



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Family and Medical Leave Policy
Creation Date: November 1, 2011
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

The Human Resources Director is authorized to approve Family and Medical Leave of Absences within the following City Policies:

- A. The City of El Paso will use a "rolling" 12 months period measuring backward to calculate FMLA authorized leave of absence.
- B. Employees are entitled to multiple FMLA cases as long as the FMLA Leaves are not to exceed the maximum 12 weeks as described in the federal law in the twelve month time period.
- C. Employees eligible for FMLA leave status will begin their FMLA leave period from the first day eligible.
- D. Employees eligible for FMLA leave status will be placed on FMLA in conjunction with other leave of absence reason(s) such as workers' compensation, military, personal or family illnesses etc.
 - a. Failure to provide medical documentation in a timely manner will result in the employee not being eligible for FMLA. Any leave posted and or paid may be converted to leave without pay, vacation, or AWO. An employee, who does not provided proper documentation in the required period of time, may be disciplined up to and including termination.

b. The City may declare an employee on FMLA Status (without full documentation) if first hand information is available to the chain of command that provides evidence that the employee is on a legal FMLA Status.

E. All City Leave Rules and Policies in effect at the time of the FMLA Leave of Absence will be followed except as prescribed under applicable federal and state laws. Employees on FMLA will use all their appropriate leave balances in accordance with City Procedures before being placed on unpaid leave.

An administrative process not governed by Charter, should be addressed in policy. Governed by Federal Law. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Investigating Sick Leave Abuse and Overuse Policy
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon
DESCRIPTION:

~~**Duties of Department Heads: Authority to Investigate Sick Leave Use**~~ **Investigating Sick Leave Abuse and Overuse Policy**

I. Policy

The Human Resources Director or Department Head or his designee is authorized to investigate an employee's record of sick leave usage when the employee has either a low sick leave balance or seems to have established a pattern of usage.

II. Reasons to inquire or investigate shall include, but are not limited to, the following:

- A. Habitual use of sick leave in single or partial day increments, without current medical documentation
- B. A pattern of using sick leave on a payday, the first work day the employee is scheduled to work after a payday, the day before or after a scheduled day off or using sick leave as soon as it has been accrued.
- C. A pattern of using sick leave to avoid overtime or weekend or holiday work shifts
- D. Using 40 or more hours of unplanned sick leave during a quarter of a calendar year or for two (2) or more consecutive quarters, without current medical documentation.

III. Procedures:

- A. The Department Head granting sick or Emergency Leave will immediately report the leave and subsequently, the individual's return, to the Human Resources Director. The Department Head or the Human Resources Director (or his designee) may at any time inquire or investigate into the use of sick leave or Emergency Leave and require medical certification for all subsequent absences, or take other appropriate action. ~~consistent with the Charter or these Rules this policy:~~

- B. After the investigation, the Department Head should determine if there is reason to believe that the employee is abusing or miss using their sick leave accrual benefits. If there is no evidence that the sick leave is being abused, the employee will be informed. If the Department Head or designee determines that there has been abuse or miss use , he will detail that abuse in writing and inform the employee that the he will be required to provide medical documentation in order to use any additional sick leave for a determined period of time. Normally the employee will be placed on leave status:
- ~~A. Be instructed to obtain the necessary license or certificate.~~
 - ~~B. Upon acquiring the necessary license or certificate the employee will be re-instated in their position and appropriate disciplinary action will be given to the employee.~~
 - ~~C. Failure to obtain the necessary licenses or certificates within a reasonable amount of time will result in appropriate disciplinary action.~~

An administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Departmental Rules
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: ~~Sick Leave Conversion Incentive~~ **Sick Leave Conversion Policy**

I. Policy: A Sick Leave Conversion Policy is established for the benefit of eligible employees to convert sick leave to sick leave personal days. ~~Sick Leave Conversion Incentive~~

II. Procedure:

- A. A regular employee in the City Service is eligible to participate in the Sick Leave Conversion Incentive program.
- B. Two times each year, eligible employees may request up to eight (8.0) hours of sick leave to be converted to additional Sick Leave Personal Day (SPD), if the employee has not missed any scheduled shifts for the periods indicated below:

