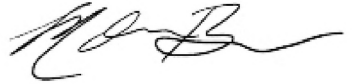


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: May 26, 2026

To: The Honorable Members of the City Council

From: Malaika C. Billups, General Manager, Personnel Department



Subject: CHARTER REFORM RECOMMENDATIONS - CIVIL SERVICE PROVISIONS

This report outlines the Personnel Department's four priority areas for reform of the Civil Service provisions of the City Charter, which are designed to better optimize and streamline the City's hiring and personnel management systems.

Background

The Los Angeles City Charter dictates the core principles and limitations governing the classification, hiring, discipline, and termination of city employees.

Charter reform is an opportunity to reimagine some of these core principles to increase our ability to attract, hire, develop, and retain top talent to deliver results for the City. To prepare our most thoughtful recommendations, over the past several months, the Personnel Department conducted research to determine the most appropriate recommendations to achieve solutions to the top problems with the Civil Service process. The following includes a summary of our research and engagement efforts:

- 1) Reviewed past civil service and human resources reform efforts
 - a) 2006 Proposed Charter Changes
 - b) 2018 GM HR Improvements Survey
 - c) 2022 UCLA Climate Study
 - d) 2024 reform recommendations
- 2) Facilitated listening sessions with key stakeholders
 - a) General Managers - City Departments
 - b) General Managers - Proprietary Departments
 - c) Dept Personnel Officers (DPOs)
 - d) Various Labor Groups

- e) Non-governmental stakeholders
- 3) Circulated written surveys to the key stakeholders listed above to help identify top problems
- 4) Conducted research into other Cities' charters and hiring rules to draw comparisons and identify best practices
 - a) Met with comparison Cities
 - b) Conducted research into specific subjects, including the scope of authority of Civil Service Commissions in other jurisdictions
- 5) Met with the City Attorney regarding our obligations and the risks associated with several of the proposed changes
- 6) Presented to the Charter Reform commission on September 13, 2025 wherein we:
 - a) Outlined framework of Civil Service
 - b) Discussed Pain Points
 - c) Framed next step proposals
 - d) Took questions

After conducting our research, we have concluded that lengthy and overly prescriptive charter-mandated procedures have contributed to a slow hiring process for both entry-level and promotional roles, a high vacancy rate at times, and inflexibility that sometimes deprives department heads of access to varied pools of skilled job-seekers best suited to perform their work. The following recommendations aim to remedy some of these challenges.

Charter Reform Recommendations

The following section details the four proposed reforms to Article X, Employment Provisions, Civil Service section of the City Charter. This section includes a summary of the current City Charter provision, proposed changes, reasoning, labor bargaining scope, and administrative implementation matters, as necessary. The attachments provide detailed changes to the Charter language.

1. Exemptions (Charter Section 1001)

- **Current City Charter Rule:** The Charter currently identifies specific positions exempted from civil service including, but not limited to elected officials, all

general managers or heads of departments, all positions City Council offices (except clerical), all positions in the Mayor's and City Attorney's offices, two assistant general managers in each city department and bureau, and various other specific exemptions. It also creates a cap of 150 additional exemptions for other City positions in management, professional, scientific, or expert services.

- **Change:** Modify the Charter to increase the number of exemptions and move from 150 to 300 for non-proprietary departments, and specific buckets of exemptions for the proprietaries – 40 for Department of Water and Power (DWP), 15 for the Harbor Department, and 75 for the Department of Airports. We also propose to include all Assistant General Managers, rather than merely two within each department – the exception being one senior assistant and two assistants (a total of three) for each system in DWP, change one Traffic Manager and one Port Warden to all of those positions in the Harbor Department, and Neighborhood Empowerment election officials (similar to City Clerk election officials). The other changes include clarifying language.
- **Reasoning:** The current cap limits the City's flexibility to respond to new challenges and crises. General Managers have regularly requested more exemptions to meet operational demands and many have expressed desire for more pathways for employees to enter the City workforce as lateral, or mid-career transfers. Exempt positions allow City departments more flexibility within their hiring processes.

2. Examination (Charter Section 1005)

- **Current City Charter Rule:** "Positions in the classified civil service shall be filled through competitive examination." The Charter requires exams to be "practical" and to "fairly test" the relative capacity of candidates.
- **Change:** Adding language that allows for limited exceptions to be articulated in the Civil Service Rules. Certain classifications require externally set minimum qualifications, such as a license or certification. In limited instances where applicants tend to be few and the barrier to entry is high, the Personnel department would like to create lists of candidates without scores based on an evaluation of whether the candidate meets the requirements of the position. This change aims to provide flexibility in how the City tests and validates certain, limited candidate qualifications.

