

Initiated by: City Manager Hunter
Date: August 24, 1993
Public Hearing: September 28, 1993

Action: *Amended*
Vote:

Highlighted sections indicate additions; overstruck sections indicate deletions.

ORDINANCE #93-28

AN ORDINANCE OF THE CITY OF BETHEL ALASKA, AMENDING THE PERSONNEL RULES & REGULATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA, THAT THE CITY OF BETHEL PERSONNEL RULES & REGULATIONS ARE AMENDED AS FOLLOWS:

Section 1. DEFINITIONS. As used in City of Bethel Personnel Rules

A. "Anniversary date" means the day of the month following appointment as a regular employee upon successful completion of the probationary period. Anniversary date of a promoted employee shall become the date of promotion. Anniversary date of a demoted employee shall become the date held before the demotion. The anniversary date will be advanced by the number of calendar days that total leave without pay exceeds 30 days during the employee's anniversary year.

O. "Exempt" means the position requires the independent judgement of the employee and periods of extended work that exceed normal office hours, work day and work week of the employer, and the employee shall fulfill the duties of the position regardless of the extended hours required. Any time in excess of the normal hours in a day or week will not be compensated or credited in any manner and includes the following positions:

1. Police Chief
2. Fire Chief
3. Public Works Director
4. Finance Director
5. City Clerk
6. Port Director
7. Planning Manager

And any other positions which City Council may exclude by ordinance or resolution.

S. "In writing" means on or attached to a Personnel Action Request form.

T. "Just cause" means that sufficient justification exists for the proposed action against an employee. "Just cause" applies to behavior by an employee which is detrimental to the discipline, public image or efficiency of the City of Bethel as an employer. As so defined, proof of any one of the following shall constitute "just cause"

7. violation of a written City of Bethel policy, procedure or regulation, which was known or reasonably should have been known to the employee;

8. violation of an oral directive which was known or reasonably should have been known to the employee;

. "~~Personnel Office Director~~" means ~~that office designated by the City Manager to take care of and be the City of Bethel City Manager or his designee~~ responsible for personnel matters within the City of Bethel job service.

X. "Personnel Review Advisory Board" means a board consisting of three members who are appointed by the Mayor, with the approval of the City Council. One member shall be employed by the City of Bethel and the other two members impartial citizens of the city. The Board shall conduct its business in accordance with applicable municipal ordinances. The board will periodically review and make recommendations on these rules and any amendments thereto. The City Manager will submit recommendations to the Board for its review and approval. The Board's recommendations will be forwarded to the City Council for final review and approval. Periodic reviews under this section may be conducted at least once each 8 months.

Section 2. Introduction

This manual includes procedures that are associated with the Personnel Rules and Regulations and contract(s). It is intended to be used as a working guide for administrative action by Department Heads and all others concerned with the day-to-day administration of matters relating to personnel administration.

When changes occur in the Rules and/or contracts, modifications, amendments, deletions or additions will be made to these procedures and distributed to all Department Heads and all others concerned with administration of Personnel Rules and Regulations.

Signed City Manager

Section 3. 3.0 Statement of Purpose.

~~The purpose of these rules is to implement and give effect to the intent and requirements of the City of Bethel to establish and operate a system of personnel administration based on approved merit principles and professional methods of governing the recruitment, selection, employment, transfer, removal, discipline and welfare of employees, and other incidents of city employment.~~

~~It is the general intent of these rules to establish policies which will serve as a guide to administrative action concerning the various personnel activities and transactions. Employee relations bulletins will be issued periodically to amplify the rules by more detailed procedures.~~

~~It is the purpose of these rules to give effect to the provisions of the Bethel Municipal Code covering positions defined therein as being in the classified service. The rules shall be applied in accordance with the ordinances of the City of Bethel pursuant to Alaska Statutes.~~

- ~~A. To establish for employees in the classified service a system based on merit principles and designed to secure efficient administration.~~
- ~~B. To govern the appointment, promotion, demotion, transfer, layoff, removal and discipline of such employees and other incidents of City employment on the basis of merit and fitness.~~

Section 4. 3.012 SCOPE OF COVERAGE AND AMENDMENT OF RULES.