September 1 – February 28

March 1 – August 31

- C. The total number of hours earned each fiscal year shall not exceed 16 hours. Absences due to a work related injury, qualified Americans with Disabilities Act (ADA) conditions, or for qualified military leave shall not be counted as absences for purposes of this program. (Added 8/25/09)

An administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Documentation to Employee's File
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: Documentation to Employee's File

Policy:

In order for memorandums, formal counseling, or other documentation of an employee's performance, to be made part of the employee's personnel file, such documentation must be received by the Human Resources Department no later than 120 days following the issuance of such documentation.

An administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Driver's Safety Standards
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: **Driver's Safety Standards Policy**

I. Policy:

This policy applies to all ~~City~~ CoEP employees, applicants, and volunteers. Motor vehicles are used to conduct City business and to deliver many of its services to the community. Only City employees completing assigned tasks and in support of official business for the City of El Paso may operate or be passengers in City-owned vehicles. Exceptions are allowed for law enforcement, emergency responders and fire suppression personnel completing essential functions of their jobs. Any other exceptions are at the discretion of the City Manager.

When driving is a condition of employment, the employment offer will be made contingent upon satisfactory proof of an acceptable driving history.

No vehicle, while on ~~City~~ CoEP business, shall be operated by an improperly licensed driver or by a driver with an unacceptable driving record as defined within this policy.

The Human Resources Director shall have responsibility to manage and direct the drive qualification policy.

Employees who operate a vehicle must obey traffic laws and in a reasonable and prudent manner ~~use common sense~~. In addition, employees who operate a vehicle- either a city vehicle or their own private vehicle as part of fulfilling of their duties shall obey the rules listed in the City of El Paso Safety Manual for vehicle operations including department rules regarding operation, vehicle maintenance and safety checks. Every employee operating a City-owned, City-leased, or a private vehicle in connection with his/her official duties shall at all times do everything that can be reasonably done to avoid accidents.

II. Procedures:

Applicants

A Motor Vehicle Record (MVR) check will be required of all original and promotional applicants certified to positions which require driving a vehicle on public thoroughfares as a duty.

Applicants will be rejected and removed from the eligible list if the MVR reveals they:

- a) Do not have a valid and current driver's license (including any necessary endorsements or additional licensing required for the positions from the state of residence of the applicant/employee, current valid driver's license issued by a state of the United States.
- b) Have a temporary or provisional commercial driver's license or if an out of service order is in effect for any CDL Driver; had three (3) moving violations in the preceding 18 months or one DWI in the preceding 24-month period (on or off the job) which resulted in placement or acceptance into a pre-trial diversion program, court supervised probation or conviction.
- c) Has been convicted of a felony involving the use of a motor vehicle had three (3) accidents for which they received a ticket and were placed or accepted into a pre-trial diversion program, court supervised probation or convicted within a period the preceding of thirty-six (36)-months prior to the review; or period (on or off the job); or two or more within the last 12 months.
- d) Has been convicted of DWI and/or DUI within a period of thirty-six (36) months prior to the review; or
- e) Has, within a period of thirty-six (36) months prior to the review been convicted of any combination of moving violation and/or motor vehicle accidents, whether in Texas or out of state, totaling three (3) or more.
- ~~d)f)~~ Any combination of ~~d~~b and ~~e~~e.
- ~~e)g)~~ Have an outstanding Department of Public Safety and/or Municipal Court Arrest Warrant.
- ~~f)h)~~ Have any driving record which is not indicative of a responsible driver as determined by the Human Resources Department.

All applicants for uniformed Fire and Police, and other departments which require driving must comply with the higher standards determined to be necessary by the department.

City employees must have an valid~~unexpired~~ certificate of defensive driving before driving a city vehicle. (Amended 07/11/06, 8/25/09).

Applicants rejected for any of the above reasons may reapply as soon as they meet the standards or apply for positions not requiring driving duties.

Applicants from out-of-state must possess a valid driver's license from their state of residence and be able to obtain a valid Texas driver's license within the time prescribed by the Texas Department of Public Safety when they become Texas residences.

