. The written examination will be graded on a (100) point scale and will represent 30% of the final score. The oral examination will be graded on a (100) point scale representing 70% of the final score. Those candidates that successfully pass all portions of the process will have backgrounds performed.
- B. On each occasion where Borough Council seeks to fill an entry level police position the Commission shall certify the three highest ranking (as measured by combined written examination, oral examination and veterans' preference points) available candidates on the eligibility list. If there are not three candidates that successfully passed the testing phase, then the Commission will pass on the highest-ranking candidates to Council. Council is free to select any one of the three (3) so certified unless one is a veteran. In the latter case, the one veteran must be the selectee. If two (2) or all three (3) of the applicants are veterans, Council may choose from among the veterans.
- C. When the Commission has written notice from an applicant who has passed the written and oral examinations that he/she does not wish to be further considered for Borough employment (or where the Commission has similarly strong proof that such an applicant is no longer available), the Commission may remove the applicant's name from the eligibility list.
- D. A polygraph shall be given to an applicant prior to extending a conditional offer of employment. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing medical, and psychological examinations. If it is necessary to hire more than one entry-level officer, each additional entry-level hire shall be selected using the same process described above.

4.3 General Examination Requirements for Promotion to Corporal and Sergeant.

- A. An applicant for promotion to Corporal and Sergeant in the Millersville Borough Police Department must successfully pass a physical fitness exam that meets the current standards and guidelines of MPOETC (currently the Cooper Standards) which determine the physical fitness for an applicant to be a certified police officer in Pennsylvania. This test is graded on a pass/fail. Candidates must pass each phase of the physical fitness testing to successfully pass the Physical Fitness Testing. Only those candidates that first successfully pass the Physical Fitness Testing will be eligible to proceed to the next phase of hiring.
- B. The examination for the positions of Corporal (if the position exists and is authorized by Council) and Sergeant shall include a written and an oral examination which will be graded on a one hundred (100) point scale with the

written examination representing thirty percent (30%) of the final score and the oral examination representing seventy percent (70%) of the final score. The examinations shall include testing of the applicant's knowledge and application of supervisory skills.

- C. The Borough Council shall notify the Commission of a vacancy in the police department which is to be filled by promotion and shall request the certification of an eligibility list. The Commission shall certify for each existing vacancy the names of three persons on the eligibility list who have received the highest average in the last preceding promotional examination held within a period of two years next preceding the date of the request for the eligibility list for each vacancy. If three names are not available, the Commission shall certify the names remaining on the eligibility list. The Borough Council shall make an appointment from the names certified based solely on the merits and fitness of the candidates unless the Borough Council makes objections to the Commission regarding one or more of the persons certified for any reason provided in section 3.11 of this policy.
- D. Veterans' preference shall only apply to promotional positions if and only to the extent required by law.
- E. The testing results for promotions shall be valid for the duration of the eligibility list which, unless stated otherwise, is two (2) years.
- F. After an applicant has been extended an offer to the position of Corporal or Sergeant, the final appointment to the position shall be contingent upon the applicant passing a medical evaluation (including a drug screening test), polygraph examination (if required by the Civil Service Commission or Chief of Police) and psychological examination.
- G. In the event that a promotional position is available in the Department and only one qualified individual applies, the Civil Service Commission, with the agreement and approval of Council, may waive certain or all the testing and examinations phases, except for the interview. In this case, if the candidate successfully passes the interview, then Civil Service would make their recommendation to Council.

4.4 Appointment of Examiners

The Commission shall appoint a written examination administrator, an oral examination administrator, a polygraph examiner, a physical agility examiner, a medical examiner and a psychological examiner to conduct the appropriate examination required by these Rules and Regulations. The Civil Service Commission may at its sole discretion appoint themselves as the board of examiners and the Commission may conduct the oral examinations and interviews.

4.5 Admission to Written Examination

All applicants who meet the basic qualifications and have successfully passed the physical fitness exam will be admitted to the written examination after providing photo identification. The notification document shall serve as the admission card to the examination. This procedure shall be followed at each segment of the examination process.

