

**Article V — Applications & Qualifications**

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## Article V — Applications & Qualifications

### § 13-501 Applications.

(a) **Timely Application Required.** In order to be eligible for participation in any competitive examination for a position with the Police Department, an Applicant must submit a completed application to the Commission before the deadline stated by the Commission for that specific examination.

(b) **Form of Application.** An application for a promotional position shall be in the form prescribed by the Commission; in the absence of such a form, a simple letter of interest or application shall be sufficient. An application for an entry-level patrol officer position shall be in the form prescribed by the Commission for that specific examination, and shall include information relating to:

- (1) the Applicant's full name (and prior or alias names), the Applicant's citizenship, and place and date of birth;
- (2) the Applicant's current and past residence addresses for the last ten years;
- (3) the Applicant's current telephone number;
- (4) the Applicant's vehicle operator licenses (and whether the Applicant ever had a license suspended or revoked);
- (5) the Applicant's business and employment history since high school;
- (6) whether the Applicant satisfies the general qualifications for the position, including a summary of all relevant law enforcement experience by organization(s) served, dates of employment, and hours of employment sufficient to satisfy the qualifications;
- (7) whether the Applicant is entitled to any veteran's preference;

(8) whether the Applicant may be rejected for any of the reasons set forth in Borough Code § 1183, 8 PA. CONS. STAT. § 1183;

(9) whether the Applicant can perform the essential functions of the position with or without reasonable accommodation;

(10) the names, addresses, and phone numbers of five character references (not including relatives or former employers);

(11) proof of current certification under the Act of June 18, 1974, Pa. Laws 359, No. 120, as amended, codified at 53 PA. CONS. STAT. § 2161 *et seq.*;

(12) whether there are any incidents in the Applicant's life not mentioned otherwise which may reflect upon the Applicant's suitability to perform the duties of a Police Officer; and

(13) such other information as may be required by the Commission.

(c) **Under Penalty of Perjury.** The application must be supported by Applicant's statement that the responses provided in the application are true, correct, and complete, and are made under penalty of perjury under the law of the Commonwealth of Pennsylvania. (*Cf.*, 8 PA. CONS. STAT. § 1182; 18 PA. CONS. STAT. § 4904; 42 PA. CONS. STAT. §§ 6202, 6204, 6206.)

(d) **Falsifications, etc.** In the event the Commission shall determine at any time that an Applicant's application contains any falsification, omission, or concealment of material fact, the Applicant shall be deemed guilty of infamous conduct and/or conduct unbecoming an officer or violation of a law which provides that the violation constitutes a misdemeanor or felony, and shall be subject to sanctions under § 13-507 or § 13-801 *et seq.*

## § 13-502 Discrimination.

The Borough is an equal opportunity employer. It is the Borough's and the Commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, ancestry, national origin, sex/gender, age, veteran's status, familial status, nonjob-related physical or mental handicap or disability, genetic information, or other legally-protected status (other than legally-recognized preferences or bases for distinguishing among Applicants, such as veteran's preference and the age of persons under age 40). The Borough and the Commission will provide equal opportunities in employment and promotion.

## § 13-503 Availability.

Application forms shall be available to all interested persons in the office of the Borough Manager, on the Borough's internet web site, and from such other offices and officers that the Commission, from time to time, may choose to designate.

### § 13-504 Age and Residency Requirements.

All Applicants must have reached their twenty first (21<sup>st</sup>) birthday before the deadline for submitting completed applications. Applicants shall, within one (1) year of being employed by the Borough, reside within the Borough or within twenty-five (25) air miles of the nearest Borough boundary.

