



**CITY OF BETHLEHEM**  
OFFICE OF THE CITY SOLICITOR

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**INTER-OFFICE MEMORANDUM**

To: Michael Colón, Council President

From: Matthew J. Deschler, Assistant Solicitor

Re: Proposed amendments Rules and Regulations of Civil Service Board relating to Police Department

Date: September 2, 2022

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Enclosed for Council's review and action are proposed amendments to the Rules and Regulations of the Civil Service Board relating to the police department.

Amendments to the Civil Service Rules and Regulations require a resolution of City Council. A proposed resolution is enclosed.

At a meeting on August 16, 2022, the Civil Service Board recommended the enactment of these amendments.

A handwritten signature in black ink that reads "Matt Deschler".

Matthew J. Deschler  
Assistant Solicitor

Cc: J. William Reynolds  
Michelle Cichocki  
Michelle Kott  
John F. Spirk, Jr.

RESOLUTION NO. \_\_\_\_\_

A Resolution approving amendments to the Rules and Regulations for the Civil Service of the City of Bethlehem.

WHEREAS, at a duly authorized meeting of the Civil Service Board of the City of Bethlehem on August 16, 2022, the Civil Service Board recommended that City Council adopt the amendments to Appendix B of the rules and regulations of the Civil Service Board, affecting the Police Department, which are reflected in Exhibit “A” attached hereto, wherein deletions are denoted by ~~strike through~~ and additions are denoted by **bolded underline**.

WHEREAS, the Council of the City of Bethlehem believes that the amendments to the rules and regulations recommended by the Civil Service Board and attached to this Resolution as Exhibit “A” provide for ascertaining and determining, so far as possible, the knowledge, skills, aptitude, mental and physical abilities, experience, education and character of all applicants for the civil service as these criteria would reasonably apply to the respective positions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bethlehem that the said Council hereby approves the amendments to the rules and regulations recommended by the Civil Service Board of the City of Bethlehem on August 16, 2022, which are attached to this Resolution as Exhibit “A” and which shall take immediate effect.

Sponsored by \_\_\_\_\_

\_\_\_\_\_

ADOPTED by Council this      day of      , 2022

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

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**APPENDIX B – CIVIL SERVICE BOARD OF THE CITY OF BETHLEHEM  
RULES & REGULATIONS FOR THE POLICE DEPARTMENT**

**Section 1: Eligibility Qualifications**

- (a) **Citizenship:** Applicant must be a U.S. citizen and resident of the U.S. for at least five (5) years. If the applicant is foreign born, naturalization papers must be provided.
- (b) **Age:** Applicants must have arrived at twenty-one (21) years of age at the time of the application deadline. A copy of the applicant's birth certificate is required at the time of application.
- (c) **Education:** Applicants must have an Associate's degree or a minimum of sixty (60) credits from not more than two (2) accredited institutions, colleges or universities. A diploma is required for all degrees received. A transcript is required for all college/university programs. The sixty (60) credit requirement may be waived if the applicant has fulfilled the requirements of the Pennsylvania Municipal Police Officers' Training Act and has **two** ~~four~~ thousand **(2,000)** (4,000) active hours of experience as a police officer. The sixty (60) credit requirement will be waived if the applicant has two (2) years active military service and has an honorable discharge from such service. A "DD-214" is required for all military service.
- (d) **Character:** Must be of a good reputation, moral character and habits.
- (e) **Application:** All applicants will be charged a \$50.00 registration fee at the time of application. This application fee is non-refundable. Any willful misstatement, falsification or concealment in respect to an application shall render the same null and void. Subject to the discretion of the Board, a person making such false application shall be prohibited from making any future application. Applications cannot be accepted from persons who have

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been convicted of a second-degree misdemeanor crime or greater, or from former police officers removed for cause.

(f) ~~Vouchers:~~ Applicant must secure two (2) persons to vouch for his/her character. The persons may not be relatives of the applicant. The vouchers should be well acquainted with the applicant and have known him/her for at least one (1) year. The voucher must be notarized before submission to the Board.

(g) ~~Driver's License:~~ All applicants must possess a valid Driver's License at the time of application and appointment.