4.6 Written Examination

The written examination shall be constructed to test the non-physical capability of the applicants to perform and to be trained to perform the essential functions of the position. The exact design of the examination shall be altered from time to time but will be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the person examined to discharge the duties of a police officer.

The Commission may designate an examining agency or qualified individual(s) to act as examiner for or consultant on the written examinations. The Commission shall reserve the right to accept or reject for cause, in whole or in part, the recommendations of the regularly appointed examining and/or consulting agency.

The written examination shall be graded on a 100-point scale and an applicant must score seventy percent (70%) or higher in order to continue in the application process. Applicants scoring less than seventy (70%) percent shall be rejected. The written exam shall count for thirty percent (30%) of the final total grade.

Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their test results and passing applicants shall be scheduled for an oral examination appointment.

4.7 Oral Examination

Every applicant who scored seventy percent (70%) or higher on the written examination shall be given an oral examination which will be graded on a 100-point scale with a score of eighty percent (80%) or higher necessary for passing. Within thirty (30) days after the applicant's oral examination, he shall be informed of his score in his oral examination and total overall score. The oral examination shall count for seventy percent (70%) of the final total grade. Applicants scoring less than eighty (80%) percent shall be rejected.

Organizing the oral examination of applicants who passed the written examination shall be the responsibility of the Commission. The Commission shall empanel a board of examiners who shall ask each applicant interviewed a pre-determined series of basic questions (follow up questions may vary from applicant to applicant depending upon the responses given to the basic questions.) The board of examiners shall consist of at least three (3) individuals. The Commission shall select the three (3) members of this board of examiners with a view to the community's

policing needs and with the goal of placing persons on the board of examiners who are knowledgeable about our college community, modern policing, issues and/or concerns. Each member of the board of examiners shall interview and rate every applicant. Each applicant's responses to the questions shall be rated on a point scale of 0 (low)-5 (high) with the score of three (3) reflecting an average response. Members of this board shall score the applicants without first consulting with any or all of the other board members. The applicant's score on each question shall be his/her average score on that question and his/her total score shall be the addition of the average scores on all questions.

The persons assigned to conduct oral examinations shall complete a rating form after interviewing each applicant. The rating form shall be collected, tallied and recorded by the Secretary, or his designee. Applicants should be scored for their demeanor and for the content and relevance of their answers/responses.

The Civil Service Commission may at its sole discretion appoint themselves as the board of examiners. In the event that the Civil Service Commission serves as the board of examiners, any candidate that feels they were aggrieved by the actions of the board of examiners may request a hearing under Section 3.12 of this policy and the appeal would be heard by the Millersville Borough Safety Committee.

The candidates will then be ranked based on thirty percent (30%) Written Exam and seventy percent (70%) Oral Exam. Once ranked the Commission will then schedule background investigations to be completed on at least the top (3) three candidates. The exact number of candidates having background investigations will be determined by the Commission.

4.8 Veterans' Preference Points

Veterans' Preference Points shall be granted if any only to the extent required by law. The current requirements are described herein and are subject to changes in the statutes or case law. Under current law, the Veterans' Preference Act provides that any applicant for the position of patrol officer who qualifies as a "soldier" under the Act shall receive an additional ten (10) points on top of their total score if that applicant had received passing scores under Sections 4.6 and 4.7. Soldier is defined as any individual who has served in the regular military, the National Guard or the Reserves since July 1953 and who has completed his military service commitment and has received (or will receive) an honorable discharge from such service at the time they take the Civil Service appointment examination. An "honorable discharge" may include a general discharge under honorable circumstances. One who has failed to complete "basic training" or whose service has been limited to the National Guard or Reserves without completing the training and service components of such service is not a "soldier" qualified to receive Veterans' Preference points. Applicants claiming Veteran's Preference must submit satisfactory proof of service and honorable discharge with the application, specifically Form DD-214. Veterans Preference Points do not apply to promotional positions. Veteran's points for those that are eligible will be applied after the second oral examination.