- **Reasoning:** The term "competitive examination" has been strictly interpreted by the City Attorney in their assessment of California case law to require testing and ranking every candidate, which delays hiring. Changing the language allows for more modern assessment methods (e.g., evaluating qualifications) to reduce hiring timelines and improve access to qualified candidates.

3. Assessment and Ranking of Applicants (Charter Sections 1006 and 1009)

- **Current City Charter Rule:** Promotions must be based on "ascertained merit and seniority." The Charter requires separate promotional and open lists and mandates that, "where practicable," vacancies be filled by promotion from within.
- **Change:**
 1. **Increase Seniority Credits for Military Candidates:** Increase seniority credits for military candidates from 5% to up to 10%.
 2. **Create Option to Combine Open and Promotional Lists:** In addition to the current examination options of Open Only, Promotional Only, or Open and Promotional (separate list) exams, add the option to, where appropriate, combine Open and Promotional exam takers into a single list to allow the City to evaluate candidates from outside the City alongside internal, promotional candidates.
- **Reasoning:** The current use of service credits rewards length of service, which is considered in any promotional exam. However, despite this advantage, strict promotional rules prevent evaluation of non-City employees alongside our City employees. Adding the option to create a single list of eligible candidates, where promotional and open lists can be combined (a circumstance that would be contingent upon a determination that the City promotional pool is insufficient), ensures the City hires the best-qualified candidates regardless of the candidates' prior employment status.

4. Authority Transfer: Civil Service Commission to Personnel General Manager (Sections 1003, 1004, 1013, 1014)

- **Current City Charter Rule:** The Civil Service Commission (CSC) currently holds the authority to:
 - Allocate positions to classes (Sec. 1003)
 - Promulgate Civil Service Rules (Sec. 1004)

- Approve temporary/emergency appointments (Sec. 1013)
 - Approve special reassignments (Sec. 1014)
- **Change:** Transfer administrative authority from the CSC to the General Manager of the Personnel Department. The Commission would retain its role primarily as an appellate body for discipline and appeals.
- **Reasoning:** Current requirements to go to the CSC for routine allocations and determinations can delay hiring by a month or more. The Commission rarely intervenes in staff recommendations related to allocations, emergency appointments, or special reassignments. Transferring authority to the General Manager streamlines the creation of classes, emergency appointments, and routine administrative decisions.

Bargaining Landscape

The City has an obligation to bargain with labor representatives any matters related to the wages, hours, or conditional of employment of represented employees. To that end, the City has presented proposals to all labor groups and has invited and engaged in meet and confer discussions with interested labor groups.

Where the requirement to bargain applies, the following section of the Administrative Code is also applicable:

Sec. 4.840. Resolution of Impasses in Meeting and Conferring

a. Processing of Impasses Involving Proposed Changes to the Los Angeles City Charter

(1) If after a reasonable period of time the management representative and representatives of a recognized employee organization reach an impasse, declared by any party, on any matter subject to the meet and confer process requiring an addition to, deletion from, or amendment of any provision of the Los Angeles City Charter, the meet and confer process shall be deemed to have been completed. The impasse shall then be presented to the City Council for final determination.

Attachment A - Summary Table of Proposed Changes

A summary of the proposed language changes are noted in the table below. The specific language updates, including additions and strikeouts for these noted sections can be found in *Attachment B*.

