

ITEM 4

RULE 1

Civil Service Commission

Section 1. Appointment.

At such time as vacancies occur in the Civil Service Commission, City Council, will, in accordance with Article III, Section 3.7B of the City Charter, appoint such members as are required to fill Commission vacancies. (Amended 6/21/94; 7/31/07)

Section 2. Officers.

a. Chair. The Chair shall be elected from the Commission by majority vote. The Chair shall preside over all meetings of the Commission; call the meetings to order at the time they are scheduled to convene; ensure that a quorum is present; put to vote all motions that are in order; initiate general consent when appropriate; recognize Commissioners and others present at the meeting who desire to speak; enforce such statutory provisions and rules affecting the Commission's meetings, including rules of debate; maintain order and decorum; rule on parliamentary inquiries, points of order, and any other motions that require action by the Chair; appoint committees of the Commission as needed, and perform such other duties as naturally inhere in that office. When, in the judgment of the Chair, it is necessary to limit the time that members of the public may address the Commission, he shall impose reasonable time limits to ensure economy of time while allowing those who wish to address the Commission adequate opportunity to voice their views. (Amended 7/11/06)

b. Vice Chair. The Vice-Chair shall be elected from the Commission by majority vote. The Vice-Chair shall enjoy the same duties as the Chair in the absence of the Chair or upon the inability or refusal of the Chair to exercise its duties, and shall be governed by the same constraints as the Chair.

c. Secretary. The Secretary, who need not be a member of the Commission, shall supervise the Commission recorder, and shall review and assist the Commission Recorder with the preparation of all minutes of Commission meetings, which minutes shall record the time and place of each meeting of the Commission, the names of those Commissioners present and absent, summaries of discussion on matters before the Commission and the votes given by the Commission, except when acts are unanimous. The Secretary will cause the minutes to be written and presented for approval or amendment. The minutes or a copy certified by the Chairman will be open to public inspection and filed with the Municipal Clerk in accordance with City ordinance. The Secretary shall also prepare the agenda for all meetings of the Commission and receive all requests from members of the public or groups who seek in writing to address the Commission and place those matters on the Commission's agenda as soon as practicable, taking into account the urgency of the request; sign all documents as required by statutory provisions or the Rules of the Commission; prepare reports as required by law, or these Rules and as otherwise directed by the Commission; post meetings of the Commission or its committees as required by law; require the assistance of the Director of Human Resources and Commission Recorder in the discharge of the duties specified in this paragraph; and perform such other duties as naturally inhere in that office. (Amended 7/31/07)

Section 3. Election.

The Chair and Vice-Chair will be elected at the regular meeting in May of each year, and will serve until their successor assumes the office. The Secretary is appointed by the Commission and serves at the pleasure of the Commission. In the event any officer's position becomes vacant for any reason, the Commission will immediately designate a replacement to serve the unexpired portion of the term. The

filling of an unexpired term does not constitute a term for purposes of Sec. 6.1-9 of the City Charter. (Amended 7/11/06 and 7/31/07)

Section 4. Removal of Officers.

The Chair and Vice-Chair may be removed from office for any cause specified in Article VI, Section 6.1-10 of the Charter or for substantial failure to perform the duties of their office. The procedure for removal will be the same as provided for the removal of Commissioners as set forth in Sec. 12 of this Rule, provided that the Commission will sit in lieu of Mayor and Council. In such action, the officer involved will not preside or participate as a voting member in the proceeding. No other Commissioner will be disqualified from voting. Removal will be effected by a two-thirds vote of the voting members of the Commission present at the meeting at which removal is considered. (Amended 7/31/07)

Section 5. Committees.

Committees shall be appointed as provided in this Rule and shall remain constituted until the completion of the assigned task. The ranking member of the Committee shall serve as Chair unless otherwise appointed by the Commission. The Chair shall have the responsibility of reporting to the Commission, as needed or required, concerning the mission tasked to the committee. (Amended 7/31/07, 6/1/10)

Section 6. Procedural Rules.

a. Action by the Commission. All actions by the Commission shall be upon Motion, duly made and seconded. (Amended 7/31/07)

(1) Any Motion before the Commission may be amended with the consent of the Commissioner making the motion, or in the refusal of such consent, upon Motion to Amend, duly made and seconded. The Motion to Amend must be given priority over the main motion. Thereafter, discussion shall proceed on the main motion, as stated or amended. A second to any motion is a prerequisite to discussion and action on the motion. A Motion to reconsider any action by the Commission may be made at anytime in accordance with the Charter, provided however, that such motion may not be made or seconded by a Commissioner who voted with the minority on the matter the subject of the Motion to Reconsider. Discussion on any motion may be closed with unanimous consent by the Chair, and, failing unanimous consent, upon motion calling the question, duly seconded and without discussion. (Amended 7/11/06)

(2) The following matters are privileged and must be taken up by the Commission when they are raised: Motions to Adjourn or Recess, Points of Order, and Appeals to the Ruling of the Chair or Presiding Officer.

b. Voting. Any member of the Commission may vote on any Motion, provided, however that the Chair or presiding officer shall vote only in the event of a tie. No member of the Commission may vote upon any motion involving himself. Motions shall pass upon a majority vote of Commissioners present, provided further, that any Motion to Reconsider a prior action of the Commission shall only be made and seconded by Commissioners who voted with the majority in the original action.

c. Appeal from a Ruling by the Chair. Any Commissioner may appeal any ruling by the Chair as to any point of order or any other matter ruled upon by the Chair on its own initiative. The appeal is appropriate for discussion which, in the absence of unanimous consent, may be terminated by motion, duly seconded, calling the question, upon which the issue before the Commission shall be whether the ruling of the Chair shall be sustained. The ruling of the Chair shall be sustained in the absence of a majority vote against the ruling.

