

City of Flagstaff Employee Handbook of Regulations
Revised ~~01/10/19~~10/20/22

ARTICLE 1-10. GENERAL PROVISIONS

1-10-010. GENERAL DISCLAIMER

The rules, policies, and procedures set forth in this Ordinance shall not constitute an employee contract

The programs and policies described in this Ordinance shall be those in effect at the time of printing. The City of Flagstaff (“City”) reserves the right to improve, eliminate, or change any program or benefit described herein whenever it is practical or appropriate. The provisions of this Ordinance may be formally modified, amended, or repealed at any time, and no person shall be deemed to have acquired any vested interest in any position based on prior policies or procedures that are hereby superseded by amendment and/or modification.

In the event that the actual application of the City’s policies, practices, procedures, or benefit plans appears to differ from statements or information contained herein, the correct application thereof shall be finally determined by the Flagstaff City Manager or designee.

B. INTRODUCTION

To ensure that policy interpretations are consistent, the City’s Human Resources Director or designee shall be responsible for interpreting policy application and intent. The Human Resources Director’s interpretations shall be applicable to all City employment situations. All references to “Human Resources Director” shall include that person’s designee.

Nothing in this Ordinance shall constitute a contract, either express or implied, between the City Council and the City employees, for either employment or for any benefit. All policies herein are subject to change through the continuing approval, revision, amendment or modification process of the City Council.

The City Council may alter, eliminate, or add to any of the provisions of this Ordinance through the formal amendment process at any time and for any lawful reason, and such alterations, eliminations, or additions shall apply to all City employment situations from the time of their inception.

C. PURPOSE

The general purpose of this Ordinance is to establish a system of personnel administration. This system shall provide means to recruit, select, develop, and maintain an effective and responsive work force and shall include policies and procedures for employee hiring and advancement, training and career development, job classification,

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salary administration, retirement, fringe benefits, leaves, discipline, discharge, and other related activities.

D. ADMINISTRATION OF THE RULES

The responsibility for the administration of these Rules and Regulations rests with the City Manager, SENIOR DEPUTY CITY MANAGER AND the Deputy City Manager, and the Human Resources Director. ~~In order to~~TO establish uniform administration of these policies, the Human Resources Director, after consulting with the City Manager, may publish a comprehensive administrative manual which serves as the official communication for implementing policy; establishing procedures; and issuing regulations, orders and announcements.

E. SEVERABILITY

Should any article, paragraph, sentence, clause or phrase of this Ordinance or the application of same to a particular set of persons or circumstances be declared unconstitutional or invalid for any reason, the remainder of such Ordinance shall not be affected thereby, it being the intent that the provisions of this Ordinance are severable.

1-10-010.01. GENERAL DEFINITIONS (~~RENUMBERED~~)

General Definitions apply to the entire Employee Handbook of Regulations; however, if there is a conflicting specific definition found within a section, then the specific definition will apply to that section.

“Benefit Eligible Employees” are employees who are ~~tenure~~-eligible FOR CERTAIN BENEFITS, tenure granted and Exempt employee who works twenty (20) hours or more per week. — BASED ON CITY BENEFIT PLAN DOCUMENTS AS WELL AS REQUIRED BY STATE, FEDERAL OR LOCAL REGULATION.

“CALL-OUT” IS THE PERIOD OF TIME WHEN AN EMPLOYEE IS CALLED OUT TO PERFORM UNSCHEDULED WORK WHILE ON-CALL.

“CALL-OUT COMPENSATION” IS PAID AT ONE AND ONE HALF (1 ½) TIMES THE EMPLOYEE’S REGULAR HOURLY RATE WHEN AN EMPLOYEE IS CALLED OUT TO PERFORM UNSCHEDULED WORK WHILE ON CALL.

“CALL-OUT COMPENSATORY TIME” IS PAID WHEN AN EMPLOYEE IS CALLED OUT TO PERFORM UNSCHEDULED WORK WHILE ON CALL IN LIEU OF “CALL-OUT COMPENSATION”.

“Classified Employees” shall have the same meaning as Non-Exempt employees, AND WHO IS PAID WAGES SUBJECT TO THE OVERTIME PAY REQUIREMENTS OF THE FAIR LABOR STANDARDS ACT.

“Commissioned” means the employee is an active member of the Public Safety Retirement System ~~and the City Police or Fire Department.~~

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“Date of hire” means the date when employment with the City commences.

“Domestic Partner” shall mean a person registered as a domestic partner under the laws of any state or political subdivision, including Flagstaff City Code, Chapter 14-01 (Domestic Partner Registry) for purposes related to leave policies.

“Earned Paid Sick Time” shall mean time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee ~~normally~~ earns during hours worked and is provided by City to the employee for the purposes described in A.R.S. § 23-373 and incorporated in this Handbook. Earned Paid Sick Time may be referred to as “accrued sick leave”, “paid sick leave”, or “unused sick leave” in some places in the Handbook.

“Emergency Service Employees” shall MEAN be a non-exempt employee who holds a position ~~in Fire, Police, Streets, Fleet Services, Airport, Water Reclamation and Water Plants, Water Distribution and Wastewater Collection, Industrial Pre Treatment, Parks, Facilities Maintenance, Building Inspection, or other positions~~ designated by the Division Director and approved by the ~~Deputy City Manager~~ CITY MANAGER’S OFFICE OR DESIGNEE.

~~“Exempt Employees” are employees who are exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA).~~

“Family Member” shall have the same meaning as set forth in A.R.S. § 23-371.H ~~and means:~~

- ~~1. — Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a Domestic Partner, a child to whom the employee stands in Loco Parentis, or an individual to whom the employee stood in Loco Parentis when the individual was a minor;~~
- ~~2. — A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee’s spouse or Domestic Partner or a person who stood in Loco Parentis when the employee or employee’s spouse or Domestic Partner was a minor child;~~
- ~~3. — A person to whom the employee is legally married under the laws of any state, or a Domestic Partner of an employee as registered under the laws of any state or political subdivision;~~
- ~~4. — A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee’s spouse or Domestic Partner; or~~
- ~~5. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.~~

“Fire Suppression Employees” are Commissioned, ~~Non-Exempt~~ CLASSIFIED employees who engage in fire protection activities as defined by the Fair Labor Standards

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Act 29 U.S.C. § 203(y) and who ARE PAID FLSA-REQUIRED OVERTIME ON A 14-DAY WORK PERIOD BASIS (SEE ESTABLISH WORK PERIOD DIRECTIVE 2020-1). ~~work over ninety-one (91) hours in a twelve (12) day work period.~~

“Full-Time” REFERS TO AN EMPLOYEE THAT is ~~considered~~ SCHEDULED forty (40) hours per week.

“Hours Worked” GENERALLY INCLUDES ALL ~~is time when~~ an employee MUST BE ON DUTY, OR is necessarily required to be on the employer’s premises, ~~on duty~~ or at ANY OTHER ~~a~~ PRESCRIBED PLACE OF WORK ~~prescribed work place per the Fair Labor Standards Act Fact Sheet #22.~~ HOURS WORKED ALSO INCLUDES ANY ADDITIONAL TIME THE EMPLOYEE IS ALLOWED (I.E., SUFFERED OR PERMITTED) TO WORK.

“Injury, Illness, or Medical Care” shall mean a physical illness, injury or health condition; the need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or a need for preventive medical care.

“In Loco Parentis” is defined as a person who helped raise and had day-to-day responsibilities to care for and financially support the employee as a child, assuming the role of a parent.

“Intermittent Leave” is leave THAT IS TAKEN in separate blocks of time FOR A SINGLE QUALIFYING REASON.

“Key Employee” ~~is defined as a salaried, Benefit Eligible Employee who is among the highest paid ten (10) percent of all the employees working for the employer within seventy five (75) miles of the employee’s worksite~~ SHALL HAVE THE SAME MEANING AS PRESCRIBED BY 29 C.F.R. § 825.217 (AS AMENDED).

“Light Duty” means an employee is able to perform restricted duties and/or WORK A RESTRICTED schedule per the employee’s treating physician. ~~Light duty may include telecommuting or other types of alternate work schedules per policy 1-20-053.~~

~~“Non-Exempt Employees” are employees who are paid wages subject to the overtime pay requirements of the Fair Labor Standards Act.~~

“Part-Time” REFERS TO AN EMPLOYEE THAT IS SCHEDULED ~~is considered~~ twenty (20) hours to thirty-nine (39) hours per week.

“Reduced Scheduled” is a reduced number of hours in the employee’s usual weekly or daily work schedule.

“Regular Hourly Rate” ~~is the employee’s total straight time earnings divided by the number of hours worked~~ IS DETERMINED BY DIVIDING THE EMPLOYEE’S TOTAL PAY FOR EMPLOYMENT (EXCEPT STATUTORY EXCLUSIONS) IN ANY WORKWEEK BY THE TOTAL NUMBER OF HOURS ACTUALLY WORKED BY

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THE EMPLOYEE IN THAT WORKWEEK FOR WHICH SUCH COMPENSATION WAS PAID.

“Shift Employees” are employees assigned to a position which is staffed at least six (6) days a week, or twenty-four (24) hours a day, and is assigned a designated work schedule that can be either rotating or permanently assigned.

“Temporary Employees” are employees hired by the City ~~for a temporary period and~~ who work less than 20 hours per week. ~~Temporary Employees are not classified as Benefit Eligible Employees~~

“Tenured Employees” are ~~Non-Exempt~~CLASSIFIED employees who have completed their probationary period.

“Unclassified Employees” shall have the same meaning as Exempt employees.

“WAITING” MEANS AN EMPLOYEE IS ENGAGED TO WAIT WHEN REQUIRED TO REMAIN ON CITY PREMISES OR A PRESCRIBED WORKPLACE. TIME SPENT WHILE ENGAGED TO WAIT IS HOURS WORKED UNDER THE FLSA.