Change #	Charter Section	Sub-section	Change Summary	Reason
1	1001 - Exemptions	(a)(4)	Change "two" to "All." Add limit of one senior AGM and two AGMs within each DWP system	Increasing exemptions
2	1001 - Exemptions	(a)(15)	Change "The" to "All"	Increasing exemptions
3	1001 - Exemptions	(a)(19)	Add "Department of Neighborhood Empowerment"	Additional department conducting elections
4	1001 - Exemptions	(b) (intro)	Replace "150 persons" with 300 persons; exclude proprietaries from this number	The current cap limits the City's flexibility to respond to new challenges and crises.
5	1001 - Exemptions	(b)(4)	Allow proprietaries access to any Council created pool of exemptions.	Aligns language such that this provision has no effective change - that proprietaries are eligible for this increase as they currently are.
6	1001 - Exemptions	(c)(intro)	Increase exemptions as follows: DWP: from 15 to 40 Harbor: from 10 shared to 15 Airport: from 10 shared to 75	Personnel frequently receives requests from these departments to allow for more exemptions and fulfill unique hiring needs
7	1001 - Exemptions	(d)(1)	Change "unskilled laborers, including drivers" to "vocational workers, apprenticeships and trainees"	General language update; aligns with alternative pathway language
8	1001 - Exemptions	(d)(3)	Clarify 1040 hours max for exempt positions and remove language related to salary information	Specific hourly cut off rather than general day calculations
9	1001 - Exemptions	(e)(intro)	Add "following completion of a probationary period" for clarity	General language update
10	1005 - Examination	N/A	Allow for exceptions to the competitive examination requirement for classes identified in the CSRs. Remove statements related to age limitations.	Changing the language allows for more modern assessment methods for specific classes enumerated in the CSRs. Removes restatements of law codified elsewhere.
11	1006 - Credit for Military Service	(f)	Increased exam credit from 5% to 10% for military applicants	Codifies earlier effort by City Council which was unable to be implemented due to Charter restrictions

Change #	Charter Section	Sub-section	Change Summary	Reason
12	1009 - Promotion	N/A	Removes preference for promotions and allows departments to request open and promotional (separate or combined) lists, subject to approval from Personnel and the CSC.	Authority Transfer: Streamlines approval processes Open and Promo Combo: Allows for departments to select the most qualified candidates when there are none identified.
13	1003 - Classification of Positions	N/A	Rewrites language to clarify that the CSC has authority to establish classes, but PER GM will allocate positions without CSC approval.	Authority Transfer: Streamlines approvals for position allocations, a routine, administrative task.
14	1004 - Civil Service Rules	N/A	Change power to update Civil Service Rules from CSC Board to Personnel Department General Manager, with rights to appeal to CSC Board; updates language related to public notice requirements	Authority Transfer: Streamlines approval processes Public notice: General language update to allow for modern means of notice
15	1013 - Temporary Appointment	(a)	Gives Personnel GM authority to authorize emergency appointments and increase the appointment time frame from 1 year to 18 months	Streamlines approval processes Allows for experts who are on a temp appt to stay longer. This will allow departments more time before having to extend/readvertise positions
16	1014 - Special Reassignments	(a)	Change "board" to "general manager of Personnel Department"	Authority Transfer: Streamlines approval processes

Attachment B - Proposed Changes

Proposed language additions are in **red bold** while deletions are red with ~~strike-outs~~ through deletions.

Charter Section 1001 - Exemptions

Each of the following positions shall be exempt from this Article:

(a) Exempt Positions.

- (1) All officers elected by the people.
- (2) All members of the boards of commissioners.
- (3) All chief administrative officers of the City's departments and offices and the Directors of the Public Works' Bureaus of Contract Administration, Engineering, Sanitation, Street Lighting and Street Services.
- (4) ~~Two-All~~ positions in the class of Assistant General Manager or Deputy Director in each City office or department, **with the exception of the Department of Water and Power, which shall be limited to one Senior Assistant General Manager and two Assistant General Managers in each of the Department of Water and Power's systems: Water, Joint and Power,** and ~~two-all~~ positions in the class of Assistant Director in each of the Public Works Bureaus of Contract Administration, Engineering, Sanitation, Street Lighting and Street Services, and ~~two-all~~ positions in the class of Deputy Controller in the Office of Controller.
- (5) All Deputy Chiefs of Police.
- (6) All Deputy Chiefs of Fire.
- (7) Positions in the Office of the Mayor.
- (8) Positions established by the Council for the purpose of assisting the members of the Council in the performance of their duties, except for clerical personnel.
- (9) All positions in the office of the City Attorney.
- (10) The Chief Financial Officer of the Department of Water and Power.
- (11) The Executive Director of the Board of Police Commissioners.
- (12) The Inspector General of the Police Department.
- (13) The Executive Director and all personnel of the City Ethics Commission.
- (14) All Assistant Directors in the Office of the City Administrative Officer.
- (15) ~~The-All~~ Traffic Managers and ~~the~~ Port Wardens of the Harbor Department.
- (16) Crossing Guards.
- (17) All physicians and psychologists subject to Section 1040.

(18) All officers of election.