Applicants must maintain a valid driver's license issued by the state in which they reside.

CoEP Employees

Any employee who resides in Texas and operates a CityeEP vehicle or any vehicle on CityeEP business shall possess a valid Texas driver's license, ~~and it must be obtained within 30 days of date of hire.~~ It is the Department Head's responsibility to assure the employee receives a Texas license within 30 days of hire. The class of license will be appropriate to the vehicle operated during CityeEP employment.

Any employee who does not reside in Texas and operates a City vehicle or any vehicle on City business shall possess a valid driver's license from his state of residence.

The Human Resources Director will verify driving records on all new hires for whom driving while on CityeEP business is a job requirement, and will maintain a master list of all CityeEP approved drivers.

At the annual performance evaluation, or more frequently if determined to be necessary by the Department Head or the Human Resources Director, driving records will be discussed with employees whose work duties require operating a motor vehicle. The validity of the employee's ~~Texas~~ driver's license will be reviewed as well.

Any CityeEP driver found to have an unacceptable driving record as determined by Section II of this policy, may be subject to appropriate disciplinary action up to and including discharge.

~~Operators~~ City employees with driving responsibilities shall immediately report to their supervisor any suspensions, restrictions, limitations, revocation or restriction of driver's license or any other change in their driving status which violates the standards. Failure to do so may result in disciplinary action including termination.

Volunteers

This policy shall also apply to people serving the CityEP in a volunteer capacity.

Standard for Operation of Vehicles

1. All persons operating a motor vehicle on behalf of the CityEP must have a valid driver's license and have completed a CityEP approved Defensive Driving Course (DDC) within 30 days of hire or promotion to a position that requires driving or must be registered in the next available DDC course.
2. Employees will attend a CityEP approved DDC course every 3 years. Departments are responsible for maintaining DDC records. Departments may require employees to attend a DDC course at any time if the employee has been found to operate a vehicle in an unsafe manner.
3. No person authorized to operate a City vehicle shall relinquish to another individual the operation of a CityEP vehicle unless an emergency exists.
4. OperatorsAll persons will receive proper instructions from their supervisor or other qualified department member regarding CityEP vehicles and/or equipment before being authorized to operate them. This will include review of this policy, discussion of responsibility of the operator, and a test drive.
5. Unacceptable driving records will be addressed by the Human Resource Director.

Safety

1. All operators of CityEP vehicles, equipment, or any other vehicle on CityEP business will exercise reasonable and prudent~~every reasonable caution and care~~ while operation the vehicle. Operators will obey all traffic laws applicable to the vehicle being operated.

Heavy equipment operators shall comply with the applicable portions of regulations governing these activities, whether on CityEP property or other thoroughfares.

2. All operators and passengers of vehicles equipped with safety belts are required to wear safety belts. It will be the responsibility of the operator to see that all occupants comply.
3. Possession, use or being under the influence of any narcotic, hallucinogen, stimulant, sedative or other controlled substance or alcohol while operating a CityEP vehicle on CityEP business, is prohibited. See Drug/Alcohol Policy.