Section 7. Robert's Rules of Order.

Although not adopted as the Rules of the Commission, Robert's Rules of Order may be considered as advisory authority in resolving any issues related to any of the provisions of Sections 2-7 of this Rule. (Amended 7/31/07)

Section 8. Suspension of Rules.

Except as prohibited by law, the Rules set forth in Section 6 of this Rule may be suspended temporarily by the Chair or by a majority vote of the Commission, to facilitate the flow of discussion, or for other purposes. No vote may be taken on any pending motion while the Rules are suspended. The suspension shall be effective only for the duration of the agenda item during which they were suspended, provided further that at any time after the Rules have been suspended, the Chair may invoke their applicability, subject to the provisions of Section 6c of these Rules. (Amended 7/31/07)

Section 9. Commission Recorder.

The Commission Recorder serves at the pleasure of the Commission. Disciplinary action, other than termination, may be taken against the Commission Recorder by the Secretary of the Commission only with the concurrence of two thirds of the Commission present and voting. If the Commission Recorder position becomes vacant, the Human Resources Director shall advertise the position for two weeks. The Human Resources Director shall review and pre-qualify all applicants. All applications will be referred to the Civil Service Commission for their review. The Commission shall select from the applications the top five for interviews and shall make their selection after the interview process has been completed. (Amended 5/31/05, 07/11/06 and 7/31/07)

Section 10. Public Employee's Right to Privacy

The public's interest in public meetings and disclosure of minutes of open meetings is expressly recognized; however, the employee's rights to or interests in privacy are also acknowledged. There are those limited instances when a public employee's individual interest in confidentiality might outweigh the public interest in disclosure. The Commission can, on its own motion, hear any proceedings in Executive Session in accordance with Section 551.074 of the Texas Government Code (Open Meetings Act). (Amended 7/31/07, 3/6/12)

In any proceeding before the Commission which has been posted for public discussion by the Commission, the City or any employee under the jurisdiction of the Commission may request that the Commission hear the matter in Executive Session, as may be permitted under Section 551.074. An employee who is the subject of any deliberation or hearing before the Commission may request and receive a public hearing on the matter, as provided in Section 551.074. (Amended 7/31/07)

Section 11. Removal of Commissioner for Cause.

a. Removal of a Commissioner for any cause specified in Article VI, Section 6.1-10 of the Charter will be effected only in the following manner: (Amended 07/31/07)

- (1) Written charges specifying the acts or omissions complained of will be filed with the City Clerk and the Secretary of the Commission.
- (2) A copy of such charges will be given to the Commissioner against whom they are brought. (Amended 3/6/12)
- (3) Such written charges will be sworn to and open to inspection by the public.

- (4) After a period of not less than five days nor more than thirty from the date such charges are filed, the City Council, at a meeting previously announced, will hear the charges. (Amended 8/31/04)
- (5) The accused Commissioner will be permitted to be present throughout the proceedings in person and by counsel, and will be given a full and fair opportunity to be heard in his defense. (Amended 8/25/09)
- (6) At the conclusion of the hearing, if the Council by affirmative vote of at least two thirds of the entire Council, except as may be limited in "c" below, finds the charges sustained, the accused Commissioner will be removed. (Amended 7/31/07)

b. Upon presentation to the Mayor of a written complaint signed and sworn to by not less than ten members of the classified service of the City, specifying the acts or omissions which are the basis (in accordance with Article VI, Section 6.1-10 of the Charter) for the requested removal of a Commissioner it will be the duty of the Mayor to file charges against the accused Commissioner, who will thereupon be entitled to a hearing in the form and manner prescribed above.

c. Where charges are preferred against a Commissioner by the Mayor (unless being filed by the Mayor as set forth in "b" above) or by a Representative, the Mayor or Representative, will be disqualified to sit as a member of the Council in the hearing of the charges so preferred. In such case the remaining members of the Council will hear and determine the charges.

Section 12. Hearing Officers.

a. Hearing Officers will be selected by the Commission on the basis of their knowledge, skills, training and experience in the field of labor relations. (Amended 7/11/06, 7/31/07, 9/02/08)

b. A former Commissioner may not be hired as a Hearing Officer for a period of twelve (12) months after serving on the Civil Service Commission. (Added 9/02/08)

c. A former Hearing Officer shall not, during the twelve (12) months after having served as a Hearing Officer for the Commission, represent any classified employee of the City before the Commission or before a Hearing Officer appointed by the Commission on a disciplinary matter or grievance. Further, a former Hearing Officer, after having served as a Hearing Officer for the Commission, shall not represent a classified employee on any matter, before the Commission or Hearing Officer appointed by the Commission, that was before such person during the time he served as a Hearing Officer. (Added 9/02/08)

Section 13. Restriction on Representation of Employees by Former Commissioners.

