

CITY OF CLOVIS

PERSONNEL RULES AND REGULATIONS

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City of Clovis

PERSONNEL RULES AND REGULATIONS

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RULE I. DEFINITION OF TERMS

The following terms, whenever used in these rules, shall be defined as follows:

1. "Advancement": A salary increase within the limits of a pay range established for a class.
2. "Allocation": The assignment of a single position to its proper class in accordance with the duties performed, and the authority and responsibilities exercised.
3. "Appointing Authority": The City Manager, pursuant to the authority delegated by the City Council, or designee.
4. "At Will Status": The status of an employee who is appointed to a position who serves at the will of the appointing authority or the City Council. At will employees may be terminated at any time, with or without cause, or advance notice. Such employees do not have appeal rights upon termination and are not subject to a probationary period.
5. "Class": All positions sufficiently similar in duties, authority, and responsibility, to permit grouping under a common title and the application with equity of common standards of selection, transfer, promotion and salary.
6. "Class Specification": The official description of a class that includes the title, a definition, a statement of duties and responsibilities and the employment standards such as education, experience, knowledge and skills.
7. "Classification Plan": The arrangement of positions in classes, together with the title and specifications describing each class.
8. "Competitive Service": A grouping of positions that have an established set of duties and requirements as outlined in published classification specifications that are filled through competitive examination. Positions that are not considered to be part of competitive service are identified in the Clovis Municipal Code.
9. "Continuous Employment": A period of time which begins with the date of hire and ends with the effective date of termination/resignation.
10. "Confidential Employee": Means an employee who, in the course of his or her duties, has access to confidential information relating to the City's formulation of financial, personnel, labor relations and administrative policies.
11. "Continuous Examination": An open-competitive examination which is administered periodically and as a result of which names are placed on an employment list, in order of final scores, for a period of no more than one year.

12. "Day": Is defined and used as calendar day throughout this document unless otherwise noted.
13. "Demotion": The movement of an employee from one class to another class having a lower maximum rate of pay.
14. "Eligible": A person whose name is on an employment list.
15. "Employee": A person employed by the City, excluding persons elected to office, volunteers or those appointed to serve on boards, commissions, or committees by the Mayor or Council.
16. "Employee Status": The condition of a person's present appointment such as probationary, regular, promotional probationary, transfer probationary, at will, or extra help. Employees may work on a full or part time-basis.
17. "Employment List": A list of names of persons who have taken a competitive examination for a class in the competitive service and have qualified.
18. "Exempt Employee": An employee who meets one or more of the duties test exemption from overtime under the Fair Labor Standards Act (FLSA) (e.g., executive, administrative, professional) and who is paid on a salary basis.
19. "Extra Help": An employee who is hired usually for an indeterminate period of time that maybe limited in duration and is classified as an intern, provisional or temporary worker. Extra help employees possess at will employment status, and are only paid for hours worked.
20. "Full Time Position": A position that normally works forty hours per work week, certain exceptions may apply in the police and fire departments.
21. "Interim Appointment": An appointment of a person who possesses the minimum qualifications established for a particular class and who has been appointed to a position in that class in the absence of available eligibles.
22. "Management Employee": An employee having responsibility for formulating, administering or managing the implementation of City policies and programs.
23. "Non-Exempt Employee": An employee who is entitled to FLSA overtime, regardless of whether paid on a salary or hourly basis.
24. Open-competitive Examination: An examination for a particular class which is open to all persons meeting the qualifications for the class.
25. "Part-Time Position": A position that normally works less than 40 hours per week.