### **Section 2: Initial Employment**

(a) **Written Examination.** Applicants seeking to be hired by the Police Department shall submit to a written examination, which shall consist of 100 questions relating to general knowledge, observation abilities, reading comprehension and legal knowledge. A passing score on the written examination is 70 points out of 100 points.

(b) **Physical Fitness Examination.** ~~Applicants who pass the written examination shall submit to a pass/fail physical fitness test conducted by the City, which shall be more fully described in the employment application.~~ **Applicants seeking to be hired by the Police Department shall submit to a pass/fail physical fitness test conducted by the City or a professional organization designated by the City, which shall be more fully described in the employment application.** Applicants who are not Act 120 Certified (or similarly certified as a Municipal Police Officer in another state) will also be required to attend an approved Pennsylvania Municipal Police Officer's Police Academy ("Police Academy"). In order to be accepted into the Police Academy, applicants will need to satisfy the physical

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fitness standards for Police Academy entrance, which shall be more fully described in the employment application.

(c) **Background Investigation.** Applicants who pass the written examination and the physical fitness examination(s) shall submit to a background investigation. The background investigation consists of an investigation conducted by the ~~Criminal Investigations Division of the~~ **Bethlehem** Police Department. Applicants shall complete a background questionnaire which will cover the following topics:

- i. Personal information
- ii. Marital and family information
- iii. Financial information
- iv. Motor vehicle information
- v. Driving record
- vi. Military service
- vii. Education history
- viii. Criminal history
- ix. Employment history
- x. General information
- xi. Law enforcement experience
- xii. Polygraph questions.

(d) **Administrative Interview.** Applicants will be interviewed by the Police Department command staff. Applicants will be questioned about information gathered throughout the application process.

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(e) **Polygraph Examination.** ~~Following the background investigation and administrative interview, applicants shall submit to a polygraph examination reviewing all information gathered during the application process and background investigation.~~ **Applicants who pass the written examination and physical fitness examination shall submit to a polygraph examination reviewing all information gathered during the application process. Applicants shall complete a polygraph questionnaire prior to the examination.**

(f) **Psychological Medical Examination.** New hires to the Police Department shall be conditionally appointed and, prior to obtaining regular appointment, shall submit to a psychological medical examination pursuant to Section 15 of the General Civil Service Rules *supra* to evaluate their capability for police work.

(g) **Physical Medical Examination.** New hires to the Police Department shall be conditionally appointed and, prior to obtaining regular appointment, shall submit to a physical medical examination pursuant to Section 15 of the General Civil Services Rules *supra* to determine their physical condition and capability for police work. The examination shall be governed by the medical standards of the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Commission.

### **Section 3: Promotional Examinations**

(a) **Eligibility.** All applicants for promotions for civil service positions in the Police Department shall submit to an examination.

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- i. All incumbent police officers with a minimum of five years' experience as Police Department officers as of the examination date shall be considered eligible to take the sergeant promotional examination.
- ii. All incumbent sergeants in the Police Department who have a minimum of two years' experience in their respective grade as of the examination date shall be considered eligible to take a lieutenant promotional examination.
- iii. All incumbent lieutenants in the Police Department shall be eligible to take the captain promotional examination.
- iv. All incumbent captains in the Police Department shall be eligible to take the deputy chief promotional examination.

### **(b) Conduct of Examination.**

- i. A candidate for promotion to the position of sergeant or lieutenant shall be examined for the position as follows: (1) submit to a written examination; and (2) comparative seniority. The written examination for promotions to the position for sergeant or lieutenant shall be conducted within 45 days of the expiration of the previous examination list. A candidate's seniority shall be calculated on the basis of length of service in the Police Department at the candidate's present grade as of the time of the written examination.
  1. A passing score on the written examination shall be 70 points out of 100. A candidate must achieve a passing score on the written examination to be eligible for promotion to the position. The written examination score shall be added to the final score for comparative seniority when determining the final total score.

