

2015 Negotiations between
City of Corpus Christi &
Corpus Christi Fire Fighters Association

TENTATIVE AGREEMENT

**ARTICLE 34
PROMOTIONAL BYPASSES**

Section 1. Involuntary Promotional Bypass.

A. **Involuntary Bypass.** A Fire Fighter on a promotional eligibility list may be bypassed by the Fire Chief for a valid reason. The Fire Chief will provide his/her reasons for the bypass to the Fire Fighter in writing.

B. **Effect of Involuntary Bypass.** The name of a Fire Fighter who is involuntarily bypassed will be returned to its place on the promotional eligibility list. A Fire Fighter who is bypassed three times without successful appeal will have his/her name removed from the promotional eligibility list.

C. **Right to Appeal.** The Fire Fighter who is involuntarily bypassed for promotion may appeal the bypass decision to arbitration. The Fire Fighter's written appeal shall be filed with the Director of Human Resources within 10 calendar days after his/her receipt of the written bypass notice. If the 10th day falls on a Saturday, Sunday, or City-observed holiday, the appeal deadline shall extend to the next day that is not a Saturday, Sunday or City-observed holiday.


D. **Appeal Procedure and Expenses.** The Fire Fighter's appeal shall be decided by one arbitrator chosen in accordance with the arbitrator selection procedure provided for in the disciplinary appeals procedure in this Agreement. All pre-hearing and hearing procedures provided for in the disciplinary appeals procedure by this Agreement will be followed for appeals under this Section. Except for fees and expenses associated with subpoenas, the City and the Fire Fighter shall share equally the fees and expenses of the arbitration.

E. **Judicial Appeals.** Either the City or the Fire Fighter may appeal an adverse decision to district court, but only upon the grounds listed in Section 143.057(j) of the Civil Service Act.


Section 2. Voluntary Promotional Bypass.

A Fire Fighter selected for promotion from a promotional eligibility list may be allowed to decline the position offered, subject to the discretion of the Fire Chief, reasonably exercised, based on the availability of other eligible candidates and the needs of the Fire Department. If voluntary bypass is accepted, such decision will not affect the Fire Fighter's place on the list. However, a Fire Fighter who voluntarily declines promotions to three separate positions will have his/her name removed from the promotional eligibility list.

Agreed this 09 day of April, 2015:



Johnny R. Stobbs



Roxana I. Pérez Stevens