“Work Week” shall begin on Sunday morning at 12:01 a.m. and end the following Saturday at midnight for all employees.

“Working Day” shall be considered equal to 0.38461 percent of the number of working or duty hours in the established work year for each employee (i.e. $2080 \times 0.38461\% = 7.99$ or 8 and $2912 \times 0.38461\% = 11.19$ or 11.2).

(Ord. No. 2013-09, Amended 05/07/13); (Ord. No. 2017-12, Amended 07/01/17); (Ord. No. 2018-18, Amended 06/15/18); (Ord. No. 2018-26, Amended 09/20/18); (Ord. No. 2018-35, Amended 11/06/18); (Ord. No. 2019-10, Amended 07/02/19); ORD NO. 2022-??, AMENDED 10/20/22

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1-10-030. EMPLOYMENT CATEGORIES

A. APPOINTED POSITIONS

The following City offices will be appointed by City Council in accordance with the City Charter:

- A. 1. City Attorney
- B. 2. City Magistrate(s)
- C. 3. City Manager

~~The following City offices will be appointed by the Flagstaff Metropolitan Planning Organization (FMPO) Executive Board in accordance with the Intergovernmental Agreement:~~

- ~~1. FMPO Executive Director~~

B. UNCLASSIFIED SERVICE

- 1. Unclassified service positions are created to provide a responsive ~~management~~ MANAGERIAL AND PROFESSIONAL team to carry out the goals and policies of the City of Flagstaff. The unclassified service is ~~made up~~ COMPRISED of EXECUTIVE, ADMINISTRATIVE, COMPUTER, AND PROFESSIONAL POSITIONS THAT ARE EXEMPT FROM OVERTIME, AS DETERMINED BY THE PROVISIONS OF THE FAIR LABOR STANDARDS ACT (FLSA). ~~administrative/professional and some technical employees, otherwise known as exempt. These are executive, administrative, or professional positions which are from overtime as determined by the provisions of the Fair Labor Standards Act (FLSA). The Deputy City Manager, all Department and Division Heads, certain supervisory, technical, and professional positions fall under this category. Employees under this classification do not serve a probationary period.~~
- 2. ~~Exempt~~ UNCLASSIFIED employees shall be entitled to all regular benefits and leaves, unless stipulated in a specific Article or Section.
- 3. The grievance procedure and right of appeal to the Personnel Board shall not apply to ~~exempt~~ UNCLASSIFIED personnel ~~as cited in this Section.~~

C. CLASSIFIED SERVICE

- 1. The objective of the classified service is to facilitate efficient and economical services to the public. "Classified staff" describes positions which are eligible for overtime compensation under the provisions of the Fair Labor Standards Act (FLSA) and are considered non-EXEMPT

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under the FLSA. These positions are typically clerical, technical, administrative/professional support, skilled craft, or service/maintenance in nature. Some positions may include supervisory responsibilities or may involve varying degrees of independent judgment and discretion. These positions may be full or part time.

- ~~2. The following principles will apply to classified staff:~~
 - ~~a. Employment by the City shall be based upon merit and fitness, free of personal and political consideration.~~
 - ~~b. Appointments, promotions, and other actions shall be based on systematic examinations and/or evaluation and any other information concerning work performance.~~
 - ~~c. Positions having similar duties and responsibilities shall be classified and compensated on a uniform basis.~~
 - ~~d. In general, all classified employees shall be assigned a salary range in the compensation schedule.~~
 - ~~e. Continuation of employment for employees shall be subject to good behavior, satisfactory work performance, necessity for the performance of work, and the availability of funds.~~
23. Upon satisfactory completion of their probationary period, eClassified employees are considered tenured.
3. Classified employees who have completed their probationary period, shall have appeal rights to the Personnel Board if dismissed, demoted, or suspended WITHOUT PAY for ten (10) working days or more.

D. TEMPORARY SERVICE

1. Temporary employees may work ~~part time~~ for an entire fiscal year at fewer than twenty (20) hours per week; or may work ~~full time~~ twenty (20) hours or more per week for up to nineteen (19) weeks in a fiscal year and then may work the remainder of the year at fewer than twenty (20) hours per week. Under this schedule temporary employees are not required to contribute to the Arizona State Retirement System.
2. Temporary employees ~~may also work~~ WORKING TWENTY (20) or more hours per week IN EXCESS OF NINETEEN (19) WEEKS IN A FISCAL YEAR ~~for up to 26 weeks in a fiscal year and an additional 45 days intermittently. Under this schedule they~~ are required to contribute to the Arizona State Retirement System THROUGH THE END OF THAT FISCAL YEAR.

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3. ~~If a temporary employee works 27 weeks or more at 20 hours or more per week (whether consecutive or not), they become~~THE LOOK-BACK METHODOLOGY IS UTILIZED TO DETERMINE IF A TEMPORARY EMPLOYEE BECOMES benefit eligible FOR MEDICAL INSURANCE.
4. Temporary employees may be dismissed at any time, without cause, without notice, and without a statement of reasons. TEMPORARY EMPLOYEES DO NOT HAVE ~~or~~ access to the Personnel Board. HHHowever, temporary employees shall have the right to file formal grievances under the Grievance Procedure (Article 1-~~90~~10-022).
5. ~~For those temporary employees who are assigned to work twenty (20) or more hours per week for a continuous period of one (1) year or more (i.e., grant personnel or military replacements) are eligible for employee benefits, however, they do not have access to the Personnel Board.~~

~~E.~~ EMPLOYMENT STATUS

1. ~~Tenured Employees: Tenured employees are those who are in the Classified Service and who are assigned to work twenty (20) or more hours per week, occupy budgeted positions, and who are not serving a probationary period. (All City positions, some grant funded positions, are budgeted on a fiscal year basis.) Employees in this category are entitled to City defined employee benefits. Employees in this category have the right to appeal to the Personnel Board as indicated in Article 1-10 and the right to the Grievance Procedure in Article 1-90.~~
2. ~~Probationary Employees: Probationary employees are those who have been hired as classified employees and have been employed for fewer than six (6) months or fewer than twelve (12) months for Public Safety and/or who are serving a subsequent probationary period in accordance with an extension of an initial probation. Time served while on temporary status does not count toward completion of probationary status time requirements. An employee who is completing his/her probationary period may be dismissed at any time and for any cause and does not have access to the Personnel Board. However, he/she may petition for review by the City Manager within five (5) calendar days from receipt of the notice of dismissal.~~

~~Employees who are completing an administrative review due to a promotion shall have access to the Personnel Board as outlined in Article 1-10-040.~~

3. ~~Exempt Employees: Exempt employees are those who are employed in an administrative, technical, or professional position or any other FLSA category (Unclassified Service). The grievance procedure and right of appeal to the Personnel Board do not apply to this group of employees.~~

~~(Ord. No. 2018-36, Amended, 11/06/18)~~

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1-10-050. POSITION CLASSIFICATION PLAN

A. The Human Resources Director shall be responsible for the classification of all positions ~~on the basis of the kind~~ BASED ON THE SCOPE and level of the duties and responsibilities of the positions, to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same method of evaluation for competence, and the same ~~salary~~ PAY range. WORKING TITLES MAY BE USED TO FURTHER DESCRIBE THE SPECIFICS OF A POSITION THAT IS USED IN MULTIPLE AREAS.

~~1. A job class may contain one or more positions.~~

~~21.~~ Classification of all positions MAY INCLUDE A MARKET ANALYSIS AS WELL AS AN INTERNAL ORGANIZATIONAL HIERARCHY REVIEW WITH FINAL ~~shall require a study and~~ recommendation by the Human Resources Director and approval of the City Manager OR DESIGNEE.

B. The classification plan of all positions shall provide class titles, descriptions of duties and responsibilities, qualifications, and other requirements as deemed necessary by the Human Resources Director. The plan shall be amended as the duties, responsibilities, and employment conditions change. The plan shall be audited as required for changes which may have occurred.

1. The Human Resources Division shall maintain ~~copies~~ RECORDS of current specifications for all classes of employment.

2. The specifications shall include title,; ADMINISTRATIVE DUTIES; examples of work performed,; MINIMUM REQUIREMENTS, ~~distinguishing features of work;~~ required knowledge, skills, and abilities,; desirable experience and training,; PHYSICAL REQUIREMENTS AND WORKING CONDITIONS, and for classes requiring special licensing or requirements, a statement of such shall be included.

3. The class specifications are descriptive only and are not to be restrictive in nature. They are intended to DETERMINE THEIR ASSIGNMENT TO THE RESPECTIVE CLASSES ~~indicate the kinds of positions that should be allocated to the respective classes~~ as determined by their duties, responsibilities, and qualification requirements.

a. In assigning a position to a class, consideration shall be given to the general duties, tasks, responsibilities, and desirable qualifications, along with the relationship the position has to other classes.

b. It is not intended that a class specification give a complete array of all the specific duties, tasks, and responsibilities, but rather to give

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a general picture of the essential characteristics AND FUNCTIONS of the ~~class~~ POSITION with sufficient ~~allocating~~ factors described to properly identify the class.

- c. The use of a particular expression or illustration as to duties, qualifications, or other attributes shall not be held to exclude others not mentioned, if such others are similar in kind and degree. The appropriate supervisor, as circumstances require, may assign different tasks to a position when such duties are similar in kind and rank with those specified in the class of the position. In essence, the phrase “~~and to do related work as required~~ OTHER DUTIES AS ASSIGNED” is described in the paragraphs above.
- d. Employees may be required to perform other duties during CRITICAL OR emergency situations.

C. A position may be reclassified ~~on the basis of~~ DUE TO A change in or reassignment of the duties and responsibilities and/or qualification requirements of the position.

