

AN ORDINANCE

NO.

An Ordinance amending Chapter 11, Article II of the Columbus Code to revise the criteria for promotional eligibility and promotional procedures for the Columbus Department of Fire and Medical Emergency Services; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Division 1 of Article II of Chapter 11 of the Columbus Code is hereby amended by striking paragraph (d) of Section 11-8 and replacing it with a new Section 11-8(d) to read as follows:

“(d) *Penalty for violation.* Any person, business entity or its agent who shall violate a provision of this chapter shall be guilty of an offense, punishable as set forth in section 1-8 of the Columbus Code of Ordinances. Each day's violation of a provision of this section shall constitute a separate offense.”

SECTION 2.

Division 1 of Article II of Chapter 11 of the Columbus Code is hereby amended by striking Section 11-10 and replacing it with a new Section 11-10 to read as follows:

“ **Sec. 11-10. Membership.**

Membership shall be composed of members of fire companies, emergency medical companies, training/special ops, resource management (logistics/support, administrative services, budget/procurement), and community risk reduction (fire prevention and investigation).”

SECTION 3.

Division 2 of Article II of Chapter 11 of the Columbus Code is hereby amended by striking current Division 2 of Article II and replacing it with a new Division 2 to read as follows:

“DIVISION 2. PROMOTIONAL PROCEDURES

Sec. 11-17.1. Administrative responsibility.

The chief of the department of fire and emergency medical services of the consolidated government of Columbus, Georgia, shall have administrative responsibility for all matters relating to the promotional procedures of the department, except as otherwise may be provided for herein.

Sec. 11-17.2. Use of external sources.

In order to provide for an impartial implementation of this article, the city manager, upon approval of the Columbus Council, shall contract with, or otherwise arrange with, an examination administrator outside the consolidated government of Columbus, Georgia to prepare and administer all written examinations and assessment centers. No member of the consolidated government of Columbus, Georgia shall serve as an evaluator in any assessment center conducted specifically to implement the provisions of this article.

Sec. 11-17.3. Definitions.

The following definitions shall be used to administer and interpret this division:

- (a) *Applicant*: Employees who assert they are eligible for promotion to the rank of fire sergeant, fire lieutenant, fire captain, fire battalion chief in the department of fire and emergency medical services of the consolidated government of Columbus, Georgia.
- (b) *Appointed/Provisional Rank*: Employee appointed to a specific rank by the chief in compliance with this division. Chief level appointed ranks include two division chiefs, five deputy chiefs and one assistant chief. Other appointed/provisional ranks include: assistant training officer (captain), Community Risk Reduction (captain), training instructors (lieutenant), Community Risk Reduction inspectors (lieutenant), Community Risk Reduction investigators (sergeant), Resource Management (sergeant), Resource Management (lieutenant), rescue coordinator (captain), Resource Management (captain) and administrative captain.
- (c) *Candidate*: Any participant whose name appears on the promotional roster established for the rank for which the employee is competing.
- (d) *Chief*: The chief of the department of fire and emergency medical services.
- (e) *Credentialed Chief Fire Officer*: A Fire-EMS employee who is credentialed by the Center for Public Safety Excellence (CPSE) as a Chief Fire Officer (CFO)
- (f) *Department*: The department of fire and emergency medical services.
- (g) *Eligible*: Any applicant certified in writing by the chief to participate in the applicable promotional procedure.
- (h) *Eligibility date*: The date from which an employee's time in service or time in rank requirement is calculated. December 31st at midnight of the test year shall be the eligibility date set at subsequent 24-month intervals. The examination date for each position shall be determined by the examination administrator. The written test may occur prior to the eligibility date.
- (i) *Examination administrator*: An agent outside of the consolidated government of Columbus, Georgia contracted to prepare and administer written examinations and assessment centers.
- (j) *Fire apparatus*: Any engine truck, ladder truck or squad truck.
- (k) *Fire officer*: The ranks of fire lieutenant, fire captain, and fire battalion chief.
- (l) *Participant*: Any employee who, upon being certified as eligible by the chief, actually engages in any or all of the promotional procedures for the rank for which the employee has been certified as eligible.
- (m) *Permanent rank*: Employee who was promoted from the promotional eligibility roster and has successfully completed the probationary period of 18 months.
- (n) *Proficiency for fire apparatus operations (PFAO)*: Performance-based examination administered by the Department of Fire and Emergency Medical Services Training Division. Once a candidate