26. "Personnel Commission": The Personnel Commission established in the ordinance creating a personnel system for the City.
27. "Personnel Ordinance": Article 2 of Chapter 2.2 of Title 2 of the Clovis Municipal Code which creates a personnel system for the City.
28. "Personnel Officer": The Personnel Officer is the City Manager or designee.
29. "Position": As authorized by the City Council, usually in conjunction with the adoption of a budget or budget amendment, a combination of duties and responsibilities requiring the full or part-time services of an employee.
30. "Probationary Period": The final phase of the selection process that is used by the Appointing Authority for the evaluation and effective adjustment of an employee. The usual duration of a probationary period is twelve months. This period must be completed satisfactorily before an employee is granted regular status in the assigned classification. Probationary employees can be released before completing the probationary period and the Appointing Authority may grant an extension of the probationary period. Personnel Actions subject to a probationary period of one year are appointment to a regular position, competitive promotion, reemployment, transfer to a different classification, or other change of classification where the employee has not previously completed a probationary period.
31. "Probationary Status": The status of an employee who is appointed to a regular position and who has not completed the required probationary period. An employee on probationary status serves at the pleasure of the Appointing Authority and has no appeal rights on termination.
32. "Promotion": The movement of an employee from one class to another class having a higher maximum rate of pay.
33. Promotional Examination: An examination for a particular class, admission to the examination being limited to regular and probationary employees in the competitive service who meet the qualifications for the class.
34. "Promotional Probationary Status": The status of an employee who has been appointed to a regular position who has completed an initial probationary period but is now in the process of completing a new probationary period due to a promotion within City service.
35. "Regular Position": A position authorized by the City Council in the budget or by resolution as a regular position and is paid from the regular salaries line item of the budget.
36. "Regular Status": The status of an employee appointed to a regular position who has completed the required probationary period.

37. "Reinstatement": The re-employment without examination of a former permanent or probationary employee.
38. "Resignation": The voluntary action of an employee who separates from City employment. Typically, resignations are submitted in writing. Employees who do not provide at least two weeks notice may be ineligible for reemployment. After a resignation has been accepted it may not be withdrawn without the approval of the City Manager.
39. "Supervisory Employee": An employee who participates in recommendations regarding hiring, transfers, suspensions, lay offs, recall, promotions, discharges, assignments, rewards, or disciplining other employees, or responsibility to direct them, or to adjust their grievances, or to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
40. "Suspension": The temporary separation from the service of an employee without pay, for disciplinary purposes.
41. "Temporary Employee": An employee appointed to a position which is not an authorized regular position or to a regular position for a limited period of time, either full-time or part-time.
42. "Temporary Status": The status of an employee who is hired to work temporarily in a regular or temporary position. An employee with temporary status may be released without cause or advance notice and has no appeal rights upon termination. Temporary employees are only paid for hours worked.
43. "Termination": Any involuntary separation, other than layoff, of an employee.
44. "Transfer": A change of an employee from one position to another position in the same class or in a comparable class.
45. "Transfer Probationary Status": The status of an employee who has been appointed to a regular position, completed an initial probationary period and is in the process of completing another probationary period due to a transfer to another classification with the same maximum salary.
46. "Vacant Position": Any position that has been authorized by the City Council and is not currently filled by an employee.

RULE II. GENERAL PROVISIONS

1. Fair Employment: The City will not discriminate in its employment practices in regard to race, color, ancestry, national origin, religious creed, sex, age, physical or mental disability, marital status or political opinion or affiliation.

RULE III. CLASSIFICATION

1. Preparation of Plan: The Personnel Officer, or a person or agency employed for that purpose, shall ascertain and record the duties, responsibilities and requirements of all positions in the competitive service and, after consulting with appointing authorities and heads of departments affected, shall recommend a classification plan for such positions. The classification plan shall consist of classes of positions in the competitive service defined by class specifications, including the title. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class. The classification plan shall be adopted and may be amended from time to time by resolution of the City Council.
2. Allocation of Positions: Following the adoption of the classification plan, the Personnel Officer shall allocate every position in the competitive service to one of the classes established by the plan.
3. New Classifications/Positions: Notice will be provided to the applicable bargaining unit when a new classification is created advising the unit of the salary range assignment and the opportunity to meet and confer regarding the salary range assignment before adoption of the new classification. When a new classification/position is created, before the same may be filled, the Appointing Authority shall notify the Personnel Officer, and, except as otherwise provided by Ordinance or these Rules, no person shall be appointed or employed to fill any such position until the classification plan has been amended and an appropriate classification specification has been established for such position.
4. Reclassification: Positions, the duties of which have changed materially so as to necessitate reclassification, shall be allocated by the Personnel Officer to a more appropriate class, whether new or already created. The applicable bargaining unit will be advised of the reclassification action. Reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions.