- 1. The Human Resources Director shall be responsible for such reclassifications as found necessary, based upon ~~a study~~ AN ANALYSIS of duties, responsibilities, and REQUIRED MINIMUM qualifications.
- 2. ALL RECLASSIFICATIONS ARE SUBJECT TO APPROVAL BY THE FINANCE DIVISION (BUDGET AVAILABILITY) AND THE CITY MANAGER OR DESIGNEE.
- ~~3. A reclassification shall become effective upon approval by the City Manager on a Personnel Action Form.~~
- ~~3. Incumbents may or may not be reclassified with their positions, based upon the findings and recommendations of the Human Resources Director and the approval of the City Manager.~~

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ARTICLE 1-20. COMPENSATION

1-20-010. PAY PLAN STRUCTURE

- A. The Human Resources Director, under the direction of the City Manager, shall prepare a pay plan STRUCTURE covering all classes of positions in the ~~classified service~~CITY EXCEPT FOR THOSE POSITIONS APPOINTED BY THE CITY COUNCIL. In arriving at salary rates or ranges, consideration may be given to prevailing rates of pay (MARKET ANALYSIS), and consideration of working conditions for comparable work in other BENCHMARK ORGANIZATIONS, public and in private employment, current cost of living, ~~suggestions by Department Heads,~~ the City's financial condition and policies, and other relevant factors.
- B. The City Manager, Human Resources Director, or the person or agency employed for that purpose shall make such further studies of the pay plan as is necessary in their judgment or requested by the City Council.
- C. The Human Resources Director shall be responsible for recommending wage, rates, and salary ranges; hours and working conditions; and additional benefits for each job class in the City ~~service~~.
- D. Each job class in the ~~classified service~~CITY shall be assigned to a salary range in the uniform plan to reflect the similarities and differences in levels of duties and responsibilities. ~~The wages, hours, and other terms and conditions of employment shall be related to similar conditions in the appropriate labor market.~~
- ~~1. Such assignment to a salary range for classified employees shall be made by the City Council.~~
 - ~~2. The pay plan may be amended by the City Council from time to time, if circumstances require, either through adjustment of rates or by reassignment of job classes to different pay ranges.~~

1-20-020. APPROPRIATE SALARY

ALL APPROVED PAY CHANGES SHALL BE EFFECTIVE ON THE FIRST DAY OF A PAY PERIOD.

A. MERIT INCREASE

1. A. Tenured TENURED CLASSIFIED, tenure eligible and exempt UNCLASSIFIED employees IN THE REGULAR PAY PLAN shall be eligible for consideration for merit pay increases as determined by the City's pay plan. COMPENSATION AND PERFORMANCE EVALUATION PLANS NOT TO EXCEED THE MAXIMUM OF THE PAY RANGE.

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2. EMPLOYEES ASSIGNED TO THE CITY'S STEP PAY PLANS SHALL RECEIVE A MERIT INCREASE TO THE NEXT ELIGIBLE STEP IN THE PLAN BASED ON THEIR POSITION CLASSIFICATION, NOT TO EXCEED THE MAXIMUM STEP IN THE PAY RANGE, UNLESS OTHERWISE DETERMINED IN THE BUDGET PROCESS.
3. A COMPLETED PERFORMANCE EVALUATION MUST SUPPORT EACH MERIT INCREASE RECOMMENDATION.
4. MERIT PAY (INCLUDING STEP PLAN) INCREASES SHALL BE EFFECTIVE ON THE FIRST DAY OF THE PAY PERIOD IN WHICH THE EMPLOYEE'S CLASSIFICATION DATE OCCURS.
5. THE MERIT BUDGET SHALL BE DETERMINED AND APPROVED ANNUALLY IN THE BUDGET PROCESS.
6. SALARY INCREASES FOR COUNCIL-APPOINTED POSITIONS SHALL BE AT THE DISCRETION OF THE COUNCIL WHO MAY SEEK RECOMMENDATIONS FROM THE HUMAN RESOURCES DIRECTOR.

B. SALARY CONSIDERATION

1. REGULAR PAY PLAN

- A. A newly hired, promoted, rehired, or reclassified employee ~~may~~ WILL be compensated between the minimum and ~~twelve (12)~~ percent above the minimum (i.e. minimum of the salary range x 1.12) of the salary. THE MIDPOINT OF THE SALARY range. HUMAN RESOURCES SHALL UTILIZE A CONSISTENT METHOD TO CALCULATE CREDIT FOR PRIOR RELATABLE WORK EXPERIENCE, EDUCATION, AND OTHER RELATED CERTIFICATIONS OR CREDENTIALS. HUMAN RESOURCES SHALL COLLABORATE WITH THE HIRING MANAGER WHEN ASSESSING THE RELATABILITY OF ALL DOCUMENTED INFORMATION. of the job class based on economic conditions, unusual employment conditions, or exceptional qualifications when a higher hiring rate may be in the City's best interest. SALARY OFFERS ABOVE THE MIDPOINT MAY BE AUTHORIZED FOR EXCEPTIONAL QUALIFICATIONS WHEN SUPPORTED BY THE SALARY CALCULATION METHODOLOGY AND SUPPORTED BY AVAILABLE BUDGET CAPACITY. -The City Manager may authorize hiring above THE RATE DETERMINED BY THE SALARY CALCULATION METHODOLOGY. AN INTERNAL EQUITY ANALYSIS WILL

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~~BE UTILIZED TO ASSESS PAY EQUITY. twelve percent above the minimum based on such factors and on a recommendation by the Human Resources Director and appropriate Division Director. In no case should~~ WILL the salary be above the maximum of the assigned PAY range.

2. STEP PAY PLAN

~~A. C-~~ A newly hired, promoted, or rehired, OR RECLASSIFIED EMPLOYEE WILL BE COMPENSATED IN A CONSISTENT MANNER IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES OF THE RESPECTIVE DIVISION FOR THE STEP PLAN. SUCH PROCEDURES SHALL BE APPROVED BY THE HUMAN RESOURCES DIRECTOR. ~~employee in a broad band pay structure may be compensated between the minimum and mid point of zone one. The City Manager may authorize hiring above the mid point based on a recommendation by the Human Resources Director and appropriate Division Director.~~

~~D. Merit pay increases for employees shall only be granted upon recommendation of the employee's Division Director for efficient service and continued improvement by the employee in the effective performance of the duties of their position.~~

~~1. A completed performance evaluation must accompany each merit pay increase recommendation.~~

~~2. The merit pay increase shall be effective on the employee's anniversary date or classification date.~~

~~E. Salaries and merit reviews for the City Manager, City Attorney, and City Magistrates shall be determined by the City Council.~~

1-20-021. POSITION RECLASSIFICATION

A. CONSIDERATION FOR A POSITION RECLASSIFICATION MAY BE INDICATED WHEN THE BUSINESS NEEDS OF THE CITY HAVE RESULTED IN A SUBSTANTIAL CHANGE IN DUTIES, SCOPE OF RESPONSIBILITIES, MINIMUM QUALIFICATIONS, AND/OR DUE TO A REORGANIZATION.

~~F. 1. Upward salary adjustments.~~ When an employee's position AND THE INCUMBENT EMPLOYEE is reclassified to a higher level PAY RANGE, the following rules shall determine the affected employee's salary PAY:

A1. In all cases, every QUALIFIED affected employee shall be assigned to the new salary PAY range.

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- B2. In no case will an employee receive a decrease ~~as a result of a salary adjustment~~RESULTING FROM A POSITION RECLASSIFICATION to a higher ~~salary~~PAY range.
- C3. THE EMPLOYEE'S NEW RATE OF PAY WILL BE DETERMINED IN ACCORDANCE WITH SECTION 1-20-020 B, SALARY CONSIDERATION. FOR THE REGULAR PAY PLAN, A PRO RATA AMOUNT OF THE BUDGETED MERIT WILL BE ADDED TO THE CALCULATED INCREASE (E.G., AN EMPLOYEE IS RECLASSIFIED 6 MONTHS INTO THEIR REVIEW PERIOD AND THE BUDGETED MERIT IS 3%. THE EMPLOYEE WILL RECEIVE A PRO RATED MERIT OF 1.5% [1.5 X 3% = 1.5%]). FOR STEP PLANS THE MERIT INCREASE SHALL BE APPLIED PRIOR TO THE RECLASSIFICATION INCREASE WHEN THE EMPLOYEE'S CLASSIFICATION DATE IS WITHIN NINETY (90) DAYS OF THE EFFECTIVE DATE OF THE RECLASSIFICATION.

~~Employees shall retain their classification dates for purposes of performance evaluations and merit increases.~~

- ~~4. When an employee's classification changes from classified to exempt the employee will be eligible for an increase per B above.~~
- ~~6. Rezone~~
- ~~a. Rezone requests will be considered once a year as part of the fiscal year budget process and any changes will be effective July 1st of the following fiscal year. A mid-year request may be requested when the additional compensation can be funded within the base budget on an ongoing basis and any such changes will be effective the first day of the pay period following the completion of the work.~~
- ~~b. The supervisor must submit the following to the Human Resources Division prior to the pre-determined budget deadline: (1) a Zone Change Form, (2) a copy of the employee's most recent performance evaluation demonstrating an overall rating of exceeds expectations or better, and (3) the Zone Change Checklist applicable to the position.~~
- ~~c. Employees must serve in zone one for at least one year and meet all of the requirements in the Zone Change Checklist to be eligible for a rezone to zone two. Employees in zone two must serve for at~~

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~~least two years and meet all of the requirements in the Zone Change Checklist to be eligible for a rezone to zone three.~~

~~d. The rezone will result in a six (6) percent increase or the minimum of the new zone, whichever amount is greater. If the six (6) percent increase results in a salary that is greater than the maximum of the zone, the employee's increase will be limited to the maximum of the zone.~~

~~G2. Downward salary adjustments. When an employee's position A POSITION is reclassified to a lower PAY RANGE, THE CHANGE WILL NOT BE IMPLEMENTED UNTIL THERE ARE NO ACTIVE EMPLOYEES IN THE POSITION. level, the following rule shall determine the affected employee's salary:~~