successfully completes the Proficiency for Fire Apparatus Operations test, the candidate will not be required to retake the Proficiency for Fire Apparatus Operations test, provided the candidate maintains the appropriate annual apparatus proficiency certification. The PFAO may be administered at any time prior to the announcement of the promotional cycle.

Sec. 11-17.4. General provisions.

- (a) It shall be the policy of the department to select only from among the best qualified employees for appointments and promotions to positions of greater responsibility. Concurrently, it shall be the policy of the department to administer promotional procedures which yield valid and reliable information on which to base promotional decisions and to insure rigorous and fair competition among all employees eligible for promotion.
- (b) Separate eligibility requirements, promotional procedures, promotional rosters, and other provisions relating to the ranks of fire sergeant, fire lieutenant, fire captain and fire battalion chief are specified herein. Policy shall be promulgated by affected departments of the consolidated government of Columbus, Georgia to implement the provisions and intent of this or related enactments.
- (c) Each promotional rank contained herein shall have a separate promotional roster. Promotional rosters shall expire on December 31st at midnight with subsequent establishment and expiration dates at 24-month intervals thereafter. As such, each promotional roster established on January 1st shall have a duration life of 24 months from the date on which it is established.
- (d) The chief shall fill each promotional vacancy within 30 calendar days from a valid promotional roster; provided, however, that if a vacancy occurs within the last 30 calendar days of the life of a promotional roster, such vacancy or vacancies shall be filled before the promotional roster can lapse. If a vacancy occurs after the expiration of a roster and before the establishment of a new roster, that vacancy shall be filled within 15 working days after the new roster is established.
- (e) Written examinations and examination scoring keys will not be released, except as may be otherwise legally required. Participants desiring to appeal particular items on the written test must do so at the time of the testing session using the procedures specified by the examination administrator. Upon completion of all phases of the promotional process, each participant will be provided with his/her test score and a rank so as to allow the participant to determine where he/she fell in that ranking. A participant desiring to challenge his/her score must make a written protest within five days of receiving his/her examination score. The vendor shall respond in writing within 15 days of the receipt of a written protest as to its disposition. Only those participants who pass the written examination will be allowed to proceed to the next promotional process. The passing score (or method for determining the passing score) for the written examination shall be specified on the posting announcing the promotional procedure.
- (f) With respect to the performance-based assessment results, candidates who personally participated will receive their own scores and may make protests and receive responses as provided for in section 11-17.4(e) above.
- (g) All promotions shall be probationary and no employee shall be permanently assigned to a rank until an 18-month probation period is satisfactorily completed. Such probationary period may be extended six months in accordance with the personnel rules and regulations of the consolidated government of Columbus, Georgia. During either the original term or an extension of a probationary period, the chief may return a candidate to his/her previous rank .
- (h) Any candidate who declines a promotion shall do so in writing. Said written declination shall be submitted to the chief and director of human resources within seven days of the promotion offer. Any candidate declining a promotion offer shall be eliminated from further consideration for the duration of the promotional roster on which the candidate's name appears.

- (i) Eligible candidates shall be responsible for providing documentation verifying their claims for educational certification. Promotion Packets shall be provided for eligibility certification by the deadline outlined in the promotional procedure announcement.
- (j) Other appeals: The right of an employee to challenge any aspect of the administration of the promotional procedure which has a direct impact upon his/her promotability is fundamental to any equitable system. Appeals not specifically provided for elsewhere in this division may be made and shall be disposed of in the manner described in section 11-17.4(e); provided, however, the selection of an individual(s) for promotion shall not be subject to such appeal process.
- (k) Availability of source material: No announcement of the beginning of a fire sergeant's, fire lieutenant's, or fire captain's promotional procedure can be made until sufficient source materials from which written examination questions are to be drawn are available for eligible candidates. The department shall confirm that source material may be purchased from the publisher or another source and that internal documents are available within the department.