4.9 Polygraph Examination

The Commission reserves the right to require an applicant, as a condition of continuing to be an applicant, to take a polygraph examination. When a polygraph examination is required of a candidate, that fact shall be maintained on the part of the Commission with appropriate confidentiality.

- A. Every applicant shall fill out a Personal Data Questionnaire. The Commission shall furnish each polygraph examiner with forms upon which the examiner shall state whether any of the applicant's responses to questions from the applicant's Personal Data Questionnaire are deceptive. A full detailed report on each examination shall be submitted to the Commission within five (5) days after the date of the examination.
- B. Examiner shall ask questions based on the information contained in the Personal Data Questionnaire or developed during the course of the background investigation. Before administering the test, the examiner shall ask each applicant whether there is any more information related to the Personal Data Questionnaire which the applicant would like to provide. There shall also be a post-test review, during which the examiner shall again ask the participant, if deception is indicated, whether there is any information which the applicant is withholding.
- C. If the examiner shall deem any of the applicant's responses to be deceptive, the examiner must tell the applicant immediately and give the applicant an opportunity to explain, deny or admit the deception. If the applicant denies being deceptive or if the explanation is found unsatisfactory by the examiner, the applicant will be given the opportunity to retake the test with a second examiner. Notice of the opportunity to retest shall be given in writing to the applicant. If the applicant elects to take a second polygraph, the second polygraph operator will be selected by the Commission and the applicant shall pay the cost of the second polygraph test unless contrary to applicable law. The second examiner will not have access to the results of the first test prior to re-administering the polygraph. If the second examiner finds no deception, the applicant will be considered as having passed the polygraph. If the second examiner also finds the applicant deceptive, the applicant will be considered as having failed the examination.
- D. An applicant who has failed both tests may appeal to the Civil Service Commission for a third examination and the decision to give the applicant an opportunity to take a third test resides solely within the discretion of the Commission. If the applicant elects to take a third polygraph, the third polygraph operator will be selected by the Commission and the applicant shall pay the cost of the third polygraph test unless contrary to applicable law. If the applicant is awarded an opportunity to take a third test and passes, then the applicant will be considered as having passed

the polygraph test. If the applicant is found deceptive on a third test, the applicant will be rejected.

4.10 Background Investigation

The Commission may request the Millersville Police Chief to have a Department Investigator conduct the background investigations or they may contract with an independent agency/individual/organization to conduct a background investigation on each of the top three applicants for entry level position declared vacant by Council. The number of applicants subject to the background check may be increased if the Millersville Borough Council has expressed an interest in hiring more than one officer or at the sole discretion of the Commission. The application will provide the basis for the background investigation. The "Authority to Release" portion of the application form must have been completed by the applicant if the applicant is to continue in the selection process. The background investigation shall include interviews with the applicant's family, acquaintances, current and former employers, current and former neighbors, references and current and former teachers and school officials. In addition, the applicant's credit history and record of criminal convictions should be investigated. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation. The background check shall comply with the guidelines established by the MPOETC.

Each applicant shall be fingerprinted and the finger-print cards shall be distributed to the Federal Bureau of Investigation, the Pennsylvania State Police and the Borough of Millersville Police Department.

After the background investigation is completed, the Investigator or independent agency/individual/organization shall make a written recommendation to the Commission on whether the applicant is appropriate for consideration for appointment as a police officer. Appropriateness of the applicant shall be based on the criteria set forth in these Rules and Regulations and in the Civil Service provisions of the Borough Code.

Based upon the results of the background investigation, the Commission may request, pursuant to 53 P.S. §46184, that an individual be removed from the list. The applicant may oppose this request and in turn, pursuant to the Borough Code (53 P.S. §46183) request a hearing. This recommendation shall be in writing and if the recommendation is to disqualify, then a detailed written explanation of the reasons for disqualification must be included. The Commission shall make the final administrative determination on whether the information collected during the background investigation warrants rejection of the candidate. Applicants will be informed as to whether, based upon the background investigation, they continue to be an applicant for the position of Millersville Police Officer.