Traffic Violations or Accidents

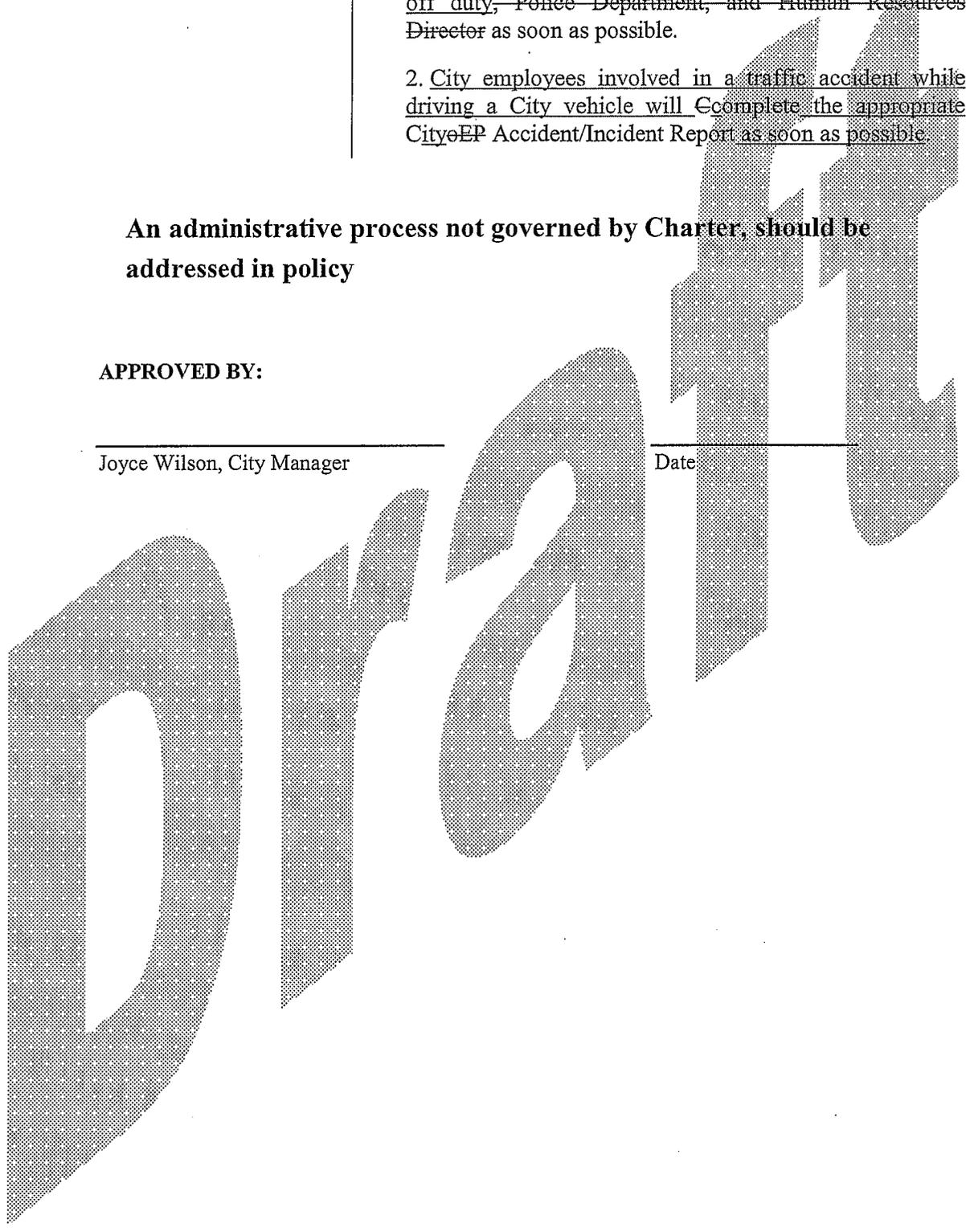
1. City employee with driving responsibilities will Nnotify their immediate supervisor of any traffic violations received or involvement in any accident on or off duty, Police Department, and Human Resources Director as soon as possible.
2. City employees involved in a traffic accident while driving a City vehicle will Ccomplete the appropriate CityeEP Accident/Incident Report as soon as possible.

An administrative process not governed by Charter, should be addressed in policy

APPROVED BY:

Joyce Wilson, City Manager

Date





ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Regular Part-Time Employees
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: **Regular Part-Time Employees Policy**

II. Section 1. Definitions:

A. Regular Part-Time Employee: An employee who is part-time employee is an employee who is regularly scheduled to work for no more than 29 hours per week, or for no more than 40 hours per week in a department with a 24-hour schedule. (Amended 8/21/07)

B. Seasonal Employee: An employee who works only part of the year are considered temporary employees and are not eligible for regular part-time status.

I. Policy:

a. Regular part-time employees may be regularly scheduled for hours which are predetermined and set by the department in advance, or (Amended 8/21/07)

b. Regular part-time employees may be on-call employees who are called to work when the department has special events, extra work or non-regularly scheduled recurring work which is not being performed by regular full-time employees. (Amended 8/21/07)

~~Seasonal employees who work only part of the year are considered temporary employees and are not eligible for regular part time status.~~

III. Procedures:

A. Section 2. Promotional Exams:

Part-time employees are eligible to take promotional examinations for full or part-time positions after successful completion of original probation in a regular part-time position.