Sec. 11-17.5. Eligibility for promotions.

- (a) *Computation of service:* For purposes of computation of service, all employees must meet the required time in rank or time in service (however stipulated below) as of the eligibility date established in 11-17.3(g). Further, time in rank or time in service requirements refer to continuous full-time service in the Columbus, Georgia Department of Fire and Emergency Medical Services.
- (b) *For promotion to fire sergeant:* To be eligible to participate in the promotional procedure for fire sergeant, the employee must:
 - (1) For employees hired before January 1, 2024, hold a paramedic certification and/or an associate's degree (or equivalent two-year degree) and have a total of three continuous years of service with Columbus Fire and EMS or, alternatively, have a total of five continuous years of service with Columbus Fire and EMS;
 - (2) For employees hired on or after January 1, 2024, have five continuous years of service with Columbus Fire and EMS;
 - (3) Hold a Firefighter/EMT-I, Firefighter/AEMT or Firemedic certification;
 - (4) Successfully complete the Proficiency in Fire Apparatus Operations Test administered by the department's division of fire training;
 - (5) Complete the certifications as defined for fire sergeant in the most current version of the Columbus Fire and Emergency Medical Services Mentorship and Succession Planning Guide before the eligibility date; and
 - (6) The requirements described in (b)(3) shall not apply to those personnel that are within five years of their normal retirement date.
- (c) *For promotion to fire lieutenant:* To be eligible to participate, all candidates must:
 - (1) A total of two continuous years serving as a fire sergeant;
 - (2) At a minimum, be certified as an EMT;
 - (3) Complete and maintain the certifications as defined for fire lieutenant in the most current version of the Columbus Fire and Emergency Medical Services Mentorship and Succession Planning Guide before the eligibility date; and
 - (4) The requirements described in subsection (c)(2) shall not apply to those personnel that are within five years of their normal retirement date.

- (d) *For promotion to fire captain:* To be eligible to participate, all candidates must:
- (1) Have a total of two continuous years serving as a fire lieutenant;
 - (2) At a minimum, be certified as an EMT;
 - (3) Complete and maintain the certifications as defined for fire captain in the most current version of the Columbus Fire and Emergency Medical Services Mentorship and Succession Planning Guide before the eligibility date; and
 - (4) The requirements described in subsection (d)(2) shall not apply to those personnel that are within five years of their normal retirement date.
- (e) *For promotion to fire battalion chief:* To be eligible to participate, all candidates must:
- (1) Have a total of two continuous years serving as a fire captain;
 - (2) At a minimum, be certified as an EMT;
 - (3) Complete and maintain the certifications as defined for fire battalion chief in the most current version of the Columbus Fire and Emergency Medical Services Mentorship and Succession Planning Guide before the eligibility date; and
 - (4) The requirements described in subsection (e)(2) shall not apply to those personnel that are within five years of their normal retirement date.

Sec. 11-17.6. Promotional procedures for fire sergeant, fire lieutenant, fire captain and fire battalion chief.