4.11 Improper Conduct

Should any applicant conduct himself in any manner during the course of the selection process so as to defeat the proper intent, conduct or course of the examination process, his name shall be removed from any list of eligibility derived from the examination process (assuming he was permitted to complete the process) and the applicant shall not be permitted to make any future application for any position in the Police Department.

Any applicant or other person who believes that they are aggrieved as a result of the actions of the Commission referenced in this section may request a hearing before the Commission pursuant to Chapter 3.12.

Chapter 5. Certification of the Eligibility List and Appointment

5.1 Creation of Eligibility List

At the completion of the examination requirements set forth in Chapter 4, the Commission shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list. Applicants for patrol officer who qualify for veterans' preference points shall have those points added to their passing score prior to being ranked on the eligibility list.

For promotional positions, fulfilling the general qualifications as set forth above, including but not limited to Paragraphs 3.7, 3.8 and 3.9 as required. At the completion of the examination requirements set forth in Chapter 4, the Commission shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list.

Once the Commission has certified the eligibility list and after the top name(s) have been presented to the Millersville Borough Council, the list containing the final ranking, the names and grades of those who have passed the examination process, (including any military preference points) shall be posted in the Police Department for a period of at least 30 days.

The eligibility lists for patrol officer will be valid for one (1) year from the date the Commission ranks all passing applicants and formally adopts the eligibility lists. The Commission may, at its sole discretion, before the original expiration date, by a vote of the majority of the Commission at a duly authorized Commission meeting, extend the lists for up to an additional one (1) year. The eligibility lists for promotion will be valid for two (2) years from the date the Commission ranks all passing applicants and formally adopts the eligibility lists.

The Commission may at its sole discretion void an eligibility list at any time for any reason.

5.2 Removal of Names from Furlough or Eligible List

In addition to the reasons stated in these Rules and Regulations as grounds for removal, the name of any person appearing on the furlough list or an eligible list shall be removed from such list by the Commission if such person:

- A. is appointed to a position in the Police Department of the Borough;
- B. requests removal from the list in writing;
- C. declines an appointment to a position in the Police Department of the Borough;
- D. fails to make written reply to the Commission within seven (7) calendar days from the date of mailing of a notice of appointment in the case of initial appointment or failure to make reply to the Commission within thirty (30) calendar days from the date of mailing of a notice of reinstatement from furlough;
- E. indicates availability for appointment and is appointed to fill a vacancy but fails to report for duty at the time prescribed by the Millersville Borough Council, unless, in the opinion of the Millersville Borough Council, such person can show good and sufficient reasons for failing to report. In the case of a new hire from an eligibility list reporting for duty means reporting for a medical and/or psychological examination.

5.3 Appointment

- A. Borough Council may fill any vacancy in an existing position in the Police Department which occurs as a result of expansion of the police force, retirement, resignation, disability or death by the reappointment or reinstatement of a former employee of the police department who had been furloughed. (Note: Such events create vacancies only when Council has concluded that this is the case.)
- B. If no furlough list exists or if positions remain to be filled after all of the officers on the furlough list were offered reemployment, police officer positions, except that of Chief of Police, shall be filled only in the following manner:
 - 1. Borough Council shall notify the Commission of a vacancy of an entry-level police officer which is to be filled and shall request the certification of three (3) names from the list of those eligible, if available;
 - 2. If three (3) names are not available, then the Commission may furnish those names remaining on the certified list or at its discretion take the steps necessary to create a new list;
 - 3. The Borough Council shall make an appointment from one of the three (if three are still available but may be less) names certified with reference to the merits and fitness of the candidates. However, for initial appointment to the position of police officer, when one of the three (or less) applicants on the certified list is a veteran, that applicant shall be selected. Council may choose to not appoint any one to the position.
 - 4. Borough Council shall notify the Commission of a vacancy as a Corporal or Sergeant within the Department which is to be filled and shall request the certification of the top name on the eligibility list, if available;

5. If the list is not active, then the Commission will take the steps necessary to create and eligibility promotion list;
 6. The Borough Council may make the promotional appointment from the name certified with reference to the merits and fitness of the candidate, or may choose to not appoint any one to the position.
- C. The Borough Council may object to one or more of the persons certified for the reasons set forth in Chapter 3.11 of these Rules and Regulations. If the candidate to whom the Borough Council objects fails to timely exercise his rights of appeal under Chapter 3.12 or if the Commission declines to uphold his appeal, the Commission shall strike the name of that candidate from the eligibility list and certify the next highest name (if available) for inclusion on the list of three candidates from each name stricken off.