- 1. Seniority credits will be prorated based on full-time service and in the same manner as prescribed in Rule 9, Section 2b, for promotional examinations.
- 2. Efficiency credits shall be awarded in the same manner as ~~full-time employees prescribed in Rule 9, Section 2c.~~
(Amended 8/21/07, 8/25/09)

B. Section 3. Transfers:

Regular part-time employees may request transfer to another regular part-time position of the same class and grade in a different department in accordance with ~~Rule 5, Section 3~~ and within the order of certification.

- 1. Regular part-time employees may not receive a transfer to regular full-time positions.

C. Section 4. Part-time to Full-time Status:

Part-time employees who wish to be placed on a transfer list within the Certification Process for full-time employment in the same classification, ~~as provided in Section 6.5.1 of the Charter~~ shall submit a written request to the Human Resources Director.

- 2.1. Names will be placed on such list in the order in which received. (Amended 8/21/07)

D. Section 5. Full-time to Part-time Status:

a. A regular full-time employee may request a reduction in status from full to part-time. Such request must be in writing and will state the reason(s) for which the employee is requesting reduction to part-time status.

- 1. Requests will be granted on a case-by-case basis and in as timely a manner as practicable, subject to the operating needs of the City.

- 2. Such requests shall be forwarded directly to the Human Resources Director who shall approve or deny. (Amended 8/25/09)

- 3.b. Full-time employees who have been granted part-time status may seek a return to full-time status as described in "For Part-time to Full-time Status" in this policy. ~~Section 4 of this Rule.~~
(Amended 8/25/09)

- 4.e. A status change from full to part-time will not affect the employee's seniority for pay and benefit accrual purposes.

Section 6. Reinstatements:

Regular part-time employees who resign and request reinstatement, and who are approved for reinstatement, shall be placed on an eligible list only to regular part-time positions in the same class and grade from which they resigned. (Amended 8/21/07)

Deleted: Moved to Rule 20 in its entirety as new Section 6.

Section 7. Layoff:

Regular part-time employees who are laid off in accordance with Article 6.10-11 shall have their names placed on a reinstatement

list only to part-time positions. In all other respects the provisions of Rule 20 will apply. (Amended 8/21/07)

Deleted: Moved to Rule 20 in its entirety as new Section 7.