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- a. For computation of seniority, length of service shall be a maximum of twenty (20) years or two hundred forty (240) months. The eligible candidate(s) having the most seniority up to twenty (20) years of service shall receive seniority points compiled on a monthly value with a maximum of twenty points. Each month of service is equal to 0.0833 points. A full month of service shall be allowed for those appointed to the designated rank on or before the 15<sup>th</sup> of the month, with those appointed after the 15<sup>th</sup> having their computation commence the following month. The total amount of seniority points earned will be added to the final scores for the written examination when determining the final score.
- ii. A candidate for promotion to the position of captain shall be examined for the position as follows: submit to an oral examination conducted by a promotional review board supplied by a professional consulting firm. The passing score on the oral examination shall be 70 points out of 100 points. A candidate must achieve a passing score on the oral examination to be eligible for promotion to the position.
- iii. A candidate for promotion to the position of deputy chief shall be examined for the position as follows: submit to an oral examination conducted by a promotional review board supplied by a professional consulting firm. The passing score on the oral examination shall be 70 points out of 100 points. A



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candidate must achieve a passing score on the oral examination to be eligible for promotion to the position.

- (c) When two or more candidates for a position receive the same total examination score, priority in the promotional listing shall be given by badge number.

### **Section 4. Probationary Periods**

- (a) **Newly hired employees.** All newly hired police officers who must attend the Police Academy for Act 120 certification shall serve a probationary period from the start of their attendance at the Police Academy plus one (1) year following Act 120 certification. If the newly hired police officer is Act 120 certified at the time of his or her appointment, the probationary period shall be one (1) year from the date of his or her appointment. During the probationary period, the newly-hired officer shall not be considered a regular, non-probationary employee and, unless otherwise provided by law, applicable collective bargaining agreement, or these Civil Service Rules shall not enjoy the protections afforded by these Civil Service Rules. A failure to successfully complete the one (1) year probationary period shall result in the probationary employee's discharge from the Police Department.
- (b) **Promoted employees.** A probationary period of one (1) year shall apply to all promotions in the Police Department. During the probationary period, the employee shall enjoy the full privileges of the position to which he or shall is appointed. During the probationary period, the promoted employee shall not be considered a regular, non-probationary employee and, unless otherwise provided by law, applicable collective bargaining agreement, or these Civil Service Rules, shall not enjoy the protections afforded by these Civil Service Rules. A failure to successfully complete the one (1)

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year probationary period shall result in the employee returning to his/her previous position.

### **Section 5: Disqualifying factors for initial employment**

No person shall be eligible for employment in the Police Department if the individual has engaged in any of the following conduct:

- (a) Failure to meet the general requirements of the position.
- (b) Dishonorable discharge from any branch of military service.
- (c) Lying or omission of information to a background investigator, polygraph operator or other Police Department employee, representative or agent.
- (d) Intentional falsification or omission of information on the employment application, polygraph screening booklet, or any other document used in the selection process.
- (e) Cheating on any portion of any selection examination, or in any phase of the selection process.
- (f) Criminal conviction of a second degree misdemeanor or more serious criminal offense.
- (g) Criminal behavior, regardless of whether detected or prosecuted, as admitted by the applicant or established by competent evidence, of any felony (no time limit) or any first degree misdemeanor or more serious criminal offense (within five years of date of application).
- (h) Driving under the influence where the person has:
  - (1) DUI conviction within five years of date of application.
  - (2) Two or more DUIs (convictions or pending charges)

Note – "Conviction" includes a guilty plea, nolo contendere plea,

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verdict, acceptance of ARD or similar diversion disposition, negotiated plea to a lesser offense where chemical test result was .08% or greater and/or any chemical test refusal.

(i) Manufacture, sale, delivery or distribution of any controlled substance.

(j) Controlled substance use.

(1) Marijuana/ synthetic marijuana (K-2, Spice, etc.), or any medication prescribed to applicant and used for non-therapeutic purposes within three years preceding the date of the submission of the application.

(2) Schedule I, II, or III controlled substances (excluding those listed above), anabolic steroids (regardless of source or knowledge of legality), or huffing or intentional use of any chemical or substance (including glue, cleaning products, bath salts, etc.) for any purpose for which it was not intended except where all of the following apply:

i. No more than 3 uses under age 25.

ii. No use in five years preceding date of application.

iii. No use at age 25 or older.

(3) Heroin, methamphetamine, LSD, or any injected controlled substance (excluding anabolic steroids).