~~1. The employee will be placed in the lower salary range closest to their current rate of pay that does not result in an increase.~~

~~3. WHEN AN EMPLOYEE IS PLACED AS AN UNDERHIRE DUE TO NOT INITIALLY MEETING THE MINIMUM QUALIFICATIONS FOR THE POSITION, THE EMPLOYEE'S RATE OF PAY WILL BE CALCULATED IN ACCORDANCE WITH THEIR CURRENT QUALIFICATIONS IN AN APPLICABLE CITY POSITION CLASSIFICATION DURING THE UNDERHIRE PERIOD. WHEN RECLASSIFIED TO THE INTENDED VACANCY THE SALARY WILL BE CALCULATED IN ACCORDANCE WITH A.I.C ABOVE.~~

~~4. RECLASSIFIED EMPLOYEES ~~DO~~ RECEIVE A NEW CLASSIFICATION DATE.~~

~~5. WHEN AN EMPLOYEE ABSORBS SIGNIFICANT AND PERMANENT EXPANDED RESPONSIBILITIES, YET THE MARKET DATA DOES NOT SUPPORT A POSITION RECLASSIFICATION, THE DIVISION DIRECTOR MAY MAKE A RECOMMENDATION TO THE HUMAN RESOURCES DIRECTOR AND THE CITY MANAGER (OR DESIGNEE) FOR AN INCREASE IN PAY NOT TO EXCEED 3%.~~

1-20-022 MARKET ADJUSTMENT

A. A MARKET ADJUSTMENT OCCURS WHEN AN EXISTING POSITION IS IDENTIFIED THROUGH A BENCHMARK ANALYSIS TO BE ADJUSTED TO A DIFFERENT PAY RANGE.

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1. WHEN THE EMPLOYEE'S POSITION IS MARKET ADJUSTED TO A HIGHER PAY RANGE, THE FOLLOWING SHALL DETERMINE THE AFFECTED EMPLOYEE'S PAY:
 - A. EVERY EMPLOYEE IN THE POSITION SHALL BE ASSIGNED TO THE NEW PAY RANGE.
 - B. EMPLOYEES WILL MAINTAIN THEIR COMPA RATIO IN THE NEW RANGE.
2. WHEN DATA SUPPORTS A MARKET ADJUSTMENT TO A LOWER PAY RANGE, THE CHANGE WILL NOT BE IMPLEMENTED UNTIL THERE ARE NO ACTIVE EMPLOYEES IN THE POSITION.
3. EMPLOYEES SUBJECT TO A MARKET ADJUSTMENT DO NOT RECEIVE A NEW CLASSIFICATION DATE.

1-20-023. PROMOTION

AH. A PROMOTION IS AN EMPLOYEE'S MOVEMENT TO A POSITION IN A HIGHER PAY RANGE RESULTING FROM A RECRUITMENT PROCESS.

~~Promotion. Promotions shall be made as provided in Article 1-40, Section 1-40-010. Upon promotion to another classification, an employee shall receive a rate of pay based on the following criteria:~~

- ~~1. The new salary rate will be in the range that results in a minimum of a six (6) percent increase, with flexibility for a higher amount with prior approval of the Human Resources Director and City Manager.~~
- ~~2. In addition to the increase provided in B above, employees may continue to receive their regular merit increase if their classification date before promotion falls within three (3) months of the promotion. Thereafter, merit increase and performance evaluations will be based on the effective date of the promotion.~~

1. REGULAR PAY PLAN

A. UPON PROMOTION TO A HIGHER PAY RANGE, THE FOLLOWING RULES SHALL DETERMINE THE AFFECTED EMPLOYEE'S PAY.

1. THE EMPLOYEE'S NEW RATE OF PAY WILL BE DETERMINED IN ACCORDANCE WITH SECTION 1-20-020 B, SALARY CONSIDERATION.
2. A PRO RATA AMOUNT OF THE BUDGETED MERIT WILL BE ADDED TO THE CALCULATED INCREASE.

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3. IN NO CASE SHALL THE RATE OF PAY BE LOWER THAN THE MINIMUM OF THE NEW PAY RANGE.
4. IN NO CASE SHALL THE PROMOTIONAL INCREASE BE LESS THAN 5%. HOWEVER, IT MAY NOT EXCEED THE MAXIMUM OF THE PAY RANGE.

2. STEP PAY PLAN

- A. UPON PROMOTION TO A HIGHER PAY RANGE THE EMPLOYEE SHALL BE ASSIGNED TO A STEP IN THE NEW PAY RANGE IN ACCORDANCE WITH THE PAY CHANGE MAP FOR THAT DIVISION/POSITION. PAY CHANGE MAPS SHALL BE APPROVED BY THE DIRECTOR OF HUMAN RESOURCES.
- B. THE MERIT STEP INCREASE SHALL BE APPLIED PRIOR TO THE PROMOTION INCREASE WHEN THE EMPLOYEES' CLASSIFICATION DATE IS WITHIN NINETY (90) DAYS OF THE EFFECTIVE DATE OF THE PROMOTION.

3. PROMOTED EMPLOYEES ~~DO~~ WILL BE GIVEN A NEW CLASSIFICATION DATE EFFECTIVE THE DATE OF THE PROMOTION.

1-20-024. VOLUNTARY REASSIGNMENT

- ~~1A. Voluntary Reassignment. A VOLUNTARY REASSIGNMENT A voluntary reassignment occurs when an employee moves from a position in a higher pay range to a position VACANCY in a lower pay range AT THEIR REQUEST OR BY APPLYING FOR A POSITION IN A LOWER PAY RANGE DURING A RECRUITMENT AND BEING SELECTED FOR THE POSITION. The employee will move to the lower pay range and not receive an increase in pay. In some circumstance, the employee's rate of pay may decrease as a result of the reassignment. The employee shall retain their current classification date for purposes of merit pay increases and performance evaluations.~~

1. REGULAR PAY PLAN

- A. THE EMPLOYEE'S NEW RATE OF PAY WILL BE DETERMINED IN ACCORDANCE WITH SECTION 1-20-020 B, SALARY CONSIDERATION.
- B. A PRO RATA AMOUNT OF THE BUDGETED MERIT WILL BE ADDED TO THE CALCULATED INCREASE.

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C. IN NO CASE SHALL THE RATE OF PAY BE LOWER THAN THE MINIMUM OF THE NEW RANGE, NOR HIGHER THAN THE MAXIMUM OF THE NEW RANGE.

A.D. THE NEW RATE OF PAY MAY NOT RESULT IN A PAY INCREASE ASIDE FROM THE PRO-RATA MERIT ADJUSTMENT.

2. STEP PAY PLAN

A. THE EMPLOYEE SHALL BE ASSIGNED TO A STEP IN THE NEW PAY RANGE IN ACCORDANCE WITH THE PAY CHANGE MAP FOR THAT DIVISION/POSITION. PAY CHANGE MAPS SHALL BE APPROVED BY THE DIRECTOR OF HUMAN RESOURCES.

B. IN NO CASE SHALL THE RATE OF PAY BE LOWER THAN THE MINIMUM OF THE NEW RANGE, NOR HIGHER THAN THE MAXIMUM OF THE NEW RANGE.

C. THE NEW RATE OF PAY MAY NOT RESULT IN A PAY INCREASE ASIDE FROM ANY MERIT ADJUSTMENT.

2. THE EMPLOYEE WILL BE GIVEN A NEW CLASSIFICATION DATE EFFECTIVE THE DATE OF THE VOLUNTARY REASSIGNMENT.

1-20-025. TRANSFER

J.A. Transfer- ~~A TRANSFER- A transfer~~ occurs when an employee moves from one position to another in the same pay range or from one area of the organization to another in the same position.

1. The employee will remain in the same pay range and will not receive an increase OR DECREASE in pay. HOWEVER, IN THE REGULAR PAY PLAN A PRO RATA AMOUNT OF THE BUDGETED MERIT WILL BE ADDED TO THEIR REGULAR RATE OF PAY. FOR STEP PLANS THE MERIT STEP INCREASE SHALL BE APPLIED ON THE EFFECTIVE DATE OF THE TRANSFER WHEN THE EMPLOYEE'S CLASSIFICATION DATE IS WITHIN NINETY (90) DAYS OF THE EFFECTIVE DATE OF THE TRANSFER

2. The employee's rate of pay may decrease based on budget capacity. The employee shall retain their current classification date for purposes of merit pay increases and performance evaluations. WILL RECEIVE A NEW CLASSIFICATION DATE EFFECTIVE THE DATE OF THE TRANSFER.

1-20-026. DEMOTION

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AK. ~~Demotion for cause.~~ A DEMOTION Demotions TO A POSITION IN A LOWER PAY RANGE shall be made as provided in Article 1-40, Section 1-40-031. EMPLOYEES MAY BE OFFERED A DEMOTION AS A SOLUTION TO A DOCUMENTED PERFORMANCE ISSUE.

1. ~~An employee who is demoted for cause shall be placed in the lower salary~~ PAY range that will provide a reduction in pay.

2. HUMAN RESOURCES AND THE APPLICABLE DIVISION LEADERSHIP SHALL DETERMINE THE NEW RATE OF PAY BASED ON THE SPECIFIC CIRCUMSTANCES. NO MERIT CONSIDERATION WILL BE INCLUDED.

3. ~~The employee shall be given~~ WILL RECEIVE a new classification date ~~for purposes of merit pay increases and performance evaluations.~~ EFFECTIVE THE DATE OF THE DEMOTION.

1-20-027. CORRECTIVE ACTION PAY REDUCTION

AL. ~~Disciplinary pay reduction.~~ A CORRECTIVE ACTION PAY REDUCTION IS A TEMPORARY REDUCTION IN PAY SUPPORTED BY A CORRECTIVE ACTION.

1. ~~An employee who is being paid a rate of pay higher than the minimum of~~ the-~~THEIR ASSIGNED~~ pay range may be reduced by a percentage or dollar amount on the basis of unsatisfactory work performance or conduct.