E. Section 8. Temporary Appointments/Provisional Appointments.

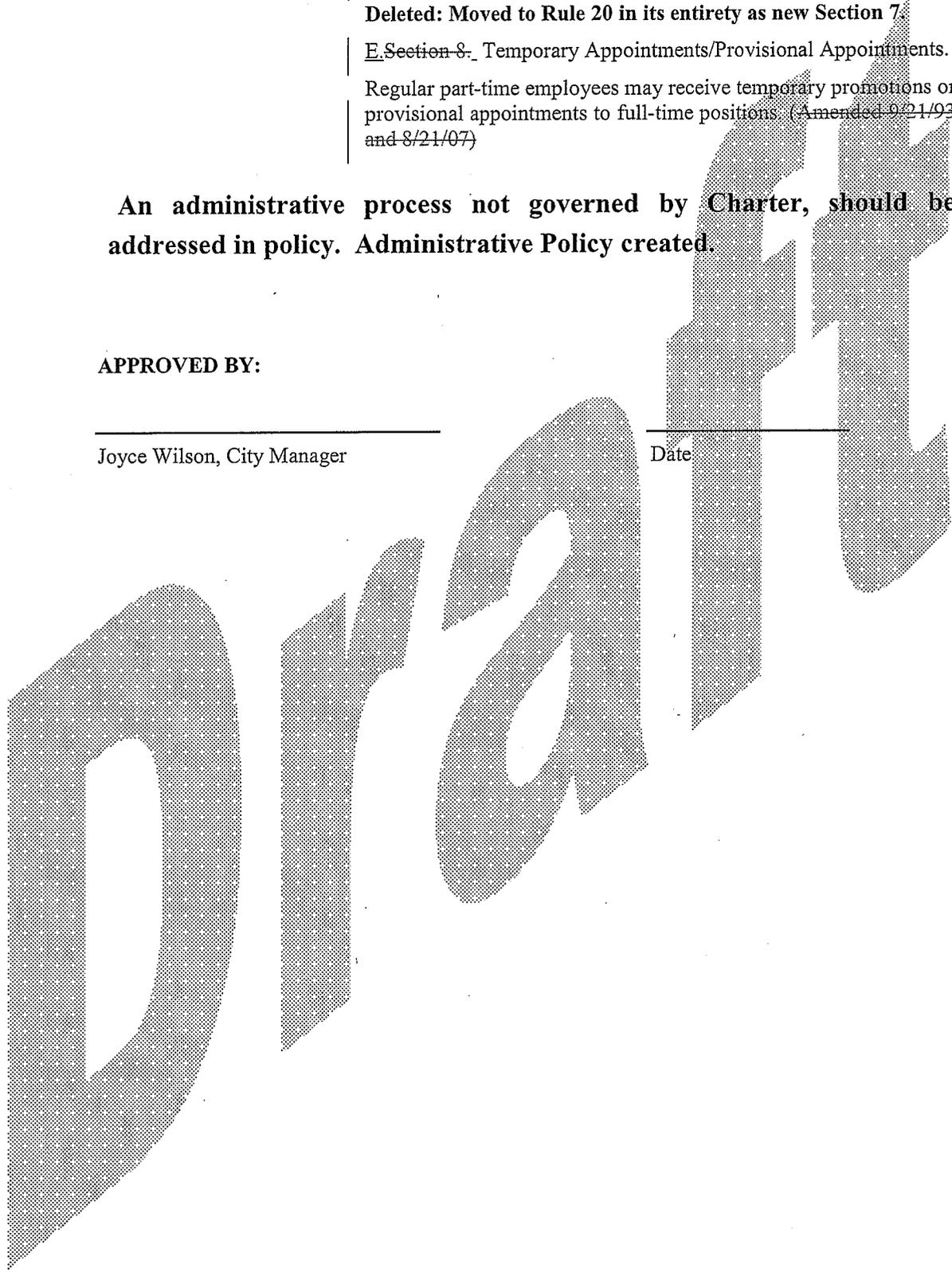
Regular part-time employees may receive temporary promotions or provisional appointments to full-time positions. (Amended 9/21/93 and 8/21/07)

An administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date





ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Safety
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: Safety Policy

I. Policy:

The purpose of the government and employees of the City of El Paso is to provide a variety of services essential to the health and well-being of the community and its citizens. The employees are obligated to provide the highest quality of service to the citizens of El Paso. Incidents, which result in injury to City employees and/or damage to City property, delay or prevent the successful accomplishment of that purpose.

II. Procedures:

1. The City shall maintain a comprehensive manual of safety procedures for all employees. Each employee shall be instructed on how to obtain information from the most current version of the manual.
 - a. The manual shall be periodically updated to better provide for the protection of City employees.
 - b. Changes in the contents of the manual will become final upon approval of Risk Management and the Human Resources Director.
 - c. Each department may also promulgate safety procedures specific to their own operations, provided they do not conflict with the general safety procedures.
2. All employees shall participate in safety training as directed by their supervisor or Department Head.
3. All employees shall comply with procedures and safety practices applicable to their job. Safety practices may include, but are not limited to, the following:
 - a. Wearing proper safety and work apparel,
 - b. Inspecting and using provided personal protective equipment,
 - c. Inspecting and maintaining tools and equipment,
 - d. Maintaining familiarity and compliance with safety standards,



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Outside Employment
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: Outside Employment Policy

I. Policy:

Regular full time members of the classified services shall be permitted to work part time for other employers subject to the provisions of this policy. Full time employees must recognize that their primary duties are to the City of El Paso. Employees are subject to call at any time for emergencies, special assignments, overtime, and the like, and the obligations of outside employment are always subordinate to the needs of the City of El Paso. Regular part time employees are expected to work all scheduled shifts.

