

meeting the requirements of this Article, desiring to cease regular medic assignment or recertify as an EMT-B with the State of Ohio shall indicate their intentions to the Employer by submitting their written request to the Fire Chief. The Chief shall grant requests by seniority within the Department.

35.12 The assignment parameters contained within the previous sections shall not apply to paramedics while working overtime shifts or trades of time. Any certified paramedic can be assigned to medic duty while working overtime or trades of time.

35.13 All special duty assignments and special classes related to EMS in any way will be offered to the sixty (60) firefighter paramedics described in 35.01 prior to other paramedics as determined by the PFD EMS Coordinator.

35.14 Newly hired EMT-Bs will be required to begin paramedic school within two years of employment with the Department. As a condition of employment, every newly hired employee will complete medic school and become a State Certified Paramedic by passing the certifying exam, state or national registry. Employees unable to attain their paramedic certification within six (6) months of course completion, shall be terminated. 35.15

35.15 Employees hired (sworn in) after January 1, 2004 will be required to remain a paramedic for their entire career with the Parma Fire Department, Employees hired prior to January 1, 2004 will not be held to any proceeding contractual agreement that requires certifications or obligations for a period of time which exceeds the requirements of this Article unless mutually agreed to by the Employer and the (employee) Union.

## **ARTICLE 36 SAVINGS CLAUSE**

36.01 In the event any one or more provisions of this Agreement is or are deemed invalid or unenforceable by any final decision of a court or federal or state agency, that portion shall be deemed severable from the remainder of the Agreement and all such other remaining parts of this Agreement shall remain in full force and effect. In such event, the Employer and the Union will, at the request of either party hereto, promptly enter into negotiations relative to the particular provisions deemed invalid or unenforceable.

## **ARTICLE 37 PROMOTIONS**

37.01 All promotions to the ranks above Fire Fighter (Fire Inspector, Lieutenant, Captain, Assistant Chief, Fire Chief, etc.) shall be made in accordance with the following provisions, notwithstanding any Civil Service Laws or Regulations that may be inconsistent herewith.

37.02 Whenever a vacancy occurs in a promoted rank in the Fire Department, that vacancy shall be filled within ten (10) days of the vacancy from the promotional list described herein. The City shall maintain, through its Civil Service Commission, an active promotional list for all ranks within the Fire Department. Prior to any promotional list expiring, a Civil Service examination shall be given and a promotional list of successful applicants shall be compiled in accordance with the rules and regulations of the Civil Service Commission, except as stated in this Agreement.

(a) In order for a Fire Fighter to be eligible to take the Lieutenant's promotional examination, the Fire Fighter must have served at least five (5) years in the rank of Fire Fighter by the time of the written examination. In order for an officer to be eligible to take the promotional examination for the next higher rank, the officer must have served at least one (1) year in the rank from which the promotion is being made, with the time period measured from the date of the prior promotion to the date of the promotional examination. If there are less than two (2) candidates eligible and willing to take the promotional examination, the Civil Service Commission shall open the test to those full-time employees of the Fire Department in the next lower rank.

(b) Notice of the promotional written examination and assessment center dates will be posted for a minimum of thirty (30) days prior to the date of the written examination. The posting shall contain a description of the source material from which the examination questions are prepared.

(c) In order to advance in the promotional process, promotional candidates must first obtain a passing score on the written examination. A passing score shall be considered a minimum of eighty percent (80%). Candidates taking the written examination shall be notified in writing of their written examination score, including specification as to whether they have passed, and if so, instructions on the next stage of the promotional process.

37.03 Promotional candidates passing the written examination shall be evaluated by an assessment center. The assessment center shall be selected and paid for by the Employer. Assessment center evaluations shall be completed within sixty (60) days of service of notice of written examination results.

37.04 Scoring results for the position of Lieutenant, Fire Inspector and Captain from the written examination and assessment center evaluations shall have a combined one hundred (100) points with fifty (50%) percent coming from the written examination and fifty (50%) percent coming from the assessment center. Results for the positions of Assistant Chief and Fire Chief from the written examination and assessment center evaluations shall have a combined total value of one hundred (100) points with forty (40%) percent coming from the written examination and sixty (60%) coming from the assessment center. This total, in addition to each candidate's seniority points, shall be provided as a combined score to the oral review board. Each candidate will be provided with their individual scores for each category. Seniority points are awarded based on the candidate's seniority on the date of the written promotional examination. For all officer promotions except for Assistant Chief and Fire Chief up to a maximum of the top ten (10) promotional candidates scoring highest on the combined scores of the written examination, assessment center evaluations, and seniority points (as currently awarded by the Civil Service Commission) will advance to the oral review stage of the promotional process. For promotions to Assistant Chief or Fire Chief up to a maximum of the top three (3) promotional candidates scoring highest on the combined scores of the written examination, assessment center evaluations, and seniority points (as currently awarded by the Civil Service Commission) will advance to the oral review stage of the promotional process.

37.05 Within fourteen (14) days after the scoring results of Section 37.04 are compiled, the oral review board shall schedule and provide the promotional candidates notice of their oral

interviews. The oral review board for all officer promotions, except for Assistant Chief and Fire Chief, shall consist of the following: five (5) persons (A) the Fire Chief; (B) the Safety Director; (C) an Arbitrator selected from the Panel listed in the Arbitration Procedure; (D) one employee from the rank where the vacancy exists, to be appointed by the Union President of the Bargaining Unit; and (E) one representative from the Union, to be appointed by the Union President. The Arbitrator shall be paid by the Employer. The oral review board for the Assistant Chief and Fire Chief promotions shall consist of the following three (3) persons: (A) the Safety Director; (B) the Mayor; (C) a Fire Chief from another municipality with a population of 30,000 or greater, with the municipality being mutually agreed to by the Safety Director and the Union President.

37.06 The oral review board shall conduct oral interviews of the promotional candidates eligible per Section 37.04. Candidates are permitted to submit a two (2) page resume to the Fire Chief prior to the oral interview for consideration by the oral review board. Each candidate's personnel file will be available to the oral review board. Scoring criteria for the oral interviews shall be outlined in Appendix E of the CBA. Oral interview points will be added to the score provided from the written score, assessment center and seniority points. A list of the promotional candidates' ranking based upon total combined score of a possible one hundred twenty (120) points (for candidates for the positions of Lieutenant, Fire Inspector and Captain) and one hundred and twenty-five (125) points (for candidates for the positions of Chief and Assistant Chief) from the written examination, assessment center, seniority, and oral review board interviews shall be posted and utilized for any promotions to that rank for a period of no more than two (2) years. For all officer promotions, except for Assistant Chief and Fire Chief, the candidate with the highest total score shall be promoted. For Assistant Chief or Fire Chief promotions, the candidate to be promoted shall be one of the three (3) candidates appearing before the oral review board, as selected by the oral review board..

37.07 All newly promoted Lieutenants shall be sent to a State Certified Fire Supervisors School prior to completion of their probationary period.

37.08 Any appeal or objection regarding the written examination scoring shall be heard by the Civil Service Commission in accordance with the Civil Service Commission Rules.

## **ARTICLE 38 RESIDENCY**

38.01 There shall be no residency requirement.

## **ARTICLE 39 PROBATIONARY PERIOD**

39.01 All newly hired employees will be required to serve a probationary period of two (2) years and satisfy the requirements of paragraph 35.14. During such period, the Employer shall have the sole discretion to discharge such employee(s) pursuant to law, and any such action shall not be appealable through any Grievance or Arbitration procedure contained herein or to any Civil Service Commission.