A. Department Policy

~~Upon coordination with the City Manager, Department Heads may establish written department policies which do not conflict with the provisions of these Personnel Rules. The department policies may be more strict than these Personnel Rules, but must not violate state or federal labor laws. A copy of these department policies and the Personnel Rules shall be available to all affected employees.~~

B. Grant Programs

~~When an employee is employed under the provisions of a special grant program the provisions of that grant which conflict with these Personnel Rules shall apply.~~

~~C. Amendment~~

~~Employees and Department Heads are encouraged to submit recommended additions or modifications to the Personnel Office or City Manager at any time. The administration may submit additions or modifications of the Personnel Rules to the City Council for its consideration at any time.~~

~~A. These rules apply to all City employees except those employees covered by a contract which contains provisions contrary to these rule.~~

~~B. The City Manager shall be appointed, serve at the pleasure of the City Council and paid in accordance with the terms of his/her contract. The City Clerk shall be appointed, terminated and paid in a manner determined by the City Council.~~

C. Amendment to Rules

~~The Personnel Director, with the approval of the Personnel Board, may amend these rules and regulations not inconsistent with provisions of the Bethel Municipal Code as deemed suitable and necessary to carry out provisions of the code. Amendments shall be adopted by the Personnel Board only after a public hearing has been held. After adoption by the Personnel Board, the Personnel Director shall forward the amendments to the City Council for approval or disapproval.~~

~~All amendments to these rules and regulations shall apply only to those employees in active service on the date of final approval, and those hired after approval, and shall not be retroactive unless specified.~~

Section 5. 3.06 PERSONNEL RECORDS AND GENERAL PERSONNEL FILES.

~~D. In accordance with Alaska statutes and the Privacy Act of 1974, all records maintained by the Personnel Office Director, including applications for employment, personnel, payroll or medical files which reveal personal, financial or medical information which would constitute an unwarranted invasion of privacy, shall be confidential to the extent that they include an analysis, evaluation or critique of an employee's performance, their disclosure may reveal personal information, about an employee or his dependents, such as telephone numbers and addresses, or otherwise constitute an unwarranted invasion of privacy. which is confidential.~~

Section 6. 3.024 CLASS SPECIFICATIONS.

~~A. Job Descriptions
6. all federal, state and municipal requirements.~~

RANGE	POSITION
00	Teen Aid: Youth Services Program Assistants (Senior Ctr): Adult Day Care Aid Cook's Aid Driver Janitor Woodshop Aid
01	None
02	None
03	Attendant: Landfill Laundromat Community Service Officer Cook (Senior Center) Program Aid: Adult Daycare Senior Center Youth Services
04	Administrative Assistants: Municipal Dock Planning Police Receptionist
05	Accounting Technician: Utilities Animal Control Officer Communications Officer Driver: Sanitation/Utilities Streets & Roads Water/Utilities Maintenance Worker: Building Utilities Oiler Port Attendant Program Specialist: Youth Services
06	Administrative Coordinator: Administration Public Works Grader Operator--Streets & Roads Health Coordinator: Senior Center Maintenance Mechanic I Outreach Coordinator: Senior Center Program Coordinator: Administration Adult Day Care Municipal Dock Pumphouse Operator Purchasing Agent Staff Accountant: Accounts Payable Payroll Sales Tax Utilities

RANGE	POSITION
07	Boiler Specialist Fire Fighter/EMT Heavy Equipment Mechanic Investigator (Drug Grant) Mechanic II Police Officer Program Coordinator: Youth Services
08	Accounting Manager Fire Captain Foreman Building Maintenance Streets & Roads Utilities Utility Maintenance Vehicles & Equipment Planning Manager Police Sergeant
09	Police Lieutenant Senior Fire Captain
10	City Clerk Port Director Program Manager: Senior Center
11	None
12	Finance Director Fire Chief Police Chief Public Works Director
13	City Manager

FOLLOWING ARE UNPAID POSITIONS THAT ARE NOT LISTED ON THE CLASSIFICATION PLAN:

Volunteer:

EMT Responders
Fire Fighters
Reserve Patrol Officers

Highlighted sections indicate additions; overstruck sections indicate deletions.