RULE IV. COMPENSATION

1. Compensation Policy: The City Council shall, by resolution or Memoranda of Understanding, establish wage rates or salary schedules for each classification. The City

Manager is responsible for recommending such rates or schedules to the City Council and may use data from a variety of sources when developing such recommendations.

2. Five Step Salary Range Plan: Regular employees in the competitive service, except for management employees, shall be placed within a five step salary range as follows:
 - a. The first step shall be the minimum rate and shall normally be the hiring rate for the class. In cases where it is difficult to secure qualified personnel, or if a person of unusual qualifications is engaged, appointment may be made by the Appointing Authority at the second or third step. Initial appointments above step three must be authorized by Council action.
 - b. The second step is an incentive advancement to encourage an employee. An employee may be advanced to the second step by the Appointing Authority after the completion of one year actual and continuous satisfactory service.
 - c. The third step represents the middle value of the salary range and is the rate at which a fully qualified, experienced and ordinarily conscientious employee may expect to be paid after a reasonable period of satisfactory service. The Appointing Authority may advance an employee to the third step after the completion of not less than one year of actual and continuous satisfactory service at the second step.
 - d. The fourth step is for an employee whose work is above standard for the classification/position. The Appointing Authority may advance an employee to the fourth step at the completion of not less than one year of actual and continuous service at the third step upon satisfactory evidence that the employee's work is above standard.
 - e. The fifth step is for an employee whose work is consistently above standard service. The Appointing Authority may advance an employee to the fifth step after completion of not less than one year of actual and continuous service at the fourth step upon satisfactory evidence that the employee's work has been consistently above standard.
 - f. In any case where, by reason of unusual circumstances, rigid adherence to the foregoing principles relating to salary adjustments would cause a manifest injustice, the Appointing Authority may make a salary adjustment based upon the unique qualifications/experience of the employee and the circumstances.
 - g. Notwithstanding the foregoing provisions of this Section, when an employee is promoted or reclassified from one class to another having a higher overlapping salary range, or when a given classification is assigned to a new salary range, such employee shall be adjusted to the minimum of the new range or to the next higher rate than that attained in the former position, whichever is higher, but thereafter shall be governed by this Section; provided, however, that such adjustment made by assigning a given classification to a new salary range shall not alter the anniversary

date or the eligibility of the employee for consideration for a regular increase under this Section unless the employee is required to complete a probationary period in the new classification.

- h. Rates of compensation provided for by this Section or Memorandum of Understanding, unless otherwise shown, are fixed on the basis of dollars per month for full time service in full-time positions. If any position provided for is by appropriate language specified or indicated as being for less than full time service, the rate of compensation provided for such position shall be proportionately reduced.
 - i. A permanent employee filling a position in a higher classification on a temporary basis shall be paid the minimum rate of the new pay range of the position being filled temporarily or the next higher rate above his/her regular salary, whichever is higher.
- 3. Management Employees: The first through third steps are considered entry level dependent upon experience and qualifications. The fourth step is considered the mid range representing a highly qualified and experienced level. The remaining steps require sustained above standard or better performance for advancement to and maintenance of these levels.
- 4. Temporary Employees: Temporary employees shall be appointed and compensated in accordance with administrative directives issued by the City Manager.
- 5. Performance Evaluations: It is the responsibility of the immediate supervisor to observe and evaluate the job performance of assigned staff as well as to provide appropriate orientation to the job. The purpose of the performance evaluation is to encourage open communication between the employee and immediate supervisor regarding expectations and performance, identify opportunities for professional development and establish goals and objectives for future progress and development.

After successful completion of a probationary period, the performance evaluation is conducted on an annual basis, or more frequently, if appropriate. The anniversary of a personnel action, such as promotion, demotion, transfer to a different class, or reclassification, determines the due date of the performance evaluation.

RULE V. APPLICATIONS AND APPLICANTS

- 1. Job Announcements: All notices for vacant positions in the competitive service shall be publicized by posting announcements for five (5) days on official bulletin boards in City Hall and by such other methods as the Personnel Officer deems advisable. The announcements shall specify the title and pay of the class for which the examination is announced; the nature of the work to be performed; preparation desirable for the performance of the work of the class; the manner of making application; and other pertinent information.

