appointing authority to expeditiously complete an administrative investigation of the incident and/or circumstances which caused the disciplinary action to be taken. If the appointing authority does not file charges against the employee on or before the expiration date of the summary suspension then the summary suspension shall be with pay. However, if charges are filed against the employee on or before the summary suspension is terminated, the effective date of the discipline may be made retroactive to any date on or after the date the employee was summarily suspended. Time served or salary lost under a summary suspension may be considered in any final penalty assessed against the employee.

DEMOTION AFTER ACQUIRING STATUS IN A CLASSIFICATION

Sec. 88. If a permanent employee is promoted to a new classification, acquires permanent status in that classification, and is subsequently demoted to his/her former classification and grade because of incapability or for disciplinary reasons, he/she shall not be recertified for promotion to the classification from which he/she was demoted during the life of the eligible list from which the appointment was made. Pursuant to Section 1103 of the City Charter and these Rules and Regulations, any employee may, as a disciplinary measure, be demoted to any classification in job families recognized by the Commission. Such reassignments may occur even though the employee never held status in the classification specialty.

PERMANENT EMPLOYEE REDUCTION OR DISCHARGE DURING PROBATION

Sec. 89. If a permanent employee is successful in either a promotional or open-competitive examination and is subsequently appointed to another classification and during the probationary period is found to be incapable or inefficient, the appointing authority/designee may, terminate the appointment. Should such a termination occur, the employee shall be reinstated to the classification in which he/she held status prior to being promoted. If, in the opinion of the department head and the Commission, the person is still regarded as capable of performing in some other position in the same promotional or open classification, his/her name may be returned to the eligible list established for the open or promotional classification, should such a request be made by the terminated employee. Should any employee be displaced by the above reference reinstatement, his/her name shall be placed on a priority list for the subject classification.

NEW EMPLOYEE DISCHARGE DURING PROBATIONARY TERM

Sec. 90. If, during the probationary period in a classified position, an employee is found to be inefficient or incapable, the appointing authority/designee may terminate the appointment. If, in the opinion of the department head and the Commission, the person is still regarded as capable of performing in some other position in the same classification, his/her name may be returned to the eligible list established for the classification.