Section 8. 3.031 GENERAL POLICY.

A. ~~The Personnel Office Director shall recruit all candidates for employment. establish a process for the recruitment of all candidates for employment.~~

Section 9. 3.033 TYPES OF ANNOUNCEMENTS.

B. Recruitment Announcement Shall be Circulated

~~within the department.~~

2. ~~In-house within the City of Bethel workforce.~~

-3. Open-competitive both within the City of Bethel work force and publicly.

Section 10. 3.044 EXAMINATIONS.

A. Character

7. a ~~pre-employment~~ post-employment health examination;

Section 11. 3.061 CERTIFICATION AND SELECTION OF CANDIDATES.

~~To fill a vacancy on the basis of an examination, the Department Head shall submit a request for filling a vacancy to the Personnel Office. This requisition shall indicate the number and identity of positions to be filled and the title of the job to which they have been allocated, and include all other pertinent information deemed necessary. The Department Head shall make such request as far in advance as possible of the date the employee is to begin work.~~

~~When a vacancy occurs, the Department Head will submit a request to fill position form prescribed by the Director of Personnel including the pertinent facts relative to the duties, responsibilities and qualification requirements of the position which is to be filled. If a certification list of eligible candidates is available, certification will be made in the manner herein prescribed. The Department Head shall make such request as far in advance as possible of the date the employee is to begin work.~~

Section 12. 3.062 CERTIFICATION OF CANDIDATES.

A. ~~Upon request, the Personnel Office may deliver to the Department Head the names of all candidates who may be eligible for examination for the particular vacancy. Upon request by the Department Head, the Personnel Office may certify additional~~

~~candidates. If the list of candidates established as a result of the open competitive advertisement for a vacancy is exhausted, the Department Head and Personnel Office may choose to re-advertise or advertise on a continuous basis.~~

~~B. If a re-employment list exists for a position for which a request has been received, the Personnel Office shall submit a list of persons available for re-hire to the Department Head.~~

A. In the filling of all vacancies, with the exception of transfers, the names certified to the Department Head shall be those of the three persons included in the highest three rankings pursuant to an examination and the names of those candidates whose employment may assist the department to reach its Equal Employment Opportunities program goals. Upon request by the Department Head, the Personnel Director may certify additional candidates. If the list established as a result of open-competitive examination for the position is exhausted, the Personnel Director may readvertise, prepare and submit a second list of candidates for consideration.

B. If a re-employment list exists for a position for which a request has been received, the Personnel Director shall certify the qualified unranked candidates.

Section 13. 3.063 SELECTION OF NEW EMPLOYEES.

~~The desired selection by the Department Head shall be reported to the Personnel Office. Department Heads must have developed and use a fair and impartial ranking system to select personnel for vacant positions. All tests and evaluation procedures to rank prospective employees must be approved by the Personnel Office. At the same time, the Department Head must indicate the reason for non-selection of the other names listed on the certification list and forward it to the Personnel Office. No offers of employment, transfer or promotion either oral or written will be made by anyone but the Department Head or the Personnel Office.~~

The desired selection by the Department Head shall be reported to the Personnel Director. At that time, the Department Head must indicate the reason for non-selection of the other names listed on the certification list and forward it to the Personnel Director for his appointment action. No offers of employment, transfer or promotion, either oral or written, will be made by anyone but the Personnel Director.

Section 14. 3.064 PREFERENCE GUIDE FOR SELECTION.

- A. Current City of Bethel employees;
- B. Reinstatement of veteran returned timely from military leave;

- C. Reinstatement from demotions, suspensions or dismissals, successfully appealed;
- ~~D. Transfer or demotion in lieu of layoff;~~
- D. Re-employment from lay off, within one year;
- E. Demotion for disciplinary reasons, into same or parallel classification;
- ~~G. Transfer for reasons other than layoff.~~

Section 15. 3.066 TYPES OF APPOINTMENTS.

