

ARTICLE IV - PERSONNEL SYSTEM

Sec. 4100. Adoption of Personnel System. 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 hereby adopted. (Ord. 94-2)

Sec. 4101. Administration. The City Administrator shall administer the city personnel system and may delegate any of the powers and duties to a Personnel Director or may delegate the appointing authority granted by the City Council to any other officer or employee of the City or may recommend that such powers and duties be performed under contract as provided in Section 4105 of this Article. The City Administrator shall:

- (A) Act as the appointing authority for the City.
- (B) Administer all the provisions of this Article and of the personnel regulations not specifically reserved to the City Council.
- (C) Prepare and recommend to the City Council personnel regulations and revisions and amendments to such regulations.
- (D) Prepare or cause to be prepared a position classification plan, including class specifications, and revisions of the plan.
- (E) Have the authority to discipline employees in accordance with this Article and the personnel regulations of the City.
- (F) Provide for the publishing or posting of notices of tests for positions in the competitive service; the receiving of applications therefore; the conducting and grading of tests; the certification of a list of all persons eligible for appointment to the appropriate position in the competitive service; and performing any other duty that may be required to administer the personnel system. (Ord. 94-2)

Sec. 4102. Competitive Service. The provisions of this Article shall apply to all offices, positions, and employments in the service of the City, except:

- (A) Elective officers.
- (B) The City Administrator and any assistants to the City Administrator.
- (C) Members of appointive boards, commissions, and committees.
- (D) All department directors.
- (E) Persons engaged under contract to supply expert, professional, technical or any other services.
- (F) Volunteer personnel, such as volunteer firefighters.
- (G) City Attorney and any assistant or deputy city attorneys.
- (H) All Council appointed city officers.
- (I) Emergency employees who are hired to meet the immediate requirements of an emergency condition, such as fire, flood, or earthquake which threatens life or property.
- (J) Employees, other than those listed elsewhere in this section, who are not regularly employed in permanent positions. "Regularly employed in permanent positions" means an employee hired for an indefinite term into a budgeted position who is regularly scheduled to work no less than one thousand and forty (1040) hours per year, and has successfully completed the probationary period and been retained as provided in this Article and the personnel regulations.

(K) Any position primarily funded under a state or federal employment program.

(L) Employees not included in the competitive service under this section shall serve at the pleasure of their appointing authority. (Ord. 94-2)

Sec. 4103. Adoption and Amendment of Personnel Regulations. Personnel regulations shall be adopted by resolution of the City Council. The regulations may establish rules governing the personnel system, including, but not necessarily limited to:

(A) Preparation, installation, revision, and maintenance of a position classification plan covering all positions in the competitive service, including employment standards and qualifications for each class.

(B) Appropriate announcement of the selection process and acceptance of applications for employment.

(C) Preparation and conduct of tests and the establishment and use of resulting employment lists containing names of persons eligible for appointment.

(D) Certification and appointment of persons from employment lists, and the making of provisional appointments.

(E) Establishment of probationary periods.

(F) Evaluation of employees during the probationary testing period and thereafter.

(G) Transfer, promotion, demotion, reinstatement, disciplinary action and layoff of employees in the competitive service.

(H) Separation of employees from City service.

(I) The establishment of adequate personnel records for purposes of accounting and legal requirements.

(J) The establishment of any necessary appeal procedures. (Ord. 94-2)

Sec. 4104. Status of Present Employees. Any person holding a position included in the competitive service who, on the effective date of adoption of this Article, shall have served continuously in such position, or in some other position in the competitive service, for a period equal to the probationary period prescribed in the regulations for his/her class, shall assume regular status in the competitive service in the position held on such effective date without qualifying tests, and shall thereafter be subject in all respects to the provisions of this Article and personnel regulations.

Any other persons holding positions in the competitive service shall be regarded as probationers who are serving out the balance of their probationary period in effect at the time of hire. The probationary period shall be computed from the date of appointment or employment. (Ord. 94-2)

Sec. 4105. Contracts for Special Service. The City Administrator shall consider and make recommendations to the City Council regarding the extent to which the City should contract for the performance of technical services in connection with the establishment or operation of the personnel system. The City Council may contract with any qualified person or public or private agency for the performance of all or any of the following responsibilities or duties imposed by this Article:

(A) The preparation of personnel regulations and revisions and amendments thereof.

(B) The preparation of a position classification plan and subsequent revisions and amendments thereto.

- (C) The preparation, conduct and grading of competitive tests.
- (D) The conduct of employee training programs.
- (E) Special and technical services of advisory or informational character on matters relating to personnel administration. (Ord. 94-2)