### § 13-505 General Qualifications for All Applicants.

(a) **In General.** Every Applicant for any position in the Police Department shall possess a diploma from an accredited high school or a graduate equivalency diploma and shall have at least three (3) years of relevant law enforcement experience at the time the application is submitted. In addition, every applicant must be a United States citizen, be physically and mentally able to perform the essential functions of the position with or without reasonable accommodation, be certified by the Municipal Police Officers' Education and Training Commission under the Act of June 18, 1974, Pa. Laws 359, No. 120, as amended, codified at 53 PA. CONS. STAT. § 2161 *et seq.*, and, prior to appointment, possess a valid motor vehicle commercial or non-commercial driver's license issued by the Commonwealth of Pennsylvania.

(b) **Relevant Law Enforcement Experience.** For purposes of subsection (a), a person has three (3) years of relevant law enforcement experience if he/she has—

(1) worked on-duty as a police officer with criminal law enforcement duties for at least two hundred (200) hours in *each* of at least twelve (12) calendar quarters during the eight (8) year period ending on the application submission date, for one or more of the following:

(A) a police department of a Pennsylvania political subdivision having general police powers (such as cities, boroughs, townships, home rule municipalities, and the Allegheny County Sheriff's Office) or a regional association of such political subdivisions;

(B) the Pennsylvania State Police;

(C) a Pennsylvania campus police or university police department certified by the Office of Attorney General as a criminal justice agency;

(D) a Pennsylvania school entity or nonpublic school, as a "school police officer";

(E) a Pennsylvania airport authority police department;

(F) a police organization of another U.S. state, territory, or the District of Columbia which is similar to the Pennsylvania organizations in subparagraphs (A) through (E) above;

(G) a military police unit of the United States Armed Forces (such as the Army Military Police Corps, the Navy Masters at Arms, the Air Force Security Forces, the Marine Corps Military Police, and the military police units of the National Guard); and

(2) the service under paragraph (1) above includes work on-duty as a police officer with criminal law enforcement duties for at least two hundred (200) hours in *each* of at least four (4) calendar quarters during the five (5) year period ending on the application submission date, for one or more of the organizations described in subparagraphs (A), (B), or (C) of paragraph (1).

(c) **Essential Job Functions.** Each of the following are essential functions of a Police Officer:

- (1) Running for several hundred yards;
- (2) Climbing over obstacles;
- (3) Crawling;
- (4) Pushing motor vehicles;
- (5) Pulling or carrying accident, fire, or crime victims;
- (6) Using physical force to apprehend and subdue arrestees;
- (7) Withstanding prolonged exposure (as long as eight hours) to extreme weather conditions;
- (8) Withstanding prolonged periods of standing and sitting;
- (9) Withstanding frequent exposure to stress-producing situations, such as encountering persons injured or killed by accidents, crimes, or suicide;
- (10) Dealing with domestic disputes;
- (11) Dealing with verbal and physical abuse of the Police Officer, including taunts, insults, and threats to the Police Officer, family members, or fellow Police Officers;
- (12) Communicating effectively with individuals suffering from trauma, and communicating with all persons in a professional, courteous manner;
- (13) Operating a motor vehicle for long periods of time;
- (14) Using a firearm effectively;
- (15) Filling out written reports in a clear and concise manner;
- (16) Hearing;
- (17) Walking;
- (18) Using hands to finger, handle, or operate objects, controls, or tools, such as a police car, police radio, VASCAR unit, telephone, handgun and other weapons, handcuffs, breathalyzer, pager, first aid equipment, and a personal computer, including word processing software;
- (19) Reaching with hands and arms;
- (20) Balancing;
- (21) Smelling;
- (22) Stooping and kneeling;
- (23) Seeing, including close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus;
- (24) Working in an environment with a noise level that is generally moderate, although occasionally louder;

- (25) Working near moving mechanical parts;
- (26) Working in high, precarious places;
- (27) Working with explosives;
- (29) Withstanding exposure to wet and/or humid conditions, extreme heat, or extreme cold; and
- (30) Withstanding short-term exposure to fumes, airborne particles, toxic or caustic chemicals, and/or vibration.