E. Acting Appointment

~~An acting appointment of expected duration of at least 5 working days requires that the acting employee be offered the lowest rate of pay for the position that he is acting in, or the next highest step, for the acting position range, that is above his current pay level, whichever is higher.~~

Section 16. 3.071 PURPOSE.

~~The probationary or working test period shall be required as an integral part of the examination process and shall be utilized by the supervisor and Department Head for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employee whose performance does not meet the required work standards.~~

Regular status in the City of Bethel service is acquired by successfully completing a probationary period. This probation is the final step in the examination process in which the individual demonstrates his ability and fitness while management determines whether an employee is suitable. The probationary period for most positions is 6 months. Department Heads may request up to an additional 3 month's probation for a particular employee. Fire and Police Departments may have special conditions that will require a longer probationary period. These departments may request a probationary extension to total year. All requests for extension must be approved by the City Manager.

Section 17. 3.072 PROBATION; DURATION OF PROBATION.

~~All employees appointed to a regular or part-time position must complete a working test during a probationary period. Any person appointed to a position from an open-competitive, re-employment, promotion, demotion or transfer list shall require a probationary period.~~

- D. The Department Head may recommend that the City Manager consider service rendered in a an acting or temporary position in connection with an assessment of a person's qualifications to apply for a position. The Department Head may consider service rendered in a temporary position as probationary service for an appointment directly to a regular position that is the same as the acting or temporary position and provide a recommendation to the City Manager.

Section 18.

3.073 PROBATION; FORMER AND CURRENT EMPLOYEES.

All employees appointed to a regular or part-time position must complete a working test during a probationary period. Any person appointed to a position from an open-competitive, re-employment, promotion, demotion or transfer list shall require a probationary period.

A. Re-employed Employees in the Same Position

~~Re-employed employees~~ Employees re-employed in the same position shall be subject to a probationary period only to the extent of completing any incomplete probationary period, except that employees re-employed to a position in a different department shall be subject to the probationary period in the different department at the option of the Department Head with the approval of the City Manager. ~~Prior city service in a position in the same classification, in the same department, shall be credited toward completion of the current probationary period if the break in city service does not exceed one year.~~

B. Promoted Employees

~~An employee promoted to a position in the same job classification prior to completion of his probationary period shall complete his probationary period in the lower position by service in the higher. For example if a person has completed three months in the lower position he shall serve three months in the higher position to complete his probation. This employee shall be considered as having completed regular status in the lower position, and be assigned regular status in the higher position, after successful completion of the applicable probationary period following his promotion.~~

An employee promoted to a position in a the same or higher job classification prior to completion of his probationary period shall complete the full probation in the promoted position. An employee promoted to a position in a the same or higher job classification after completion of a probationary period shall complete the full probationary period in the promoted position. An employee who has already successfully completed a probationary period in any position will not lose the

following benefits during a transfer

1. Leave Benefits
2. Utility Benefits
3. Health/Medical Benefits
4. Retirement Benefits
5. Other normally earned city employee benefits.

C. Transferred Employees

~~When a regular employee transfers to a position in the same classification within a department, no probationary period shall be served. When a regular employee transfers to a position in the same classification in another department, or transfers to another classification in another department, the receiving Department Head concerned shall make the decision whether a probationary period will be served, subject to approval of the City Manager. The employee concerned shall be notified in writing of the requirement to serve a probationary period, before the transfer.~~

An employee transferred to a position in the same or higher job classification prior to completion of his probationary period shall complete the full probation in the transferred position. An employee transferred to a position in the same or higher job classification after completion of a probationary period shall complete the full probationary period in the transferred position.

Any employee who has already successfully completed a probationary period in any position will not lose the following benefits during a transfer

1. Leave Benefits
2. Utility Benefits
3. Health/Medical Benefits
4. Retirement Benefits
5. Other normally earned city employee benefits.