II. Procedures:

Request for outside employment must be submitted on appropriate forms as provided by the Department of Human Resources and must include, inter alia, the specific type of employment.

A. Application

- 1. An employee must submit a request for permission to work at outside employment to the Department Head for approval. Request for outside employment shall not exceed twenty-five (25) hours per week.
2. A Department Head may place reasonable limitations or conditions on the performance of any outside employment.
3. Determination of limitations on outside employment will be based upon the best interest of the City in furthering professionalism, protecting the reputation of the employee and City and ensuring the City receives full and faithful service in return for its expenditure of resources.
4. If the Department Head believes an employment request is inappropriate and does not meet the criteria established by this policy, he must submit the request to a Deputy City Manager or the City Manager and obtain his concurrence prior to disapproving the request.
5. Applications that have been approved by the Department Head will be valid for a period not to exceed two (2) years from the date of approval, and only for the specific type of employment approved.

6. An original application must be submitted before an employee may change the type of employment for which he has been approved.
7. Each Department Head shall periodically review outside employment within the department to ensure compliance with this policy.
8. It is the duty of each Department Head to revoke an employee's outside employment approval in the event the employee fails to comply with the provision of this policy, fails to conform to the conditions of qualifications, or receives an overall rating of less than "Meets Performance Standards" on any regularly scheduled Performance Report, provided further that a Department Head may give an employee notice and reasonable opportunity to cure their noncompliance or other deficiency prior to revocation.

B. Conditions that may disqualify an employee for outside employments:

1. Where it appears from the employee's sick leave record or other evidence that outside employment would measurably impair the applicant's ability to discharge official duties and responsibilities with the City.
2. Where outside employment, or the place where it is performed, would likely bring either the City or the employee into disfavor with the public, involve the employee in violation of the Rules and Regulations of the Commission or the employee's department, or present the employee with an actual or potential conflict of interest respecting city employment.
3. Where the employment, or the place where it is to be performed, are such as to measurably impair the employee's efficiency, capability, or availability as an employee of the City.
4. Where the outside employment requires the employee to appear in the official uniform of the employee's City employment where such practice would violate a rule of the employee's department or where the outside employment would involve the service of civil process.
5. Where the outside employment of a public safety employee would involve the operation of, or employment in, an establishment where the principle business is the sale of intoxicating beverages.
6. Where the outside employment could affect their ability to make unbiased decisions or recommendations in the duties of their job with the City.
7. Where the outside employment could compromise their independent judgment regarding recommendations or choice of vendors or services that are provided City of El Paso.
8. When the outside employment exceeds the number of hours allowed in any one calendar week more than twice in a year, and is not reported to Department Head for a determination of extenuating circumstances.

Sections (1)(2)(3)(4)(5) an administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date:

Draft



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources
Subject: Working Out of Class
Creation Date:
Revision Date:
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: John Batoon

DESCRIPTION: Working Out of Class Policy

~~Section 1. When Employees May be Worked out of Class.~~

~~a. No classified employee may be worked out of their normal classification except in conformity with this Rule. Employees may be worked out of class for such limited periods of time, not to exceed one (1) year. (Amended 8/25/09) (**Note: placed under Procedures**)~~

I. Policy:

b. Employees may be worked out of classification for any of the following reasons or purposes:

- (1) to work in a position because it is vacant or because the incumbent is on leave or for which a department has a temporary need,
- (2) for developmental assignment, or
- (3) because of a catastrophic event.

III. Procedures:

A. When Employees May be Worked out of Class: No classified employee may be worked out of their normal classification except in conformity with this Policy. Employees may be worked out of class for such limited periods of time, not to exceed one (1) year.

e. With the agreement of the employee, a Department Head may work a regular employee out of class for developmental assignments. In order to be considered for a developmental assignment, an employee must have received an overall rating of "meets performance standards" or higher on their last scheduled performance evaluation report and may not have been previously granted developmental assignments that are substantially similar in nature. Additionally, an employee must show that he would meet the minimum qualifications for the position within one (1) year from the date of the request. Request for continuations or

extensions beyond one (1) year will not be approved. (Amended 7/31/07, 8/25/09)

d. Employees may be worked out of class by the City Manager during the course of a catastrophic event or a period of recovery following the occurrence of such an event. In these circumstances, employees required to work out of class shall not be eligible to receive additional compensation or credit as would otherwise be extended under this Policy Rule.