(19) Persons specially employed by the City Clerk **and the Department of Neighborhood Empowerment**, as authorized by the provisions of Section 405 of the Charter, to assist in the conduct of any election.

(20) Positions elsewhere specifically exempted by the Charter.

(b) Management, Professional, Scientific or Expert Services. In addition to those positions described in subsections (a), (c) and (d) of this section, up to **300 persons** ~~150 persons~~ to provide management services or to render professional, scientific or expert services of an exceptional character to offices or departments, **excluding the Department of Water and Power, Harbor Department, and the Department of Airports for purposes of this section and its subparts (b)(1), (2), and (3). The proprietary departments shall be eligible for additional positions approved by Council under subsection (b)(4). including the Proprietary Departments.**

Appointments under this subsection shall be subject to the following:

(1) As to each position to be exempted under this subsection, and prior to the initiation of the selection process to fill the position, the Mayor shall forward to the Council a recommendation for an exempt position which sets forth the educational, experience and other professional requirements of the position and describes the circumstances presented by the department seeking the appointment that preclude filling the position through the civil service system. Within ten Council meeting days from receipt of the recommendation, the Council may by two-thirds vote disapprove the Mayor's recommendation for the exemption. If the Council does not act on the recommendation within the specified time period, the recommendation shall be deemed approved. When the position is vacated, the exemption shall terminate unless re-authorized in accordance with this subsection.

(2) No person may be employed under this subsection if he or she has served in an exempt position in the office of an elected City official in the prior two years unless he or she meets the professional experience requirements established for the position.

(3) Persons who have been exempted or who have been appointed to an exempt position prior to the effective date of this Charter, will retain their exemption. Exemptions under this subsection shall be prospective and shall be made only at the time of filling a vacant position.

(4) Council may, by ordinance adopted by two-thirds vote, increase the maximum number of exempt positions as provided in subsection (b) to no more than one percent (1%) of the regular authorized positions in the City workforce, **including the Department of Water and Power, Harbor Department, and the Department of Airports**, provided that if the maximum number of exempt positions is increased

pursuant to this subsection, ~~the number of positions created by subsections (a) (4), (5) and (c) of this section shall be counted toward the maximum allowable exemptions.~~ If Council provides for a maximum number of exemptions based on a percentage of the workforce, and a reduction in the workforce results in more filled exempt positions than permissible, each incumbent shall retain the exemption, but when vacated, such excess exemptions shall terminate.

(c) Proprietary Department Positions. In addition to the exempt positions in the Proprietary Departments created by subsections

(a), (b)(1), (2), (3) and (d) of this section, up to ~~15~~ **40** positions in the Department of Water and Power and up to ~~ten~~ **15** positions ~~to be allocated between the~~ **in the** Harbor Department and ~~the 75 positions in the~~ Department of Airports for employment of persons to provide management services or to render professional, scientific or expert services of an exceptional character. Exemption of these positions shall be subject to the following:

(1) Upon receipt of a request for an exempt position by the department which sets forth the educational, experience and other professional requirements of the position and describes the circumstances that preclude filling the position through the civil service system, the Mayor shall forward to the Council a recommendation for the exempt position. Within ten Council meeting days from receipt of the recommendation, the Council may by two-thirds vote disapprove the Mayor's recommendation for the exemption. If the Council does not act on the recommendation within the specified time period, the recommendation shall be deemed approved.

(2) No person may be employed under this subsection if he or she has served in an exempt position in the office of an elected City official in the prior two years unless he or she meets the professional experience requirements established for the position.

(3) Persons who have been exempted or who have been appointed to an exempt position prior to the effective date of this Charter, shall retain their exemption. Exemptions under this subsection shall be prospective and shall be made only at the time of filling a vacant position.

(d) Positions Approved by Council. In addition to the exempt positions created in subsections (a), (b) and (c) of this section, any of the following may be exempted from the provisions of this Article upon the request of the head of the department or office in which they are employed, by order of the Board of Civil Service Commissioners, approved by the Council by resolution:

(1) positions of **vocational workers, apprenticeships, and trainee classes** ~~unskilled laborers, including drivers:~~

(2) positions for workers, mechanics or craftspersons (including crew leaders) employed exclusively in that position on the construction of public works, improvements or buildings;

(3) any position requiring the services of one individual for not more than half time **(1,040 hours in a service year)** ~~and paying a salary not to exceed three-fourths of the monthly rate established by the salary fixing authority of the department, division or office for entering level clerical positions;~~

(4) grant-funded positions for a term of no more than two years which, by application of the procedures described in this subsection, may be extended for one additional year for a maximum exemption period of three years.