2. ~~An employee shall not be paid less than the minimum of the pay range as~~ a result of the ~~disciplinary-~~ CORRECTIVE action.

3. ~~Such action shall require the specific recommendation of the employee's~~ Division Director and the Human Resources Director, with the approval of the City Manager.

~~14.~~ The employee shall be notified in writing by their Division Director not ~~LESS~~ later than two (2) calendar weeks prior to the effective date of the action. Such notice shall inform the employee that they may file a reply with the Division Director and Human Resources Director. THE REPLY MUST BE FILED WITHIN FIVE (5) BUSINESS DAYS OF RECEIVING THE NOTICE. ~~not later than one (1) calendar week prior to the effective date of the action.~~ Such reply shall be reviewed by the City Manager OR DESIGNEE for final action.

2. ~~The employee shall have the opportunity to attach a statement to the notice.~~

~~53.~~ The employee may be returned to their former rate of pay at such time as deemed appropriate by their Division Director.

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6. THE EMPLOYEE IS ELIGIBLE TO RECEIVE THEIR APPLICABLE MERIT INCREASE.

(Ord. No. 2010-10, Amended 06/08/10) (Ord. No. 2017-26, Amended 10/19/17) (Ord. No. 2020-01, Amended 04/17/20, Amended 04/02/21, AMENDED 10/20/22)

1-20-030. WORKING HOURS AND PAY

- A. The average regular work week for full-time classified employees shall be forty (40) hours. The work week for all employees, EXCEPT FIRE SUPPRESSION EMPLOYEES, begins on Sunday morning at 12:01 a.m. and ends the following Saturday at midnight. PURSUANT TO 29 U.S.C. § 207(K), A 14-DAY WORK PERIOD HAS BEEN ESTABLISHED FOR FIRE SUPPRESSION EMPLOYEES (SEE ESTABLISH EMPLOYEE WORK PERIOD DIRECTIVE 2020-1).
- B. ~~As a standard policy, all~~ ALL employees shall be allowed two (2) PAID work breaks of fifteen (15) minutes duration per day AS THE POSITION ALLOWS. ~~All w~~Work breaks ~~shall~~ MAY be scheduled by the supervisor so that work areas are covered. ~~This applies to all personnel except~~
- ~~on duty police officers, on duty fire personnel, operating field crews, employees operating equipment on scheduled routes, and other instances where the nature of the employee's duties prevents orderly scheduling of any specific time for work breaks.~~
- C. UNPAID Lunch periods shall be ~~scheduled~~ PROVIDED for all employees, ~~except those specifically excluded by the City Manager~~. The lunch period will ordinarily last one hour, however, by mutual consent between employee and ~~Department Head~~ DIVISION LEADERSHIP, may be reduced to one-half hour. LUNCH BREAKS MAY BE SCHEDULED BY THE SUPERVISOR SO THAT WORK AREAS ARE COVERED.
- D. Employees shall not be allowed to accumulate work breaks and/or lunch periods for the purpose of taking time off.
- E. Regular salaries and compensation for all City employees shall be paid on a bi-weekly basis.
- F. For the purposes of vacation, sick leave, family leave, personal leave, and holiday leave, a working day shall be considered as equal to .38461 percent of the number of working or duty hours in the established work year for each employee.

1-20-040. OVERTIME PAY

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A. ~~A full-time classified employee who performs authorized work in excess of their regular work week, work day, or shift, shall be compensated for such overtime at the rate of one and one-half (1 1/2) times their regular rate of pay.~~ OVERTIME SHALL BE COMPENSATED AT THE RATE OF ONE AND ONE-HALF (1 1/2) TIMES THE REGULAR RATE OF PAY.

1. Overtime shall be calculated to the nearest one-quarter (1/4) hour of overtime worked.
2. All overtime must be authorized in advance by the appropriate ~~department and ratified by the City Manager or designee.~~ DIVISION LEADER OR DESIGNEE.
3. All unclassified ~~and certain classified~~ job classes shall be exempt from the above overtime provisions upon recommendation of the Human Resources Director ~~and approval of the City Manager.~~ Any such exemptions shall ~~be in compliance~~ COMPLY with the applicable provisions of the Fair Labor Standards Act, as ~~required of~~ APPLICABLE TO municipalities.
 - a. UNCLASSIFIED ~~EE~~ employees ~~in these classes~~ may receive ~~overtime~~ STRAIGHT pay FOR HOURS WORKED IN EXCESS OF 40 HOURS PER WEEK in the event of extraordinary circumstances or emergency conditions. This may be ~~done only by written order of~~ AUTHORIZED BY the City Manager upon recommendation of the Department Head.
 - b. Time off for work performed during extraordinary circumstances or emergency conditions by employees in ~~these~~ job UNCLASSIFIED JOB classes may be authorized and administered by the appropriate Department Head.
4. There shall be no overtime compensation for time spent in attending meetings, including travel time of any kind, which are for the purpose of education or training, except where attendance is made mandatory by the employee's division or Department Head, or such overtime compensation is required of municipalities by the Fair Labor Standards Act.
5. Fire suppression employees ~~working~~ WHO WORK in excess of ~~fifty-six (56)~~ ONE HUNDRED AND SIX (106) hours ~~per~~ IN ANY week FOURTEEN (14) DAY WORK PERIOD shall be compensated pursuant to Section 1-20-040 A~~2~~, except when they are engaged in emergency operations at the end of a shift or while engaged in emergency operations on call back, in which case ~~overtime~~ compensation for emergency scene responses only will be paid ~~at an hourly rate calculated on a forty (40) hour work week.~~ AT A GUARANTEED PREMIUM PAY OF 210%. Emergency operations are those circumstances that create a medical, fire, or hazardous material incidents.

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~~6. — There shall be no overtime compensation for any time spent in travel from the employee's home to the appropriate location where the employee reports to or for work.~~

(Ord. No. 2007-39, Amended, 08/07/07; Ord. No. 2010-10, Amended, 06/08/10; ORD NO. 2022-??, 10/20/22)

1-20-041. COMPENSATORY TIME

Compensatory time off (~~comp time~~) is paid time off the job that is earned and ACCUMULATED ~~accrued~~ by an employee in lieu of immediate ~~cash payment~~ OVERTIME COMPENSATION for working overtime hours. The use of compENSATORY time ~~instead~~ IN LIEU of overtime is limited by Section 7(o) of the Fair Labor Standards Act (FLSA) to a public agency that is a state, a political subdivision of a state, or an interstate governmental agency. Compensatory time cannot be used ~~as a means~~ to avoid statutory overtime compensation.

A. All full-time classified employees are authorized to ~~accrue~~ EARN compensatory time at the rate of one and one-half hours for one hour of overtime worked, in lieu of immediate ~~cash~~ overtime compensation.

B. Compensatory time will not be earned during a work week when an employee is using paid time off such as sick, vacation, personal, holiday or compensatory time. Compensatory time may only be earned when

1. Any non-commissioned classified employee works over forty (40) hours in a work week.

2. Any police commissioned employee works over forty (40) hours in a work week.

3. Any fire suppression commissioned employee WHO works over one hundred ~~eighty-two (182)~~ SIX (106) hours in ~~the twenty-four (24) day~~ A FOURTEEN (14) DAY work period per Section 7(k) of the FLSA.

~~4. — Any wild land fire non-commissioned employee works over one hundred and six (106) hours in the fourteen (14) day work period per Section 7(k) of the FLSA.~~

C. ~~Accrual~~ ACCUMULATION of compensatory time by those eligible employees shall be subject to the approval of each Division Director and shall be based on the unique personnel requirements of each division.

D. No employee shall be allowed to ~~accrue~~ ACCUMULATE in excess of sixty (60) hours, except for fire suppression commissioned personnel, who shall be allowed to ~~accrue~~ ACCUMULATE eighty-four (84) hours. ~~An employee may request to exceed these limitations by completing a Compensatory Time Excess Accrual Authorization Request Form and submitting it to the Division Director. These~~

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~~maximums may be exceeded only upon the approval of the Division Director, Human Resources and the City Manager. Authorization for exceeding the maximum is only valid for the fiscal year in which the form is completed. In no event shall authorization be given to accrue compensatory time in excess of one hundred eighty (180) hours.~~

- E. Any employee who has ~~accrued~~ ACCUMULATED compensatory time and requested use of this compensatory time shall be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the operations of the City. A reasonable period will be determined by considering the customary work practices within the City, based on the facts and circumstances in each case. Such practices include, but are not limited to:
1. Anticipated peak workloads based on past experience,
 2. Emergency requirements for staff and services, and
 3. The availability of qualified substitute staff.
- F. An employee has the right to use compensatory time earned and must not be ~~encouraged~~ ENCOURAGED to accept more compensatory time than the City can realistically and in good faith expect to be able to grant within a reasonable period of THE EMPLOYEE making a request for use of such time.
- ~~G. Hours of compensatory time in excess of the above maximums must be used prior to June 30th each fiscal year. Excess compensatory time not used prior to the June 30th date shall be paid to the employee and not be carried over to subsequent periods.~~
- ~~GH.~~ GH. An employee who intends to earn compensatory time in lieu of overtime shall notify their immediate supervisor prior to submitting a timesheet for the pay period. Otherwise, any eligible overtime will be compensated as overtime wages for the pay period.
- ~~H.~~ H. All compensatory time shall be reported as it is ~~accrued~~ EARNED, or used IN THE TIMEKEEPING SYSTEM, ~~to the Payroll Section.~~
- ~~1. Accruals shall be included on the time entry report submitted by the division and will appear on the employee's pay stub.~~
 - ~~2. Compensatory time used shall be marked "CU" on the time entry report submitted by the division and will appear on the employee's pay check.~~
 - ~~3. Separate compensatory time records shall not be maintained by the division.~~
- I. An employee will be paid for ~~accrued~~ ACCUMULATED compensatory time:

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1. Upon termination of service at a rate of compensation not less than:
 - a. The average regular rate received by such employee during the last three years of employment. When the period of employment is less than three years, the average rate still must be calculated based on the rates in effect during such period. Or
 - b. The final regular rate received by such employee, whichever is higher.
2. Upon moving from a ~~non-exempt~~CLASSIFIED to an ~~exempt~~UNCLASSIFIED position at a rate of pay equal to the employee's current REGULAR hourly rate PRIOR TO THE POSITION CHANGE.
3. UPON MOVING FROM ONE DIVISION/SECTION TO ANOTHER DIVISION/SECTION AT A RATE EQUAL TO THE EMPLOYEE'S REGULAR HOURLY RATE PRIOR TO THE CHANGE.