D. Demoted Employees

~~When an employee is demoted to a position in a class where he previously held regular status, no probationary period shall be served, except in the case of demotion for disciplinary reasons. When an employee is demoted to a position in which he did not hold regular status, the Department Head shall decide whether a probationary period will be served, subject to approval of the City Manager. The employee concerned shall be notified of the decision, in writing, before the demotion.~~

An employee demoted to a position prior to completion of his probationary period shall complete the full probation in the demoted position. An employee demoted to a position after completion of a probationary period shall complete the full probationary period in the demoted position.

E. Acting Appointment

No probationary period will be required when serving in an acting status. Time served in an acting appointment shall not count toward completion of probation but and may be counted toward experience required in minimum qualifications for the position.

Section 19. 3.074 STATUS UPON COMPLETION OF PROBATION.

B. Extension of Probationary Period

The probationary period of an employee may be extended for a period of time not to exceed three months (6 months for the Police and Fire Department) at the option of the Department Head and with prior written approval of the City Manager. Notice of such extension and reasons for it shall be given in writing to the employee, with a copy to the City Manager, prior to the end of the established probationary period. Such an extension does not affect or change the anniversary date for the employee.

C. Separation During the Probationary Period

If at any time during the probationary period, the Department Head determines that the services of a new or rehired employee ~~have been unsatisfactory~~ fails to meet acceptable standards, the employee may be separated from his position for just cause without right of hearing or appeal. ritten notice of such dismissal shall be given to the employee prior to taking action. A Department Head may give the dismissed employee a reason for the dismissal, upon request for such.

Section 20. 3.081 PERFORMANCE APPRAISAL.

C. Nature, Form and Frequency of Reports

The Personnel Office ~~Director~~ shall prescribe the nature, form and frequency of performance evaluation reports, shall investigate the accuracy of challenged performance evaluation reports and shall, when justified, take any necessary action required to ensure that the evaluation report accurately reflects the facts. The Personnel Office ~~Director~~ shall provide for uniform application of evaluation

standards. Performance evaluation reports shall be made ~~at the third month of the probationary period,~~ before completion of each probation period, annually before anniversary dates, upon promotion, demotion or transfer, ~~and for every separation of employees who have worked at least 90 days regardless of the reason.~~ Performance evaluation reports may also be completed at any other time at the discretion of a Department Head.

Section 21. 3.111 RESIGNATIONS AND DISMISSALS.

~~A. Notice of Resignation~~

A. Resignations

1. Notice of Resignation

An employee who desires to terminate shall give at least two week's written notice to his immediate supervisor. The period of notice may be reduced or waived by the Personnel Office Director upon recommendation of the Department Head. A notice of resignation shall become part of the personnel file.

~~B. Withdrawal of Resignation~~

2. Withdrawal of Resignation

An employee may withdraw his resignation only prior to the effective date stated in the applicable notice of resignation with the written approval of the Department Head.

~~C. Failure to Give Adequate Notice~~

3. Failure to Give Adequate Notice

Failure to give adequate notice shall be noted on the employee's separation documents and shall preclude preferential consideration for future employment.

~~D. Effective Date of Termination~~

4. Effective Date of Termination

The effective date of termination pursuant to a notice of resignation shall be

the last day on which the employee works.

B. Dismissals

An employee may be dismissed by the employee's Department Head for activities prohibited by the Bethel Municipal Code and the Personnel Rules & Regulations, for insubordination, inefficiency, abuse of sick leave, misconduct or other similar just cause. The Department Head must provide a five day written notice, setting forth in detail the reasons, and file a copy with the Director of Personnel. The employee may appeal in writing within five working days of the date of receipt of the letter of dismissal to the Personnel Director by requesting a hearing.

Section 22. 3.112 LAYOFFS.

A. Reason for Layoff

Layoffs may be necessary due to the following

~~1. elimination of a position in the work force;~~

The Department Head may lay off an employee when he/she deems it necessary by reason of shortage of work or funds, the abolition of the position, material change in the departmental organization, or for other related reasons which are outside of the employee's control and which do not reflect discredit upon the services of the employee.

