



Legislation Details (With Text)

**File #:** 2008-0766      **Version:** 1

**Type:** Ordinance      **Status:** Passed Finally

**File created:** 9/23/2008      **In control:** Committee on Human Resources

**On agenda:**      **Final action:** 10/2/2008

**Enactment date:** 10/2/2008      **Enactment #:** 18

**Effective date:** 10/7/2008

**Title:** Ordinance amending and supplementing the Pittsburgh Code, Title One: Administration, Article XI: Personnel, Chapter 181 General Provisions, by adding a new Section 181.03 entitled "Deferred Testing Opportunities During Military Deployment," to allow persons serving in the armed services to receive equal employment opportunities in the City of Pittsburgh.

**Sponsors:** Jim Motznik, Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris, Tonya D. Payne, William Peduto, Douglas Shields, Bruce A. Kraus

**Indexes:** PGH. CODE ORDINANCES TITLE 01 - ADMINISTRATIVE

**Code sections:**

**Attachments:** 1. 2008-0766.doc

Date	Ver.	Action By	Action	Result
10/8/2008	1	Mayor	Signed by the Mayor	
10/2/2008	1	City Council	Passed Finally	Pass
9/24/2008	1	Committee on Human Resources	AFFIRMATIVELY RECOMMENDED	Pass
9/23/2008	1	City Council	Waived under Rule 8	Pass
9/23/2008	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code, Title One: Administration, Article XI: Personnel, Chapter 181 General Provisions, by adding a new Section 181.03 entitled "Deferred Testing Opportunities During Military Deployment," to allow persons serving in the armed services to receive equal employment opportunities in the City of Pittsburgh.

Whereas, many jobs with the City of Pittsburgh require Civil Service testing as a pre-condition of employment; and

Whereas, Civil Service testing occurs according to a specific schedule for the entire group or pool of applicants; and

Whereas, military deployment often prevents military personnel from competing for these positions; and

Whereas, the Uniform Services Employment and Reemployment Rights Act ("USERRA"), Pub. L. 103-353 of 1994, as amended, provides a certain set of rights to military personnel for returning to or maintaining civilian employment held prior to deployment; and

Whereas, the City would also like to preserve eligibility for future employment opportunities involving Civil Service positions with the City of Pittsburgh for those men and women serving in the United States Military

upon their return from service; and

Whereas, City Council now wishes to promulgate legislation to remove the group testing impediment faced by such deployed military personnel.

**Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows: Section 1.** The Pittsburgh City Code is hereby amended and supplemented by adding a new Section 181.03 entitled "Deferred Testing Opportunities During Military Deployment," which shall read as follows:

ARTICLE XI, PERSONNEL  
CHAPTER 181 GENERAL PROVISIONS

181.01 COLLECTIVE BARGAINING AGREEMENTS/NON-UNION EMPLOYEES  
181.02 RESIDENCY REQUIRED; EXCEPTIONS  
181.03 DEFERRED CIVIL SERVICE TESTING OPPORTUNITIES DURING MILITARY DEPLOYMENT

a) Testing for an Entry-level Position.

An individual who is deployed with the United States Military during the administration of a Civil Service examination for an entry level position with the City of Pittsburgh may defer the examination until after he or she has returned from deployment, in conformity with Civil Service Commission rules and regulations. The examination can be deferred for the duration of the particular eligibility list to which he or she has applied or until that eligibility list expires, in conformity with Civil Service Commission rules and regulations. This possibility of deferred examination does not constitute or guarantee employment with the City.

b) Testing for a Promotion to a Higher Position.

An individual who is deployed with the United States Military during the administration of a Civil Service examination for a promotion to a higher position with the City of Pittsburgh may defer the examination until after he or she has returned from deployment, in conformity with Civil Service Commission rules and regulations and USERRA. The examination can be deferred for the duration of the particular eligibility list to which he or she has applied or until that eligibility list expires, in conformity with Civil Service Commission rules and regulations. This possibility of deferred examination does not guarantee promotion.

**Section 2.** All subsequent Sections contained in Chapter 181 shall be renumbered accordingly.