~~K. The City Manager is authorized to make adjustments for callback and standby pay by administrative memoranda.~~

(Ord. No. 2010-10, Amended, 06/08/10; ORD. NO 2022-//, 10/20/22)

1-20-042. ON-CALL AND CALL-OUT PAY

The purpose of this policy is to establish guidelines for compensation and ensure compliance with the Fair Labor Standards Act (FLSA) regarding the compensation of ~~non-exempt~~CLASSIFIED employees who are required to be available on-call for work outside of scheduled or regular hours.

~~A. DEFINITIONS~~

- ~~1. "Waiting" means an employee is engaged to wait when required to remain on City premises or prescribed work place. Time spent while engaged to wait is Hours Worked under the FLSA.~~
- ~~2. "On Call" is the period of time when an employee is required to carry a cellular phone or pager and must respond to work when paged or called upon.~~
- ~~3. "On Call Compensatory Time" is paid time off the job that is earned and accrued by an employee in lieu of immediate cash payment for On Call hours.~~
- ~~4. "On Call Compensation" compensation paid at one and one half (1 ½) times the employee's Regular Hourly Rate for On Call hours.~~
- ~~5. "Call Out" is the period of time when an employee is called out to perform unscheduled work while On Call.~~

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~~6. “Call Out Compensatory Time” is paid when an employee is called out to perform unscheduled work while On-Call.~~

~~7. “Call Out Compensation” compensation paid at one and one half (1 ½) times the employee’s Regular Hourly Rate for Call Out hours.~~

AB. ELIGIBILITY

- ~~1. Non-Exempt~~CLASSIFIED EE employees who serve On-Call or are subject to Call-Out are eligible for additional compensation and/or compensatory time pursuant to this policy. The employee’s ~~supervisor~~ may elect ~~whether the employee is~~ to be paid compensation or receive compensatory time for On-Call and Call-Out services, ~~based on budget and operational needs of the division.~~
2. An employee may not consume alcohol OR BE IMPAIRED BY ALCOHOL OR OTHER INTOXICANTS while On-Call, ~~or within the four-hour immediately preceding being On-Call.~~ An employee who is On-Call must remain within the local area as described in *Residency Requirements* per section 1-60-101. An employee On-Call is otherwise free to engage in personal activities while On-Call.
3. On-Call time begins when an employee ~~or other employees are~~IS not required to be on the City’s premises, on duty, or at the prescribed work place.
4. An employee On-Call who fails to ~~promptly respond to~~ARESPOND WITHIN THE PRESCRIBED TIME LIMIT TO A Call-Out will not be paid for On-Call time and/or may be subject to ~~discipline~~CORRECTIVE ACTION.

BC. PROCEDURESADMINISTRATION

- ~~1. An employee On-Call shall receive one (1) hour of On-Call Compensation for eight (8) hours the employee is scheduled On-Call. This will be calculated by taking the total hours of On-Call multiplied by 0.125.~~AN EMPLOYEE ON-CALL SHALL RECEIVE 12.5% OF THE REGULAR RATE OF PAY FOR EACH ONE (1) HOUR OF ON-CALL COMPENSATION.
2. An employee who is On-Call and called out to work will receive Call-Out Compensation or Call-Out Compensatory Time, but not On-Call Compensation.
3. An employee who is called out to work ~~by the employee who is On-Call~~WHEN THEY ARE NOT ON CALL, will receive Call-Out Compensation or Call-Out Compensatory Time.

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4. An employee on Call-Out shall receive one (1) hour of Call-Out Compensation or Call-Out Compensatory Time for each hour the employee is performing Call-Out duties. The employee shall receive a minimum of two (2) hours of Call-Out Compensation or Call-Out Compensatory Time each time the employee is required to ~~respond~~ REPORT to A Call-Out.

~~5. The immediate supervisor shall code On-Call hours as OS (On-Call Compensation) or CS (On-Call Compensatory Time) when submitting the employee's time sheet.~~

~~6. The immediate supervisor shall code Call-Out hours as O3 (Call-Out Compensation) or C3 (Call-Out Compensatory Time) when submitting the employee's time sheet.~~

57. Employee's shall report hours as Hours Worked for all hours spent ENGAGED IN Waiting.

68. An employee who is ENGAGED TO WAIT ~~Waiting~~ shall be compensated at the employee's Regular Hourly Rate unless overtime is required per policy 1-20-040 *Overtime Pay*.

~~D. EXAMPLE~~

~~A Water Services employee's shift ends at 4:00 p.m. and they are scheduled to be On-Call beginning at 6:00 p.m. when the last shift at the plant leaves until 6:00 a.m. when the first shift at the plant begins. The employee responds to a plant alarm from 2:00 a.m. to 4:30 a.m. The following is an outline of how this employee will be compensated for On-Call and Call-Out hours.~~

~~On-Call 9.5 hours~~

~~Call-Out 2.5 hours~~

~~On-Call Compensation or Compensatory Time is 1.19 hours (i.e. 12 On-Call hours minus 2.5 hours of Call-Out equals 9.5 hours. 9.5 On-Call hours multiplied by 0.125 equals 1.19 hours of On-Call Compensation.~~

~~Call-Out Compensation or Compensatory Time is 2.5 hours.~~

Link(s):

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~~FLSA Hours Worked~~

(Ord. No. 2018-18, Amended 06/15/18, ~~Ord. No 2022-??, 10/20/22~~)

1-20-050. ACTING PAY COMPENSATION

~~A.~~ A. — CLASSIFIED AND UNCLASSIFIED NON-emergency service employees (excluding temporary employees and employees who are serving their initial probationary period) who are:

- ~~1. Designated to perform the duties of a position that is of a higher classification or PAY range than their normal job due to a vacancy or absence; OR,~~
2. ACTING DUE TO A VACANCY WHERE THE EMPLOYEE IS TAKING ON PARTIAL RESPONSIBILITIES AND/OR DOES NOT MEET THE MINIMUM REQUIREMENTS FOR THE POSITION (AND IS THEREFORE NOT ELIGIBLE FOR A TEMPORARY PROMOTION).
3. AN UNCLASSIFIED EMPLOYEE WHEN COVERING FOR A VACANCY IN THE SAME PAY RANGE AS THEIR NORMAL JOB.

~~A.B.~~ ACTING PAY ASSIGNMENTS MUST BE FOR TEN (10) DAYS (TWO (2) WORK WEEKS) OR GREATER AND DO NOT LAST GREATER THAN TWELVE (12) WEEKS.

~~C.~~ ACTING PAY WILL BE PAID RETROACTIVE TO THE EFFECTIVE DATE OF THE ASSIGNMENT.

~~_____ in the higher classification or range of more than ten (10) consecutive working days, the employee will receive Acting Pay Compensation.~~

- ~~1. Acting Pay Compensation will begin after the non-emergency service employee has worked out of class in the same position for more than ten (10) consecutive working days (a working day is defined in Section 1-20-030 F).~~
- ~~2. Acting Pay Compensation will be paid retroactive to the effective date of the assignment.~~
- ~~3. An employee will receive a five (5) percent increase for Acting Pay Compensation. Under exceptional circumstances a Department Head may request a greater than a five (5) percent increase, with approval from the City Manager.~~

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~~D.B.—CLASSIFIED Fire, Police, Airport staff; , and other employees POSITIONS who THAT are designated APPROVED by the Department Head to respond to an emergency situation, (excluding exempts) and OR are required by the Department DIVISION Head to perform the duties of a position that is of a higher classification or range than their normal job due to a vacancy, absence, or required staffing level in the higher classification or range will receive Acting Pay Compensation under the following circumstances:~~

- ~~1. Acting Pay will be paid hour-for-hour for each hour the employee works in a position with IN a higher classification or PAY range.~~
- ~~2. An employee will receive a five (5) percent increase for Acting Pay Compensation.~~

~~C. At the end of the assignment, the employee will return to their regular assignment and pay.~~

~~E. THE AMOUNT OF ACTING PAY IS A MINIMUM OF 5% AND WILL VARY BASED ON THE ASSIGNMENT (LINK). EXCEPTIONS MAY BE REQUESTED BY SUBMISSION OF A JUSTIFICATION TO THE CITY MANAGER OR DESIGNEE.~~

~~F. MERIT INCREASES AS WELL AS ANY OTHER APPLICABLE SALARY ADJUSTMENTS WILL BE APPLIED TO THE REGULAR RATE OF PAY WHEN THEY ARE BECOME EFFECTIVE DURING AN ACTING PAY ASSIGNMENT.~~

~~G. WHEN THE ACTING PAY ASSIGNMENT IS COMPLETED, THE EMPLOYEE SHALL RETURN TO THEIR FORMER POSITION AND RATE OF PAY, INCLUSIVE OF ANY PAY ADJUSTMENTS EFFECTIVE DURING THE ACTING PAY ASSIGNMENT.~~

~~1-20-051. SUPPLEMENTAL PAY~~

~~A. Exempt employees (excluding temporary employees and employees who have not worked for the City for six (6) months or more) may receive supplemental pay for performing supervisory/managerial duties at the same or lower range than their classification or range which are outside their normal duties due to an absence or a vacancy under the following conditions:~~