B. Section 2. Approval Process by Department Head:

When it is expected or anticipated or when a significant potential exists that an employee will work out of class for 15 or more consecutive days and for all developmental assignments, a Department Head must complete the appropriate form to work an employee out of classification, stating the reasons therefore, the date the necessity arose or is reasonably anticipated to arise, the likely duration of the necessity, and the difference in compensation, if any, between the employee's current classification and that to which the new assignment relates. In cases arising out of developmental assignments, only the duration of the length of the assignment need be set forth, together with evidence of the employee's consent. The form shall be submitted to the Office of the City Manager for the approval of the City Manager or designee. (Amended 8/25/09)

C. Section 3. Compensation and Credit:

Except as otherwise provided in this Policy Rule, an employee will be credited for each day of out-of-classification work for the purpose of calculating experience toward the minimum qualifications for a promotional examination related to the position. At the end of each calendar month, any employee who does not have a pending or approved working out of class application and who has performed one or more days of out-of-classification work during that month shall, before the 10th day of the following month, fill out a request to receive credit for such work and submit the request to their Department Head. If the Department Head fails to act upon the request within five (5) working days, the credit shall be automatically granted. If the Department Head denies the request, the employee shall be informed, and may appeal as provided in Section 5 of this Rule. No more than 30 total days of credit for out-of-classification work may be granted on an annual basis based on the calendar year to an employee pursuant to this self-reporting system. (Amended 8/25/09)

1. An employee who is authorized and assigned to work out of class for 15 or more consecutive days shall receive compensation retroactively, at the minimum salary for the out-of-class position, provided further, that in no event shall the adjustment in pay be less than five (5) percent higher than the employee's regular rate of pay. This additional compensation shall not affect the employee's eligibility for increases in accordance with normal pay practices, nor shall the additional compensation herein provided extend beyond the period for which the employee works out-of-class. (Amended 7/31/07, 8/25/09)

D. Section 4. Supervisory Duties:-

Provided that there is no employee within the same department eligible for promotion or temporary promotion under the provisions of Rule 11, Sec. 10, an employee may be assigned temporary supervisory duties pursuant to a developmental assignment as provided in Sec. 1 of this Rule Policy, otherwise, an employee may not be required to perform supervisory duties not contained within the job description he was working before being worked out of class.

E. Section 5. Appeals:-

An employee may appeal to the City Manager any perceived violation of this Rule Policy within 10 days after the employee knew or should have known of the purported violation. If the matter remains unresolved to the employee's satisfaction, the employee may appeal to the Commission not later than five (5) days after the denial of the City Manager, or 25 calendar days after the initial appeal, whichever is later. (Amended 8/25/09)

II. Definitions:

Section 6. Definitions

As used herein, the following terms, in their various configurations, are defined. All terms not defined shall have their ordinary meaning.

A.(1) Working Out of Class(WOC)- The temporary assignment of an employee to daily perform duties of a significant and distinct nature allocated to a higher graded job class other than work performed in response to a catastrophic event, or as defined in Section 2.2e of the Classification and Compensation Ordinance 8064. (Amended 8/25/09)

B.(2) Days- Unless the context requires otherwise, days that an employee actually works.

C.(3) Department Head- The department director. (Amended 8/25/09)

D.(4) Catastrophic Event- The occurrence of a sudden emergency or other incident affecting public health, safety or welfare in the City which necessitates the immediate use or mobilization of a large number of employees to respond to and deal with the incident. (Added 8/23/05)

E.(5) Scheduled Evaluation- For purposes of this rule probationary evaluations will be considered scheduled. (Added 8/25/09)

An administrative process not governed by Charter, should be addressed in policy. Administrative Policy created.

APPROVED BY:

Joyce Wilson, City Manager

Date

Draft