5.4 Appointment of Chief of Police

In the case of a vacancy in the office of Chief of Police, the Millersville Borough Council has full discretion in selecting the individual to fill the position of Chief of Police. If the Millersville Borough Council requests the Commission to subject that person to a noncompetitive examination, and if that person successfully passes the noncompetitive examination, then the Commission shall notify the Millersville Borough Council of the results of the examination and that person may only be removed from the position of Chief of Police for the reasons set forth in Chapter 6.3.

5.5 Medical and Psychological Examinations

After the Millersville Borough Council selects a candidate for appointment to the vacant position, and after a conditional offer of employment, that selectee shall submit to a post-offer medical examination which may include a drug screen by appropriate screening experts. The Commission adopts the medical and psychological requirements of the MPOETC.

If the candidate successfully passes the medical and psychological examinations, then that employee shall be appointed to the vacant position in the Police Department for which the application was submitted. Upon receiving information from the medical and/or psychological examination that indicates the selectee is unable, with or without reasonable accommodation, to perform all of the essential functions of the job, the Commission may offer to meet with the selectee for the purpose of engaging in an interactive discussion with him regarding the findings of the medical/psychological examinations. The goal of this interactive discussion would be to explore with the selectee whether he was aware of any recommendation he considered to be unreasonable and which would not allow him to perform all of the essential functions of the job he seeks.

The rejected candidate may appeal this decision under Chapter 3.12. The Commission shall then certify another name (if available) to be included for consideration by the Millersville Borough Council pursuant to Chapter 5.3.

5.6 Probationary Period

Every successful applicant to the position of patrol officer or a new promotional position with the Police Department shall serve a twelve (12) month probationary period. During the probationary period, a newly hired officer may be immediately dismissed for cause for the reasons set forth in Chapter 6.3. A promoted officer, during his probationary period, may be immediately returned to his prior rank for cause for the reasons set forth in Chapter 6.3. At the end of the twelve (12) month probationary period, if the general performance of the probationer has not been satisfactory to the Borough Council, the probationer shall be notified in writing that he will not receive a permanent appointment. At that time, a newly hired officer's employment shall end and a promoted officer shall return to his previous rank. Any officer who is informed in writing that he will not receive a permanent appointment has no rights of appeal under these Rules and Regulations.

5.7 Provisional Appointments

Whenever there are urgent reasons for the filling of a vacancy in any position in the Police Department and there are no names on the eligible list for such appointment, the Borough Council may nominate a person to the Commission for noncompetitive examination. The nominee may be certified by the Commission as qualified after a noncompetitive examination and he may be appointed provisionally to fill such a vacancy. It shall thereupon become the duty of the Commission within six (6) months to hold a competitive examination and certify a list of eligible and then a regular appointment shall then be made from the name or names submitted by the Commission: provided, that nothing within this Chapter shall prevent the appointment, without examination, of persons temporarily as police officers in cases of a riot or other emergency.

Chapter 6. Suspensions, Removals and Reductions in Rank

6.1 General Provisions

The Council shall have power to determine in each instance whether a decrease in salary shall constitute a reduction in rank. All suspensions, removals and reductions in rank shall be made only in accordance with these Rules and Regulations.

6.2 Restrictions

Persons employed in the Police Department of the Borough shall not be suspended, removed or reduced in rank for disciplinary reasons for any non-merit factor.