- ~~1. The Department Head must submit a memo to the Human Resources Director for approval describing the managerial/supervisory duties the employee will be assuming.~~
- ~~2. An employee is eligible for supplemental pay after assuming the duties for more than ten (10) consecutive working days not to exceed six (6) months. Exceptions may be made with prior approval from the Human Resources Director and City Manager.~~

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- ~~3. Supplemental pay will be paid retroactive to the effective date of assuming the duties.~~
- ~~4. An employee will receive five (5) percent increase and under special circumstances a Department Head may request a greater than a five (5) percent increase. Exceptions may be made with prior approval from the Human Resources Director and City Manager.~~
- ~~5. At the end of the assignment, the employee will no longer be eligible for the supplemental pay.~~

1-20-052. TEMPORARY PROMOTION

- A. A Department Head may appoint a qualified employee in good standing (excluding probationary and temporary employees) to another existing position on a temporary basis. This may be accomplished without observing regular recruiting and hiring procedures. HOWEVER, AN INTERNAL SOLICITATION OF INTEREST WITHIN THE DIVISION (OPTION TO EXTEND CITY-WIDE) WILL BE CONDUCTED TO ENSURE ALL QUALIFIED, INTERESTED EMPLOYEES ARE CONSIDERED. APPROVAL BY THE HUMAN RESOURCES DIRECTOR AND THE CITY MANAGER OR DESIGNEE IS REQUIRED. ~~by submitting a written justification to the Human Resources Director for review of appropriate classification, minimum qualifications, salary etc. and final approval by the City Manager or his/her designee.~~
- B. The following conditions must apply:
 1. A specific vacant position must exist AND SHOULD BE POSTED PROMPTLY FOR RECRUITMENT TO MITIGATE EXTENDED TEMPORARY ASSIGNMENTS.
 2. The employee must meet the minimum qualifications for the position, must have a good performance record, and not currently be involved in any ~~disciplinary~~ CORRECTIVE ACTION process.
 3. The employee's temporary promotion does not, in any way, guarantee the temporary promotion position to the employee on a permanent basis. The temporary promotion does not confer any explicit preference to the employee in competing for the position if and when a permanent opening occurs.
 4. A temporary promotion must last longer than thirty (30) days but not more than one (1) year. Exceptions may be made with prior approval from the Human Resources Director and City Manager.
 5. The employee will receive a new salary rate in the new PAY range.

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- a. CALCULATED IN ACCORDANCE WITH 1-20-020, B, APPROPRIATE SALARY.
- b. IN NO CASE SHALL THE RATE OF PAY BE LOWER THAN THE MINIMUM OF THE NEW PAY RANGE.
- c. IN NO CASE SHALL THE INCREASE BE LESS THAN 5%.
HOWEVER, THE INCREASE MAY NOT RESULT IN A PAY RATE ABOVE THE MAXIMUM OF THE PAY RANGE.

~~5. that results in a minimum of a six (6) percent increase whichever is greater, with the flexibility for a higher amount with prior approval from the Human Resources Director and City Manager or his/her designee as outlined in Section 1-20-020.~~

- 6. An employee who is temporarily promoted ~~is not required to serve an administrative review and~~ may be returned to ~~his/her~~ THEIR regular assignment at any time.
- 7. The employee's regular position shall be guaranteed to ~~him/her~~ THEM during the tenure of the temporary promotion.
- 8. When the temporary promotion is completed, the employee shall return to ~~his/her~~ THEIR former position and salary rate, which will include any merit increase OR OTHER SALARY ADJUSTMENT TO THEIR REGULAR RATE OF PAY THAT BECAME EFFECTIVE DURING THE TEMPORARY PROMOTION. ~~the employee may be eligible for.~~
- ~~9. If the employee is permanently placed into the position he/she temporarily promoted to, then he/she will keep the salary that was established at the time of the temporary appointment and will be required to serve an administrative review as outlined in Section 1-30-061. The time spent serving in the temporary promotion will not count towards the administrative review.~~
- ~~10. The employee shall receive any merit increase for which he/she is eligible for and any other salary adjustments granted to all employees in that classification.~~

ARTICLE 1-30. EMPLOYMENT

1-30-060. PROBATIONARY PERIOD

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

The probationary period is the initial period of adjustment when the CLASSIFIED employee is learning about the City and their new position and the employee is provided with training and guidance from their supervisor.

- A. Probationary periods are designed to provide a reasonable amount of time to evaluate an employee's performance.
 - ~~1. Non-exempt non-commissioned employees will serve a six-month probationary period.~~
 - ~~2. Non-exempt Municipal Court and non-exempt commissioned employees will serve a one-year probationary period. The probationary period for Police Officers will begin after the completion of the Field Training Officer (FTO) Program.~~
- ~~B. Probationary period may be extended by no more than six (6) months per section 1-30-061.B Performance Evaluation System Probationary Evaluation.~~
- BC. Upon successful completion of a probationary period, a ~~non-exempt~~CLASSIFIED employee shall be granted tenured status in the position in which the probationary period is served.
- CD. Time spent serving as a temporary employee will not count towards the probationary period.
- DE. The appropriate Division Director may dismiss the probationary employee at any time during the probationary period when the employee is not progressing or performing satisfactorily per section 1-40-122 Dismissal of Probationary Employee.

(Ord. No. 2012-14, Amended, 10/02/12); (Ord. No. 2007-39, Amended, 08/07/07, ORD. NO. 2022-??, 10/20/22)

1-30-061. PERFORMANCE EVALUATION SYSTEM

The performance evaluation system ESTABLISHES CONSISTENT ORGANIZATIONAL COMPETENCIES AS WELL AS JOB SPECIFIC COMPETENCIES FOR EACH POSITION CLASSIFICATION (EXCLUDING TEMPORARY AND CONTRACT PERSONNEL). THE SYSTEM ALSO SUPPORTS THE DEVELOPMENT OF GOALS BY THE SUPERVISOR AND THE EMPLOYEE. ~~enables the creation of reasonable performance expectations by the supervisor and the employee.~~ The formal evaluations of the employee's work behavior, PERFORMANCE, AND GOAL ACHIEVEMENTS help the employer and the employee build on the strengths of the employee, RECOGNIZE ACHIEVEMENTS, and identify those areas the employee needs improvement to be more effective and efficient in their job.

A. EVALUATION PROCESS

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

1. The supervisor will prepare the evaluation based on the review of the following items:
 - a. A comparison of the employee's performance with the performance expectations ~~established upon the employee's date of hire or the previous year's evaluation;~~
 - b. The duties and responsibilities of the employee's position; and
 - c. COMPETENCIES
 - d. ON ORGANIZATIONAL VALUES;
 - e. ACHIEVEMENT OF ESTABLISHED GOALS;
 - f. Supervisory notes taken during the evaluation period; AND
 - e-g. INPUT PROVIDED FROM THE EMPLOYEE ON THEIR SELF-EVALUATION.-
2. ~~The supervisor's evaluation~~ WILL ~~should~~ be based on an employee's actual performance and not on personal prejudice, bias or favoritism.
- 2.3. THE EVALUATION MAY INCLUDE MULTIPLE SUPERVISORS IF APPLICABLE FOR THE RATING PERIOD.
- 3.4. ~~The online evaluation system, or the supervisor,~~ will notify the employee ~~to login to the online evaluation system and complete the pre-review input section of the evaluation form.~~ TO COMPLETE THEIR SELF-EVALUATION. This allows the employee an opportunity to present ~~his or her~~ THEIR accomplishments for the year and assist the supervisor in completing the performance evaluation.
- 4.5. The supervisor will meet with the employee to review the performance evaluation. The supervisor will discuss the employee's strengths, GOAL ACHIEVEMENTS, AND areas of improvement with suggestions for improvement. GOALS AND A PROFESSIONAL DEVELOPMENT PLAN ARE ALSO ESTABLISHED ~~and expectations and goals~~ for the upcoming year.
5. ~~An employee will login to the online evaluation system, select agree or disagree with evaluation rating, provide a written statement and electronically sign the evaluation.~~
6. The evaluation will be retained online in the ~~online evaluation system~~ 201 PERSONNEL FILE.

B. PROBATIONARY EVALUATION

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

1. All ~~non-exempt~~CLASSIFIED employees will be evaluated during their probationary period to ensure satisfactory performance, ~~based on the following schedule:~~

~~A non-commissioned non-exempt employee shall be evaluated at three and six months from their date of hire.~~

2. CLASSIFIED, NON-COMMISSIONED EMPLOYEES WILL SERVE A SIX (6)-MONTH PROBATIONARY PERIOD (EXCEPT AS LISTED BELOW).

- a. 3. ~~A non-exempt employee of the Municipal Court, POLICE COMMUNICATIONS, AND POLICE AND FIRE COMMISSIONED EMPLOYEES WILL SERVE A ONE (1)-YEAR PROBATIONARY PERIOD.~~ shall be evaluated at four, eight and twelve months from their date of hire.

~~b. A non-commissioned non-exempt Police Department employee working in the Communications Center shall be evaluated at six and twelve months from their date of hire.~~

~~c. A commissioned non-exempt employee of the Fire Department shall be evaluated at three, six, nine and twelve months from their date of hire.~~

~~d. A commissioned non-exempt employee of the Police Department shall be evaluated at six and twelve months after their completion of the Field Training Officer (FTO) Program.~~

- 4.2. The probationary evaluation schedule may be extended up to ~~six~~THREE (3) months. ALL EXTENSIONS OR EXCEPTIONS REQUIRE THE APPROVAL OF HUMAN RESOURCES AND THE DIVISION DIRECTOR. ANOTHER PERFORMANCE EVALUATION IS REQUIRED TOMUST BE COMPLETED PRIOR TO THE END OF THE EXTENDED PROBATIONARY PERIOD. ~~by completing the following process:~~

~~a. The supervisor submits a request in writing outlining the reason for and length of the probationary period extension and the request is approved by the Section Head, Division Director, Deputy City Manager and Human Resources Director prior to the end of the probationary period.~~

~~b. The supervisor notifies the employee in writing the probationary period has been extended and the employee acknowledges by signing the written document.~~

~~c. The employee acknowledgement is filed in the employee's personnel file.~~

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

~~d. — Another performance evaluation is completed before the end of the extended probationary period.~~

53. An employee is deemed to have satisfactorily completed the probationary period when an extension is not requested prior to the end of the probationary period.

