

## Chapter 2-40

## PERSONNEL SYSTEM

## Sections:

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| 2-40.010 | <b>System adopted.</b>                    |
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**2-40.010 System adopted.**

In order to establish an equitable and uniform procedure for dealing with personnel matters and to comply with applicable laws relating to the administration of the personnel process, the following personnel system is adopted. (Prior code § 2-40.010)

**2-40.020 Definitions.**

Except as specifically defined in this code, the terms used in the administration of the personnel system shall be defined in the personnel policies and procedures. (Prior code § 2-40.020)

**2-40.030 Administration.**

The City Manager shall administer the city personnel system and may delegate any of the powers and duties of such administration to any other officer or employee of the city or may recommend that such powers and duties be performed under contract. The City Manager shall:

- A. Act as the appointing authority for the city in accordance with Section 2-08.060 of this code;
- B. Administer all the provisions of this chapter and of the provisions of the personnel policies and procedures, where action is not specifically reserved to the City Council;
- C. Prepare, or cause to be prepared, personnel policies and procedures and revisions. The City Attorney shall review the legality of the policies and procedures and revisions prior to their implementation by the City Manager;
- D. Recommend to the City Council personnel policy issues involving financial commitments including, but

not limited to, pay rates and employee benefit programs. Any policy matters involving the commitment of unbudgeted financial resources must be approved by the City Council prior to implementation;

- E. Prepare, or cause to be prepared, a position classification plan, which may be revised from time-to-time, including class specifications, qualifications, and job titles;
  - F. Prepare, or cause to be prepared, a plan of compensation, which may be revised from time-to-time, covering all classification titles and salary rates and ranges, for each class. The plan and any revisions thereof shall become effective upon approval of the Council;
  - G. Have the authority to discipline employees in accordance with this chapter and the personnel policies and procedures of the city;
  - H. Provide for the recruitment and selection of qualified candidates based on open or promotional recruitment;
  - I. Have the authority, whenever in the judgement of the City Manager it becomes necessary in the interests of economy or because the necessity for the position involved no longer exists, to abolish any position or employment in the competitive service and discharge the employee or officer holding such position or employment;
  - J. Have the authority, whenever in the judgement of the City Manager it becomes necessary to reclassify a position or establish a new position, to order such reclassification or create such position as long as the related costs do not exceed the city's established personnel budget; and
  - K. Perform any other duty required to administer the personnel system.
- (Prior code § 2-40.030)

**2-40.040 Competitive service.**

All offices, positions, and employments in the service of the city shall be in the competitive service, except:

- A. Members of the City Council;
- B. Members of the appointive boards, commissions, and committees;
- C. Persons engaged under contract to supply expert, professional, or technical services;
- D. Volunteer personnel who receive no regular compensation from the city;
- E. The City Manager, department heads, and other positions designated as management positions by the City Manager;
- F. Emergency employees who are hired on a temporary basis to meet the immediate requirements of an emergency condition, such as extraordinary fire, flood, or earthquake, which threatens life or property;

- G. Part-time employees as defined in the personnel policies and procedures; and
- H. Any position primarily funded under federal or state employment programs and subject to federal or state rules of employment.

Employees not included in the competitive service under this section shall serve at the will of the City Manager excluding the City Attorney and those exceptions in A and B of this section. (Prior code § 2-40.040)

**2-40.050 Personnel policies and procedures.**

The policies and procedures governing the personnel system shall include, but not be limited to, the following:

- A. Closed, promotional, and open recruitment to fill regular positions;
- B. Temporary and emergency appointments;
- C. Probationary periods;
- D. Transferring, promoting, demoting, and reinstating employees;
- E. Evaluating employees' job performance;
- F. Separating employees from the city service and exit interview procedures;
- G. Establishing and maintaining the content and use of personnel records, medical records, and forms for accounting and legal requirements; and
- H. Disciplinary procedures and employee rights to notice and appeal.

(Prior code § 2-40.050)

**2-40.060 Appointments.**

Appointments to vacant positions in the competitive service shall be made in accordance with the personnel policies and procedures. (Prior code § 2-40.060)

**2-40.070 Probationary period.**

All appointments in the competitive service, including promotional appointments, shall be for a probationary period established in accordance with the personnel policies and procedures. Determinations as to satisfactory completion or extension of this period, or rejection of an employee during or at the end of this period, shall also be consistent with the applicable provisions of the personnel policies and procedures. (Prior code § 2-40.070)

**2-40.080 Status of present employees.**

- A. Any person holding a position in the competitive service who, on the effective date of this chapter, has served continuously in that position for a minimum period of one year from the date of appointment or employment, shall assume regular nonprobationary status in the competitive service.

- B. Any other persons holding positions in the competitive service shall be regarded as probationers who are serving out the balance of their probationary periods, as prescribed in the personnel policies and procedures, before obtaining regular nonprobationary status. The probationary period shall be computed from the date of appointment or employment and shall be a minimum of one year.

- C. All other employees are employed subject to the personnel system established herein, except where specified.

(Prior code § 2.40.080)

**2-40.090 Lay-off and reemployment.**

Lay-off and reemployment actions shall follow the process outlined in the personnel policies and procedures.

(Prior code § 2-40.090)

**2-40.100 Employee conduct.**

City employees shall perform their duties in accordance with the pertinent provisions of state and federal law, this chapter, and the personnel policies and procedures. (Prior code § 2-40.100)

**2-40.110 Contract for special services.**

The City Manager shall consider and make recommendations to the City Council regarding the extent the city should contract for services connected with establishing or operating certain aspects of the personnel system as specified in this section. The City Council may, upon recommendation by the City Manager, contract with any qualified person or public or private agency for the performance of all or any of the following responsibilities and duties imposed by this chapter:

- A. The preparation of draft personnel policies and procedures and subsequent revisions and amendments thereof. The City Manager shall retain the authority to approve the personnel policies and procedures, subject to City Attorney review;
- B. The preparation of a position classification plan, and subsequent revisions and amendments thereof;
- C. The preparation, administration, and grading of competitive tests;
- D. The conduct of employee training programs; and
- E. Special and technical services of an advisory or informational character on matters relating to personnel administration.

(Prior code § 2-40.110)

**2-40.120 Appropriation of funds.**

The City Council shall appropriate such funds as are necessary to carry out the provisions of this chapter. (Prior code § 2-40.120)