6.3 Grounds for Disciplinary Action

A. No person appointed to a position in the Police Department pursuant to these Rules and Regulations shall be removed from employment or suspended and no person promoted in rank pursuant to these Rules and Regulations shall be reduced in rank except for the following reasons:

1. Physical or mental disability affecting the officer's ability to continue in service, evidenced by the certification to that effect by a medical doctor and/or psychologist, in which case the officer shall receive an honorable discharge from service;
2. Neglect or violation of any official duty, including violating the Borough's police rules and regulations or general orders;
3. Violation of any law of the Commonwealth which provides that such violation constitutes a misdemeanor or felony;
4. Inefficiency, neglect, intemperance, disobedience of orders, or conduct unbecoming an officer;
5. Intoxication while on duty; or
6. Engaging or participating in or conducting any political or election campaign for any reason other than to exercise his or her own right of suffrage.

B. No officer shall be removed for religious, racial or political reasons.

C. A statement of any charges made against any officer so employed shall be furnished to the officer within five (5) days after those charges have been filed with and approved by the Borough Council.

6.4 Notice of Suspension, Removals or Reductions in Rank

Whenever a police officer is suspended without pay, removed or reduced in rank, the specific charges warranting such actions shall be stated in writing by the Millersville Borough Council. The charges shall be stated clearly and in sufficient detail to enable the officer to understand the charges and to allow the officer an opportunity to respond to those charges. The charges shall specify the basis for the disciplinary action as well as an explanation of the factual circumstances upon which the Millersville Borough Council relied in finding a violation.

Within five (5) days after the Borough Council has voted to impose the disciplinary action, a written statement of the charges shall be delivered to the officer either by personal service or by certified and registered mail. In addition to the charges it shall notify the officer of the right to appeal under Section 6.5 of these Rules and Regulations. A copy of the statement of charges shall also be served upon the members of the Civil Service Commission.

6.5 Hearings on Suspension, Removals and Reduction in Rank.

A. The officer who has been suspended, removed or reduced in rank may appeal the decision of the Borough Council by written notice to the Secretary of the Millersville Borough Civil Service Commission, 100 Municipal Drive Millersville, Pa. 17551 by requesting a hearing. This request shall be received by the Commission within seven (7) days after the officer received notice of the discipline. The officer may make written answers to any charges filed no later than the date fixed for the hearing. Failure of the officer to provide written answers to any of the charges shall not be deemed an

admission by the officer. If the officer fails to request a hearing in writing within the seven (7) days, then the decision of the Millersville Borough Council will be final and binding.

- B. The Commission shall schedule a hearing within ten (10) days from receipt of the officer's written request for a hearing, unless continued by the Commission for cause at the request of the Civil Service Commission, the Borough Council or the officer. At any such hearing, the officer against whom the charges have been made may be present and represented by counsel, may call witnesses and present testimony and documentation in his defense. The Borough may also be represented by counsel, call witnesses and present evidence as is necessary to support the charges. A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection.
- C. In conducting the hearing, the Commission's standard of review shall be to determine whether sufficient evidence has been presented to support the statutory reason for the disciplinary action. If the Commission finds that sufficient evidence has been introduced to support the charge(s), including a review and consideration of the officer's record for past disciplinary actions, the Commission shall not modify the penalty imposed by the Borough Council unless it finds that the penalty imposed was arbitrary, discriminatory or an abuse of Borough Council's discretion. In considering the appropriateness of the discipline, the Commission shall not substitute its judgment for that of Borough Council. The Commission may request post-hearing briefs and shall issue a written decision containing specific findings of fact and conclusions of law within sixty (60) days of receipt of the hearing transcript and briefs.

6.6 Notice of Hearing

Notice of the date, time and place for each hearing shall be given in the following manner:

- A. Either by personal service, certified or registered mail, to each of the principals involved in the case;
- B. By mailing a notice to all other parties who have stated an interest in the hearing; provided, however, that any failure to give the notice required by this subsection shall not invalidate any subsequent action taken by the Commission.