~~4. — An employee who does not perform satisfactorily during the probationary evaluation period may be discharged per section 1-40-022 Dismissals of Probationary Employees.~~

~~5. — Exempt employees do not serve a probationary period; thus, a probationary evaluation is not required.~~

~~C. — ANNUAL EVALUATION~~

~~1. — After an employee has completed the probationary evaluation or administrative evaluation period, the rating period shall be annually upon the employee's hire or classification date.~~

~~2. — Exempt evaluations shall be completed upon the employee's anniversary or classification date.~~

~~3. — Upon budgetary approval non-exempt and exempt employees with an overall evaluation score of meets expectations or above will receive a merit increase, except when the employee is at the maximum of the pay range.~~

~~4. — Council appointed employee evaluations shall be completed on the anniversary of and prior to the end of the service agreement.~~

~~5. — Additional evaluations may be required upon request from the immediate supervisor.~~

~~D. — ADMINISTRATIVE EVALUATION~~

~~1. Non-exempt and exempt employees who are promoted, demoted, transferred, or voluntarily reassigned to another position are subject to an administrative evaluation based on the following schedule:~~

~~1. — A non-commissioned non-exempt or exempt employee shall be evaluated at three and six months from their date of promotion, demotion, transfer, or voluntary reassignment to another position.~~

~~2. — A non-exempt or exempt employee of the Municipal Court shall be evaluated at four, eight and twelve months from their date of promotion, demotion, transfer or voluntary reassignment to another position.~~

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

- ~~3. A non-exempt or exempt Police Department employee working the Communications Center shall be evaluated at six and twelve months from their date of promotion, demotion, transfer or voluntary reassignment to another position.~~
4. A commissioned non-exempt or exempt employee shall be evaluated at six and twelve months from their date of promotion, demotion, transfer or voluntary reassignment to another position.
- ~~2. An employee who does not perform satisfactorily during the administrative evaluation period may be returned to their previous position, provided a vacancy exists. Should no vacancy exist at the time, the employee shall be recommended for termination. The employee is eligible to request a hearing before the Personnel Board per section 1-10-40.C Personnel Board Request for Hearing.~~
- ~~3. Additional administrative evaluations may be required upon request from the immediate supervisor.~~

D. ANNUAL EVALUATION

1. CLASSIFIED AND UNCLASSIFIED EMPLOYEES SHALL BE EVALUATED ANNUALLY ON THEIR CLASSIFICATION DATE (EXCLUDES TEMPORARY AND CONTRACT PERSONNEL).
2. COUNCIL APPOINTED EMPLOYEE EVALUATIONS SHALL BE COMPLETED ON THE ANNIVERSARY OF AND PRIOR TO THE END OF THE SERVICE AGREEMENT.

(Ord. No. 2012-14, Amended, 10/02/12); (Ord. No. 2019-10, Amended 07/02/19, ORD. NO. 2022-??, 10/20/22)

1-30-070. REINSTATEMENT – REHIRE EMPLOYMENT

REINSTATEMENT

- A. A.—Any tenured classified employee who has been suspended, demoted, or dismissed may be reinstated to their position as a result of an appeal to the Personnel Board and upon the approval of the City Manager. In the event of such reinstatement, the employee may be entitled to their former status of employment and all pay and benefits lost as a result of the disciplinary CORRECTIVE action.
- B. B.—Former full-time classified and unclassified employees with less than thirty (30) days' break-in-service may be reinstated TO THE SAME POSITION (AN APPROVED VACANT POSITION MUST BE AVAILABLE) at the

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

request of the Department Head and upon approval of the City Manager (A RECRUITMENT IS NOT REQUIRED). ~~Other former employees, except those on re-employment lists, will be treated in the same manner as all other applicants and subject to all normal selection processes.~~

REHIRE

A. THE FOLLOWING REHIRE PROVISIONS WILL BE APPLICABLE TO FORMER FULL TIME CLASSIFIED AND UNCLASSIFIED EMPLOYEES WITH AT LEAST ONE CONSECUTIVE YEAR OF PRIOR SERVICE AND A BREAK IN SERVICE OF LESS THAN TWELVE (12) MONTHS WHO ARE REHIRED THROUGH A RECRUITMENT PROCESS

1. THE REHIRED EMPLOYEE WILL RECEIVE A NEW CLASSIFICATION DATE DETERMINED AS FOLLOWS: ORIGINAL DATE OF HIRE PLUS NUMBER OF DAYS GAP IN SERVICE = NEW CLASSIFICATION DATE.
2. THE REHIRED EMPLOYEE'S SALARY CALCULATION WILL BE COMPLETED PURSUANT TO 1-20-020, B, APPROPRIATE SALARY. IF THE EMPLOYEE RETURNS TO THE SAME POSITION, THE SALARY CALCULATION WILL NOT RESULT IN A REDUCTION IN PAY.
3. THE EMPLOYEE WILL BE ASSIGNED TO THEIR PRIOR VACATION ACCRUAL TIER.
4. THE EMPLOYEE WILL HAVE ANY FORFEITED SICK LEAVE (MINUS ANY PAYOUTS) REINSTATED TO THEIR BANK, AND CONSISTENT WITH ALL HIRES RECEIVE AN ADVANCE OF SIX (6) DAYS OF SICK LEAVE AVAILABLE FOR IMMEDIATE USE. SHOULD THE REHIRED EMPLOYEE LEAVE EMPLOYMENT PRIOR TO FULFILLING SIX (6) MONTHS OF EMPLOYMENT, USE OF ANY ADVANCED LEAVE SHALL BE DEDUCTED FROM THEIR COMPENSATION UPON SEPARATION.
5. THE EMPLOYEE WILL BE ELIGIBLE FOR CITY BENEFIT PROGRAMS PURSUANT TO GOVERNING PLAN DOCUMENTS.
6. EMPLOYEES REHIRED TO THEIR FORMER POSITION, PROGRAM, SECTION AND DIVISION WILL NOT SERVE A PROBATIONARY PERIOD. ALL OTHER CLASSIFIED REHIRES WILL BE REQUIRED TO DO SO.

~~ARTICLE 1-40. EMPLOYEE STATUS PERSONNEL ACTIONS~~

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

~~1-40-010. PROMOTION~~

- ~~A. A change in an employee's work to more extensive duties, together with higher minimum qualifications and pay range, is a promotion. This includes when an employee is transferring from one pay plan to another and the new classification is in a higher pay range than the employee's current classification.~~
- ~~1. Promotions, as defined in Section 1-40-010 A, will be a division option in filling a vacancy.~~
 - ~~2. When a vacancy occurs within a division, the Division Director may request Human Resources to establish a promotional list of qualified workers.~~
 - ~~3. Upon promotion to another range, an employee shall receive a rate of pay as outlined in Section 1-20-020 B and H.~~
 - ~~4. Upon promotion, the employee shall be given a new classification date effective at the time of appointment and begin completing an administrative review in the new class. Refer to Section 1-30-061 for more information regarding administrative review.~~

~~(Ord. No. 2010-10, Amended, 06/08/10) (Ord. No. 2020-01 Amended, 04/17/20)~~

~~1-40-020. VOLUNTARY REASSIGNMENT~~

- ~~A. An employee may request a voluntary reassignment to a lower range for any reason. A voluntary reassignment shall require the approval of the Department Head under whom the employee will serve, the Human Resources Director, and the City Manager. A voluntary reassignment shall not be granted unless a vacancy exists. An employee taking such a voluntary demotion may be placed in any salary step of the appropriate salary schedule that does not provide any increase in salary and shall be given a new classification date for purposes of merit pay increases.~~
- ~~B. An employee taking a voluntary reassignment may be placed in any salary step of the lower pay grade that does not provide any increase in salary and will be given a new classification date for purposes of merit pay increases and performance evaluations and will complete a six (6) month administrative review. Refer to Section 1-30-061 for more information.~~
- ~~C. Voluntary reassignment as a result of an impending lay-off shall be in accordance with the provisions of Section 1-40-050 (Reduction in Force).~~
- ~~D. Employees requesting a voluntary reassignment will be required to complete an administrative review as outlined in Section 1-30-061.~~

~~1-40-030. TRANSFER~~

ADDENDUM 31 EMPLOYEE HANDBOOK OF REGULATIONS

~~A. — A change of an employee's place of employment from one division to another or from one department to another or from one position to another in the same pay range shall be considered a transfer.~~

- ~~1. — If the transfer includes a change from one department to another, both Department Heads must consent to the transfer. The consent of the employee shall not be required when their pay is not affected by the transfer.~~
- ~~2. — The employee will maintain his/her current rate of pay and will retain his/her classification date for purposes of merit increases and performance evaluations.~~
- ~~3. — No employee shall be transferred to a position for which they do not possess the minimum qualifications, unless the City Manager authorizes an on-the-job training appointment.~~
- ~~4. — An employee who transfers to another position in the same pay range, from one division to another or one department to another shall be required to complete an administrative review. Refer to Section 1-30-061 for more information.~~

~~1-40-031. — DEMOTION~~

- ~~A. — When an employee is moved to a lower pay range for disciplinary reasons, this is considered a demotion.~~
- ~~B. — An employee who is demoted shall be placed in any salary step of the appropriate salary schedule that does not provide any increase in salary and shall be given a new classification date for purposes of merit increases and performance evaluations.~~
- ~~C. — Employees who are demoted will be required to complete an administrative review as outlined in Section 1-30-061.~~