Any exemption made under the provisions of (1) through (4) may be terminated at any time by resolution of the Board of Civil Service Commissioners.

(e) Leave of Absence from Civil Service. Each person exempted or appointed to an exempt position under this section shall, during the period of exempt employment, be considered as being on leave of absence from the classified civil service if at the time of exemption he or she holds a position **following completion of a probationary period** in the classified civil service, or is entitled to hold a position therein, and shall continue, during such period, to accrue seniority credit the same as though serving in such position.

Charter Section 1005 Examination

Positions in the classified civil service shall be filled through competitive examination, **subject to exceptions as indicated under Civil Service Rules Sec. 4.3. Positions identified under Civil Service Rule 4.3 may be filled through an assessment based on merit demonstrated by meeting examination requirements.** Applicants shall be subject to review of **education**, experience and character and may be disqualified if it is determined specified requirements are not met. Examinations shall be practical, and shall relate to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed and, when appropriate, shall include or exclusively consist of, test of physical qualifications, and manual skill. ~~No limitation or restriction whatsoever shall be imposed, excepting to the extent permitted by applicable state or federal law in the departments of fire and police, fixing a maximum age in excess of which persons shall be deprived from taking examinations for or being employed in the classified civil service. The provisions of Section 104(i) regarding discrimination on the basis of age shall not prohibit fixing a maximum age in the departments of fire and police if~~

~~otherwise authorized by this section.~~

Charter Section 1006 Credit for Military Service

(a) Subject to the conditions set forth in this section, in all original examinations, the Board of Civil Service Commissioners shall, in addition to all other credits, give a credit of ~~five~~ **ten** percent of the total credits specified for an examination to all persons who receive a passing score on the examination and who have served in the armed forces of the United States during time of war or armed insurrection, or during any time when the United States is engaged in active military operations against any foreign power, whether or not war has been formally declared, or when the United States is assisting the United Nations in actions involving the use of armed forces to restore international peace and security (Military Service), if such persons are honorably discharged from active service even if they remain in the military reserve.

(b) The ~~five~~ **ten** percent (~~5~~ **10%**) credit shall be granted for a period of five years from the date of release from active Military Service of an eligible person or five years from the date the person becomes available for employment. A person shall be deemed unavailable for employment if the person is a student engaged in a training or educational process approved by the board or is hospitalized as a result of a service-connected injury or illness.

(c) A ~~five~~ **ten** percent (~~5~~**10%**) credit for a period not to exceed five years shall be given to widows or widowers of persons killed while in Military Service. Such five-year period shall commence to run from the date the spouse is deceased.

(d) A ~~five~~ **ten** percent (~~5~~ **10%**) credit for a period not to exceed five years shall be given to spouses of persons who are unable to work because of disabilities resulting from Military Service. Such five-year period shall commence to run from the date the board determines that the person became unable to work.

(e) Notwithstanding any time limitations set forth in other parts of this section, the ~~five~~ **ten** percent (~~5~~ **10%**) credit shall be provided to all persons with disabilities resulting from Military Service without regard to the date of discharge. For purposes of this subsection, a person shall be deemed disabled if the disability is certified by the Veterans Administration or its successor agency.

Charter Section 1009 Promotion:

The board shall by its rules provide for promotion in the classified civil service on the basis of ascertained merit and seniority in service and examination. ~~and shall provide, in all cases where it is practicable, that vacancies shall be filled by promotion.~~ All examinations for promotion shall be competitive among members of lower ranks who apply for the examination and who have the experience and qualifications ~~required by the board~~ as a prerequisite for taking the examination. The general manager of the Personnel Department shall submit to the appointing authority for each promotion the names of eligible applicants in accordance with Section 1010 (Certification).

In rating eligible candidates, the board shall make an allowance of credits for past service. The announcement of the examination shall state that credits will be given for past service. Upon the written request of the appointing authority, **and approval of the general manager of the Personnel Department,** the ~~b~~Board of Civil Service Commissioners may **1)** certify the names of those applicants having the highest ratings on the open competitive eligible list whose scores before adjustment for preferential credits are higher than the score of the highest available applicant on the promotional eligible register after credits for past service have been added **or 2) certify the names of those open and promotional applicants having the highest ratings on the examination on one combined register of eligibles.** Names of candidates ~~shall~~ may be removed from the register of eligibles for promotion after they have remained on the register for two years without re-examination.