6.7 Hearing Procedure.

- A. All testimony shall be given under oath administered by the chairperson, or in absence of the chair, the vice-chairperson. The Commission shall have the power to issue subpoenas as set forth in Section 2.13. The hearing shall be open to the public unless, prior to the commencement of the hearing, a

written or oral request to close the hearing is made by either the charged officer or the Borough and the Commission decides to honor that request.

- B. If the Commission sustains the charges, the officer who was suspended, removed or reduced in rank may file an appeal with the Court of Common Pleas within thirty (30) days from the date of entry by the Commission of its final order. No order of suspension without pay shall be made by the Commission for a period of longer than one year. In the event that the Commission fails to uphold the charges, then the person sought to be suspended, removed or demoted shall be reinstated with full pay for the period of the suspension without pay, removal or demotion, and no charges related to the suspension, removal or reduction in rank shall be officially recorded in the officer's record.

6.8 Furloughs

If for reasons of economy or other reasons, it shall be deemed necessary by the Borough to reduce the number of full-time police officers in the Department, the Borough shall use the procedure described in the Collective Bargaining Agreement between the Millersville Borough and the Millersville Police Officer's Association in effect at that time. Should no procedure exist in the Collective Bargaining Agreement, then the commonly accepted practice of furloughing the person or persons, including probationers, last appointed to the force will be used.

Chapter 7. INSPECTIONS

7.1 Inspection in General

Except as otherwise provided in these Rules and Regulations and by the law, those records of the Commission qualifying as public records shall be open to the public and available for inspection during normal business hours. A member of the Commission, or any person who may, from time to time, be designated by the Commission, shall be present at all times during any inspection of any records of the Commission.

7.2. Character and Reputation Reports

The initial application and all reports of investigations and inquiries into the character and reputation of applicants shall be kept in the strictest confidence and shall not be open to public inspection.

7.3 Inspection of Examination Material

All Commission examination materials shall be confidential and shall not be open to general public inspection. It is understood that if the Civil Service Commission uses an outside testing firm, the graded tests are normally not returned to the Borough; rather they are maintained for security reasons by the testing company and

therefore unavailable for inspection. Any examined applicant may inspect his examination papers, provided that:

- A. He makes a written request to the Commission within five (5) working days from the date the written examination scores were posted, and;
- B. He receives the written consent of the Commission to inspect his examination file;
- C. He makes his inspection within five (5) working days from the date of the mailing of the consent of the Commission.

The Commission shall not consent to the request of any examined applicant to inspect any written examination paper which may be used in a subsequent written examination that may be scheduled within ninety (90) days following the date of receipt of the written request. If the Commission consents to an inspection of any of the written examination papers by a previously examined applicant, it shall state in its letter of consent the specific examination papers that may be inspected. Before any member of the Commission, or any person designated by the Commission, permits any inspection of examination papers, he or she shall require the examined applicant to produce the letter indicating the consent of the Commission and he or she shall limit the inspection by the examined applicant to only those examination papers indicated in the letter of consent. No examined applicant shall be permitted to inspect any examination papers other than his or her own, nor shall he or she be permitted to make any written notes while inspecting the examination papers.

Chapter 8. Civil Service Hiring Forms & Letters

The forms attached at the end of this document become the official forms of the Commission and a part of the Rules and Regulations of the Commission, a copy of which may be obtained from the Secretary of the Commission.

Chapter 9. Resolution for Adoption of Rules and Regulations

The following is a form for the resolution to be used by the Millersville Civil Service Commission to adopt Rules and Regulations, which shall be effective upon approval by Millersville Borough Council (see Section 2.10):

The foregoing Civil Service Rules and Regulations, which are in accordance with powers granted by the civil service provisions of the Pennsylvania Borough Code, enacted by the General Assembly of the Commonwealth of Pennsylvania and in accordance with the authority granted by the municipal governing body of Millersville, Pennsylvania, are hereby adopted by the Civil Service Commission of Millersville, Pennsylvania, replacing all previous Rules and Regulations, on May 11, 2023. If the Borough Code is amended, these Rules and Regulations will be changed accordingly.