2. end of a substitute appointment upon return of the incumbent when the substitute's transfer to another position has not been achieved;
3. failure of an employee to successfully complete the probationary period following promotion when the City Manager determines that there is no other position available to which that employee may be demoted.

Section 23. 3.113 ~~TERMINAL LEAVE~~ Severance Pay.

The value of an employee's accumulated ~~annual~~ leave shall be paid to him without undue delay along with his final paycheck following separation. There is no provision for ~~terminal leave severance pay~~. The employee's final paycheck shall be available at the within the prescribed State of Alaska time limits. Upon termination the employee will also be required to complete the necessary termination paperwork as required by the City of Bethel.

Section 24.

3.121 PAY PLAN.

B. Policy

~~The policy of the City of Bethel is to pay salaries and wages consistent with prevailing practices and pay in the Bethel area and municipal governments generally. Due consideration shall be given to the differentials in cost of living and work conditions involved and other benefits provided by the employer.~~

~~This policy and procedure applies to all appointments within the pay plan of the City of Bethel for full-time and part-time employment.~~

~~The hiring rate of pay for initial employment in the pay plan shall normally be paid at the base rate of the salary range for the pay plan upon appointment. Appointment rates above the base rate may be paid if the Department Head submits to the City Manager a written request and proof that a prospective employee is entitled to a higher rate because of extraordinary qualifications.~~

~~If a former employee is re-employed in a class comparable to the one which he/she was previously employed, the Department Head may, with the approval of the City Manager, make an appointment at the growth rate of pay which the employee had been receiving at the time of termination of service.~~

Procedure

~~A. Department Head not wishing to appoint above the base rate for the class as specified in the pay plan shall enter the base rate on the Personnel Action Form.~~

~~B. Department Head wishing to appoint a new employee above the base rate for the class as specified in the pay plan must submit a request in writing to the City Manager stating the reasons for the higher salary rate. The request may only be based on extraordinary qualifications of the prospective employee. All such requests must be made prior to making a commitment to the prospective employee by the Department Head.~~

~~Requests based on extraordinary qualifications must contain sufficient documentation of the nature and extent of such extraordinary qualifications to clearly demonstrate that the person, if hired, will perform above that which would normally be expected of a new employee in the class.~~

~~2. Requests to appoint at higher than base rate due to re-employment~~

situation must state the pay step of the former employee at the time of separation and the step at which the Department Head wishes to place the person upon their re-employment.

C. Once the request is received by the City Manager, it will be reviewed and investigated. A response will be prepared stating the decision of the City Manager and sent to the Department Head as quickly as possible. A verbal approval may be given if necessary, but will be followed by a written response.

D. Any Personnel Action Request Form for the initial appointment at a higher than base rate for the classification must be accompanied by a copy of the Department Head's written request and written approval of the City Manager.

Section 25. 3.124 ENTRANCE PAY RATES.

E. Starting Rate on Lateral Transfer

When an employee is assigned to a new position at the same classification level and department for which he is qualified and which has the same salary grade, he shall be transferred at the rate he was receiving, and no probationary period shall be served. His date of next increase shall remain the same as in his former position.

F. Demotion

2. Anniversary Date

Anniversary date of a demoted employee shall become the date held before the demotion of successful completion of the probationary period.

4. Probationary Period

~~When employees are demoted to a position in a classification where they previously had regular status, no probationary period shall be served. Employees who are demoted for disciplinary reasons shall serve a probationary period but shall not receive a probationary pay increase.~~

An employee demoted to a position prior to completion of his probationary period shall complete the full probation in the demoted position. An employee demoted to a position after completion of a probationary period shall complete the full probationary period in the demoted position.

Section 26. 3.125 ADVANCEMENTS WITHIN A PAY RANGE.

