**420.07 RULES FOR FIRE DEPARTMENT SERVICE.**

The commission shall adopt rules to promote efficiency in the fire department service and to carry out the purposes of this chapter. The rules must provide among other things for:

(1) the classification of all offices and employments in the fire department;

(2) public competitive examinations to test the relative fitness of applicants;

(3) public advertisement of all examinations at least ten days in advance in a newspaper of general circulation in said city and posting the advertisement for ten days in the city hall and at each station house;

(4) the creation and maintenance of lists of eligible candidates after successful examination in order of their standing in the examination and without reference to the time of examination, which must be included in an eligible register;

(5) the commission may by rule provide for striking any name from the eligible register after it has been on the register for two years;

(6) the rejection of candidates or eligibles who, after the entry of their names fail to comply with the reasonable rules and requirements of the commission in respect to age, resident, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any willful misrepresentation, deception or fraud in connection with the examination or in connection with their applications for employment;

(7) the certification of the three names standing highest on the appropriate list to fill any vacancy;

(8) temporary employment without examination, with the consent in each case of the commission, in cases of emergency, but no such temporary employment must continue more than 30 days nor must successive temporary employments be permitted for the same position;

(9) promotion based on competitive examination and upon records of efficiency, character, conduct, and seniority;

(10) suspension with or without pay, for not longer than 60 days and for leave of absence, with or without pay; and

(11) other rules not inconsistent with the provisions of this chapter as may from time to time be found necessary to secure the purposes of this chapter.

When a disparity exists between the make-up of the fire department and its approved affirmative action goals, the commission may certify up to two eligible candidates from each protected group for which a disparity exists. This certification is in addition to the three candidates certified under clause (7). This expanded certification may not include a member of a protected group if a member of that group is one of the three candidates certified under clause (7). Certifications under this paragraph must be made from the list of eligible candidates who have successfully completed the examination, in order of their standing in the examination. These expanded certification procedures apply only to positions to be filled from the public and do not apply to promotional appointments.

Copies of such rules must be kept posted in a conspicuous place at each fire station house, and no rules of general application with reference to employment, promotion, discharge, or suspension are effective until posted.

**History:** *(1933-30) 1929 c 57 s 8; 1959 c 695 s 3; 1973 c 123 art 5 s 7; 1991 c 140 s 2*