- (a) The promotional procedures for fire sergeant, fire lieutenant and fire captain, shall consist of a two phase process. Phase I shall be a written test, as described in paragraph (d) below. Phase II shall be a performance-based assessment, as described in paragraph (e) below. The promotional procedures for fire battalion chief shall consist of a performance-based assessment, as described in paragraph (e) below.
- (b) *Reading list.* At least 90 calendar days prior to the date of the written examination, the chief shall announce in writing the material from which the questions on the written test are to be drawn including the sources.
- (c) *Certification of eligibility.* The position announcement shall be distributed in writing by the chief at least 45 days prior to the administration of the promotional procedures. The position announcement shall state the passing point or the method to determine the passing point for each test phase (Sec 11-17.6 d and e). Said passing point or method of passing point determination shall be set by the chief, human resources director and the public safety director in consultation with the examination administrator. At the end of the 14 calendar days following such announcement, the application period shall be deemed closed without exception and within another 14 calendar days, the chief shall certify in writing the list of those eligible to participate.
- (d) *Written test (Phase I).* A multiple-choice written examination, based on the results of a current job-task analysis, shall be administered. After candidates complete the written test, a copy will be made of the answer sheet, and given to the candidate to self-grade (unofficial score). Final written examination scores will not be released to participants until all appeals and any appropriate adjustments have been determined and all test phases of the promotional process have been completed. Any adjustments arising out of any analysis of the test shall be specified in a written report and shall be provided to the chief and the director of human resources. Only those participants who successfully complete and pass the written examination will be allowed to proceed to Phase II (performance-based assessment) of the promotional process.
- (e) *Performance-based assessment (Phase II).* A performance-based assessment, based on the results of a current job-task analysis, shall be administered. The performance-based assessment shall consist of multiple exercises such as oral presentation, role-playing, incident command, in-basket task, situational judgment, or other job-

related exercises. Performance examination scores will not be released to participants until all appeals and any appropriate adjustments have been determined. Any adjustments arising out of any analysis of the test shall be specified in a written report and shall be provided to the chief and the director of human resources. Only those participants who successfully complete and pass the performance-based examination will be considered for eligibility for promotion.

- (f) Final examination scores for those candidates successfully completing all phases of the promotional process shall be calculated. Final scores shall be calculated according to the component (i.e., phase one and phase two) weights specified by a test plan derived from a current job-task analysis. Said component weights shall be stated on the posting announcing the promotional procedure as specified by the examination administrator.
- (g) *Banding procedures—Rule of five.*
 - (1) The chief shall receive a list (band) with the top five candidates (plus ties) on the eligible roster.
 - (2) The chief may select from any of the candidates in the band to fill vacancies. The chief may, at his/her discretion, use a strict rank-order or other process to fill vacancies, provided that vacancies are filled from the band until exhausted. Regardless of the specific procedures used by the chief to select from the band, the rule of five shall be exercised when providing the chief with a list from which to fill vacancies.
 - (3) Upon promoting all five candidates (plus ties) in the band, the chief shall receive the next band with the next top five candidates (plus ties). The selection process will then be repeated.

Sec. 11-17.7. Promotional decisions.

The chief shall promote candidates as provided in section 11-17.6(g). The chief may consider the examination scores of each participant, as well as other job-related matters including, but not limited to seniority, education, performance evaluations, disciplinary actions, commendations and examination/performance-based assessment scores.

Sec. 11-17.8. Reserved.

Sec. 11-17.9. Effect of disciplinary action.

- (a) Candidates suspended without pay for five days (40 hours) shall be removed from the current promotional roster for the life of that roster.
- (b) Eligible employees suspended without pay for ten days (80 hours), 24 months prior to the December 31st (11-7.3I) eligibility date shall not be allowed to participate in the promotional process.
- (c) Candidates deemed ineligible (suspended without pay for five days (40 hours)) during the testing process shall be removed from the process and no scores shall be calculated or provided.

Sec. 11-17.10. Effect of promotion during the testing process.

A candidate who is participating in a promotional process and is promoted to the rank for which he/she is competing prior to the establishment of the new eligible roster, shall be deemed ineligible for purposes of score or rank calculation. Further, no scores shall be calculated or provided for said candidate. If said promotion occurs during the administration of the promotion process, said candidate will not be allowed to continue in the process.

Sec. 11-17.11. Record-keeping requirements.

All examination scores, files, records, administrative directives and promotional results shall be stored in a secured area by the department of fire and emergency medical services for a minimum of four years following the publication of the promotional roster for each separate promotional procedure.

Sec. 11-17.12. Review.