A. On Completion of Probation

Upon satisfactory completion of the probationary period after initial appointment, the entrance salary of the employee may be advanced one increment to the next higher step in the salary range for the class to which his position is allocated. The probationary period may be extended and probationary increase withheld with prior written approval of the City Manager in accordance with Rule 7. Exceptions are

- . where these rules specify elsewhere that no probationary increase shall result, even though a probationary period must be served;
2. where employees are promoted, appointed or reappointed at the maximum step;
3. when employees are part-time, they shall be paid at the hourly rate in the step assigned for the actual number of hours worked in each period. Appointment shall be in probationary status, and a probationary pay increase shall may be awarded, if earned, when an employee has completed six months of continuous service. A step increase shall may be awarded if earned, after one year of continuous service after successful completion of the probationary period. Part-time employees shall be entitled to all fringe benefits, including health plan, insurance, and retirement as specified in the plan documents.

Section 27. 3.128 SPECIAL TYPES OF APPOINTMENTS.

C. Acting Appointments

~~An acting appointment shall be paid either at Step A or that step in the range of the higher class which provides a step increase above the current step, provided the employee is able to carry on the duties of the position. Employees who are eligible for overtime in their regular position shall also be eligible for overtime in an acting appointment. No employee shall be permanently appointed to the acting employee's vacated position.~~

Policy

~~This procedure applies to an acting appointment of an employee who has been assigned to a class with a higher pay rate either because of the absence of an incumbent employee who is in the higher classification or because the operating requirements present the need for such duties to be performed for a period of time.~~

Acting assignment should not exceed six (6) months in duration. However, a Department Head is not precluded from requesting that an acting assignment be continued beyond the six months indicated provided the Department Head can show that the continuation of the assignment is necessary and that the need will exceed six (6) additional months.

2. Procedure

The following criteria must be met before an employee can be appointed to an acting assignment to a higher class:

- A. The employee must possess the minimum qualifications of the higher classification.
- B. The employee must perform the full range of duties at the higher classification when assigned.
- C. The assignment should not cover normal scheduled vacations or for sick leave of less than one week duration.

Before requests for acting assignments to higher classes can be approved, the Department Head must provide the City Manager with justification and indicate the change in title and salary.

The employee appointed to the acting assignment in a higher classification shall receive an increase in pay at least one full step in the acting assignment pay plan, unless the maximum salary of the higher classification is less than a full step above the employee's present salary. In such case, the employee's salary shall be raised to the maximum of the acting assignment classification to provide for a full step increase above the employee's present salary.

Requests to extend an acting assignment beyond the time limits must be made in writing to the City Manager at least one week prior to the end of the time limit. The City Manager shall review the request and determine if it is in compliance with the Rules and Regulations and/or union contract language. The City Manager shall notify the Department Head of his/her decision orally, then by signature approval. The City Manager will be able to respond quickly when the above procedures are followed regarding the request for acting appointment.

Section 28. 3.129 OVERTIME.

A. Policy

Exempt Employees

Exempt employees hold positions that require the independent judgement of the employee and periods of extended work that exceed normal office hours, work day and work week of the employer, and the employee shall fulfill the duties of the position regardless of the extended hours required. Any time in excess of the normal hours in a day or week will not be compensated or credited in any manner. The following positions are exempt

1. Police Chief
2. Fire Chief
3. Public Works Director
4. Finance Director
5. City Clerk
6. Port Director
7. Planning Manager
8. Any other positions which the City Council may exclude by ordinance or resolution.

Section 29. 3.1512 LEAVE WITHOUT PAY.

Department Heads, with the approval of the City Manager ~~and the Personnel Office~~, may grant leave without pay to any regular employee for a period not to exceed one () year.

Section 30. 3.163 MOVING EXPENSES.

~~Whenever a professionally or technically qualified person~~ Department Head changes his place of residence for the purpose of accepting employment with the city, such person may be reimbursed for actual and necessary expenses in accordance with written provisions as established by the City Council and City Manager.

Section 31. This amendment becomes effective upon passage.

PASSED AND APPROVED THIS _____ DAY OF _____, 993.

James H. Feaster III, Mayor

ATTEST

Jane Elam, City Clerk