### **§ 13-506 General Qualifications for Ranking Officers.**

(a) **No Recent Suspensions.** In addition to meeting the qualifications in § 13-505, all Applicants for a promotional position, except Chief of Police, shall not have been suspended without pay at any time five (5) years prior to the deadline for submitting applications. Any suspension to which the Applicant has filed a timely appeal pursuant to a grievance procedure or these Rules and Regulations shall be disregarded unless the appeal is resolved prior to the creation of the eligibility list. If the suspension is upheld following the creation of the eligibility list, but before the Applicant is appointed to a promotional position from the eligibility list, the Commission shall, in accordance with § 13-507, remove the Applicant from the eligibility list or, if certified, revoke the Applicant's certification, due to lack of the minimum qualifications under this § 13-506(a).

(b) **Prior Service.** All Applicants for promotional positions shall have at least five (5) years of continuous prior service with the Police Department.

### **§ 13-507 Rejection of Applicant.**

The Commission may refuse to examine, or, if examined, may refuse to certify as eligible after examination, or, if certified, may revoke the certification of, any Applicant who is found to lack any of the minimum qualifications for examination prescribed in these Rules and Regulations for the particular position for which the Applicant has applied. In addition, the Commission may refuse to examine, or if examined, may refuse to certify, or, if certified, may revoke the certification of, any Applicant who is physically or mentally unfit to perform the essential functions of the position applied for (with or without reasonable accommodation), or who is illegally using a controlled substance, as defined in section 102 of the Controlled Substances Act (Public Law 91-513, 21 U.S.C. § 802), who is guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct, or who has been dismissed from public service for delinquency or misconduct in office, or who is affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitutions and laws of the United States and the Commonwealth of Pennsylvania.

### § 13-508 Recording & Filing Applications.

Applications for positions in the Police Department shall be received at the Borough offices only after an examination has been properly advertised and before the deadline for receiving applications which must be set forth in the public advertisement. Applications will be received by the Borough Manager. The Borough Manager will record the receipt of all applications and provide each Applicant with notice of the time and place for the first portion of the testing procedure, the written examination. Any application containing material errors or omissions may, at the discretion of the Commission, be returned to the Applicant for correction prior to the deadline for filing applications, after which no new applications or amended applications will be accepted.

### § 13-509 Hearings for Disqualified Applicants.

(a) **Request for Hearing.** Any Applicant or person who is aggrieved by the refusal of the Commission to examine or certify the Applicant or person as eligible after examination, or the Commission's revocation of any certification, may request a public hearing before the Commission. The Applicant or other aggrieved person must make his/her request for a hearing in writing within ten calendar days after the date when he/she knew or should have known of the Commission's action which is being challenged.

(b) **Hearing—In General.** Within ten days after a request for a hearing under subsection (a), the Commission shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 PA. CONS. STAT. § 101 *et seq.*, and at which the Commission shall take testimony and review its refusal to provide examination or certification or its revocation of a certification. The Applicant or other person aggrieved may appear with or without counsel.

(c) **Private vs. Public Matters.** The hearing shall be public. The deliberations of the Commission, including interim rulings on evidentiary or procedural issues, may be held in the nature of a closed executive session. The Commission's disposition of the matter shall constitute official action which shall occur at a public meeting held under 65 PA. CONS. STAT. chapter 7 (relating to open meetings).

### § 13-510 Public Notice.

At least two weeks prior to the close of the application period, the Commission shall post in a conspicuous location in the Borough offices notice of every competitive examination for a position in the Police Department, including information as to the type of position to be filled, the requirements for that position, where applications may be obtained for the examination, where applications must be submitted for the examination, and the deadline for filing those applications. In addition, at least two weeks prior to each such examination, the Commission shall publish the notice in at least one newspaper of general circulation in the Borough. (Separate public notices for the times and places of the parts of the examination, *i.e.*, the written examination, the oral examination, the physical fitness test, and the physical and psychological examinations,

need not be given.) Additional public notice by publication, posting, or other means may be given at any time at the discretion of the Commission.