The department of fire and emergency medical services Executive Staff in coordination with an established committee that includes members from the Operations Division, shall review, evaluate and report to the fire and emergency medical services chief in writing as to the administration of the promotional procedures and recommend changes as may be warranted. The review shall be completed each time the contract for the Exam Administrator is set for renewal or bid.

Sec. 11-17.13. Position of assistant chief.

- (a) The position of assistant chief is an appointed rank. Said appointment is to be made by the chief.
- (b) To be eligible for the position of assistant chief, a candidate must have held the appointed or promoted rank of battalion chief, division chief or deputy chief for two years. A baccalaureate degree is required, and a master's degree is preferred for this position. The candidate must be a credentialed chief fire officer or obtain such credential within three years of appointment.

Sec. 11-17.14. Position of deputy chief.

- (a) The position of deputy chief is an appointed rank. Said appointment is to be made by the chief.
- (b) To be eligible for the position of deputy chief, a candidate must have been promoted to the rank of battalion chief or held the appointed rank of division chief for a minimum of two years or held the permanent rank of fire captain for a minimum of two years. An associate's degree is required, and a baccalaureate degree is preferred for this position. The candidate must be a credentialed chief fire officer or obtain such credential within three years of appointment.

Sec. 11-17.15. Position of division chief.

- (a) The position of division chief includes the ranks of fire marshal division chief, and EMS coordinator division chief. The position of division chief is an appointed rank. Said appointment shall be made by the chief.
- (c) To be eligible for the position of division chief, a candidate must be a permanent rank of fire captain. An associate's degree (or equivalent two-year degree) is required. The candidate must be a credentialed chief fire officer or obtain such credential within three years of appointment.

Sec. 11-17.16. Appointed/provisional ranks.

- (a) In addition to those positions specified in Code Sections 11-17-13, 11-17-14 and 11-17-15 above, other appointed/ provisional positions include assistant training officer (captain), assistant fire marshal (captain), training instructors, community risk reduction inspectors, community risk reduction investigators, resource management sergeant, resource management lieutenant, rescue coordinator (captain), resource management and administrative captain.
- (b) Any appointee to any appointed/ provisional position who fails to perform the duties of one of these ranks satisfactorily may at any time be reverted to their former permanent rank at the discretion of the chief.
- (c) Personnel who hold an appointed provisional rank, including resource management, community risk reduction, and training appointees, shall, upon their reassignment to the operations division, revert to the rank they held prior to receiving their appointed rank. Personnel holding positions of appointed rank who elect to participate in the promotional process and are promoted from a promotional roster shall hold that promoted rank upon their reassignment to the operations division. Personnel holding an appointed provisional rank shall only be eligible to compete for the next higher position held prior to their provisional appointment.

- (d) Appointed ranks may be filled at the chief's discretion with personnel from outside the Columbus Consolidated Government as deemed necessary. Personnel identified must meet the minimum qualifications as identified in the job announcement. Appointed rank personnel originating from outside the Columbus Consolidated Government cannot revert to a permanent rank position.

Sec. 11-17.17. Certification

- (a) All sworn personnel who have obtained State of Georgia firefighter certification will be required to maintain State of Georgia firefighter certification.
- (b) All sworn personnel who have obtained State of Georgia Emergency Medical—Technician, Intermediate, Advanced or Paramedic certification will be required to maintain State of Georgia Emergency Medical—Technician, Intermediate, Advanced or Paramedic certification.”

SECTION 3.

This ordinance shall become effective on January 1, 2024.

SECTION 4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 5th day of December, 2023; introduced a second time at a regular meeting held on the 12th day of December, 2023 and adopted at said meeting by the affirmative vote of _____ members of said Council.

- Councilor Allen voting _____.
- Councilor Barnes voting _____.
- Councilor Begly voting _____.
- Councilor Cogle voting _____.
- Councilor Crabb voting _____.
- Councilor Davis voting _____.
- Councilor Garrett voting _____.
- Councilor Huff voting _____.
- Councilor Thomas voting _____.
- Councilor Tucker voting _____.

Sandra T. Davis, Clerk of Council

B.H. “Skip” Henderson, III Mayor