Promotional examinations shall be held at intervals necessary to maintain a register of eligibles for promotional positions in which there are vacancies. The method and rules governing examination and certification for promotions shall be the same as provided for applicants for original appointment, except as otherwise provided in this section.

Authority Transfer: Civil Service Commission to Personnel General Manager (Sections 1003, 1004, 1013, 1014):

Charter Section 1003 Classification of Positions

The Board of Civil Service Commissioners shall establish classes for all positions of employment. **Each class shall be given an appropriate title and shall include all positions sufficiently similar in respect to duties and responsibilities and that have the same requirements as to education, experience, knowledge and ability; the same tests of fitness; and to which the same schedule of compensation may apply with fairness.**

The ~~positions classified by the~~ **general manager of the Personnel Department** ~~board~~ shall **allocate all positions to constitute** the classified civil service of the City, and no appointment to any of these positions shall be made except in accordance with the rules adopted by the ~~b~~**Board of Civil Service Commissioners** under the authority of

this Article (the civil service rules).

~~Each class shall be given an appropriate title and shall include all positions sufficiently similar in respect to duties and responsibilities and that have the same requirements as to education, experience, knowledge and ability; the same tests of fitness; and to which the same schedule of compensation may apply with fairness.~~

Charter Section 1004 Civil Service Rules

The **general manager of the Personnel Department** ~~board~~ shall promulgate civil service rules to carry out the purposes of this Article in accordance with applicable law. All rules and any changes to those rules shall be made in writing. The **general manager of the Personnel Department** ~~board~~ shall **promulgate a public** ~~give~~ notice **of any changes to be made to the civil service rules at least 30 days from the date on which the rules shall go into effect.** ~~by publication in some daily newspaper circulated in the City of Los Angeles of the place or places where the rules may be obtained, and the date, not less than 30 days after the date of publication, when the rules shall go into effect.~~ The civil service rules shall provide for, among other subjects, examinations, leaves of absence, transfers, temporary appointments, disciplinary hearings, layoffs, and procedures for the review and appeal of determinations by the general manager of the Personnel Department with respect to the civil service provisions of the Charter. **Any changes to the civil service rules promulgated by the general manager of the Personnel Department are appealable to and by the Board of Civil Service Commissioners within 30 days of the date first established for public notice. Any civil service rule change facing appeal may not take effect until completion of the civil service rule review and approval by the board.**

Charter Section 1013 Temporary Appointment

(a) Length of Appointment. To prevent stoppage of public business or to meet extraordinary exigencies, any appointing authority may make temporary appointments to classified positions in accordance with civil service rules that the board shall prescribe. The ~~board~~ **general manager of the Personnel Department** shall have the power to authorize such temporary appointments until an eligible list is established, but for no longer than ~~one year~~ **eighteen months**.

(b) Termination. Any temporary appointment shall terminate immediately when a regular appointment can be made unless the board finds that for a specified period it is necessary that the temporary employee remain to orient or train the new regular appointee.

(c) Temporary and Intermittent Appointments. The civil service rules shall provide for the tenure of persons appointed from a register of eligibles to positions determined by the board to be temporary or intermittent in character. Any rules adopted pursuant to this subsection shall provide that when appointment is made to a position determined to be temporary or intermittent, the provisions of Section 1011 with respect to period of probation and completion of appointment shall not apply.

Charter Section 1014 Special Reassignments

(a) Reassignment Without Examination. In addition to and notwithstanding the provisions of Section [1015](#), the ~~board~~**—general manager of the Personnel Department** may by its rules provide for status and seniority for civil service employees in classes other than those for which they were examined, where:

- (1) an employee is incapable of performing satisfactorily the duties of his or her position because of injury, sickness or disability; or
- (2) an employee has completed a probationary period in the City service.

(b) Requirements for Reassignment. Any rules adopted by the board pursuant to this section shall provide that:

- (1) no employee may be placed in a different class without first receiving the employee's written consent to the reassignment;
- (2) no change of class status may be allowed if it would result in a promotion;
- (3) no employee may be placed in a different class unless the employee possesses the minimum qualifications required for the class and the capability of performing the required duties;
- (4) no employee who is placed in a different class pursuant to the provisions of this section may be credited with more seniority than accumulated in the employee's former class.