A person shall not, during the twelve (12) months after having served and left the Commission, represent any classified employee of the City before the Commission or before a Hearing Officer appointed by the Commission on a disciplinary matter or grievance. Further, a Commissioner, after leaving the Commission, shall not represent an employee on any matter, before the Commission or a Hearing Officer appointed by the Commission, that was before the Commission during the time that such Commissioner served on the Civil Service Commission. (Added 7/29/08)

Section 14. Ex Parte Communications

Commissioners or Hearing Officers, may not initiate, permit, or consider ex parte communications or other communications to be made outside the presence of the parties, concerning the merits of a pending complaint or appeal. Pending is defined as a complaint or appeal that Commissioners or Hearing Officers know has been filed or should reasonably foresee will be filed. Commissioners or Hearing Officers shall not participate in rendering the decision in a case where they have participated

in the case in an advocacy role. This Rule does not prohibit either the Commission or Hearing Officer from communicating with the legal advisor to the Commission. (Amended 7/13/04)

Section 15. Non Discrimination

The City shall administer the Civil Service Rules and charter provisions in a manner consistent with federal, state and local laws concerning equal employment opportunity. (Amended 7/31/07, 3/6/12)

Section 16. Policy Creation

Any Civil Service Rule that is being removed and replaced as a Human Resource policy that is subsequently amended, added to, or deleted will be posted for notation on both the Civil Service Commission and City Council agenda. (Added 3/6/12)

Class Code: 13 - Unclassified (2)

Human Resources Director

CITY OF EL PASO Established Date: Apr 24, 2006 Revision Date: Aug 12, 2013

SALARY RANGE

\$49.53 - \$87.18 Hourly \$3,962.51 - \$6,974.02 Biweekly \$8,585.45 - \$15,110.39 Monthly \$103,025.36 - \$181,324.63
Annually

FLSAi

Exempt

MINIMUM QUALIFICATIONS:

Education and Experience: A Bachelor's degree in social/behavioral sciences, human resources, business or public administration or related field, and eight (8) years of professional human resources administration experience that includes four (4) years of supervisory or managerial experience.

Incumbents in an executive level job class will not be required to meet the educational requirements of his/her respective job class provided that the incumbent was permanently employed in the respective job class on June 2006. All employees hired into an executive level position after June 2006 are required to meet the educational requirement of the respective job class.

Licenses and Certificates: None.

GENERAL PURPOSE:

Under administrative direction, plan, implement and direct a comprehensive civil service human resources department including compensation and classification, training and development, recruitment and testing, employee and labor relations and human resource and payroll information system.

TYPICAL DUTIES:

Plan, organize, manage and direct comprehensive human resources programs. Involves: Direct or conduct research of human resource management principles and trends. Benchmark and assess feasibility of emerging or remedial practices. Oversee the specific functions of the department including classification and compensation, employee and labor relations, recruitment and examination, training and development and human resource and payroll information system. Explore methods for improving the human resources process by developing new and innovative plans and programs that are visionary. Manage priorities and progress of projects and activities.

City of El Paso - Class Specification Bulletin

Plan, design, implement and review department short- and long-term goals and priorities. Involves: Develop and manage annual department budget. Monitor and approve- expenditures. Collect and analyze data. Prepare a variety of reports regarding department activities, accomplishments and goals, Implement and enforce department policies and procedures. Design, establish and maintain an organizational structure and staffing to accomplish effectively the organization's goals and objectives.

Supervise assigned personnel, Involves: Supervise directly and through subordinate supervisors. Schedule, assign and check work, Appraise employee performance and review j evaluations by subordinate supervisors. Provide for training and development. Enforce personnel rules and regulations and work behavior standards firmly and impartially. Counsel, motivate and maintain harmony. As appointing authority, interview applicants and hire, terminate, transfer, discipline, and assign merit pay or other employee status changes.

Represent the department in a professional manner. Involves: Meet with City management, and Civil Service Commissioners. Make presentations to City management, Mayor and Council, committees, commission members and other officials as required. Provide staff support for the Civil Service Commission. Work with other city departments to provide assistance or gather information. Ensure adherence to Civil Service charter, labor laws, collective bargaining agreements and employment contracts. Perform as the city's principal human resources expert during state or federal regulatory hearings, court testimony, labor negotiations, arbitration meetings and designated committee or board service.

KNOWLEDGE, SKILLS, AND ABILITIES;

- Application of comprehensive knowledge of contemporary human resource management principles, practices and methods.
 - Application of comprehensive knowledge of local, state and federal laws, rules and regulations governing human resources including labor relations and employment laws.
 - Application of considerable knowledge of collective bargaining.
 - Application of considerable knowledge of civil service rules and regulations.
 - Application of considerable knowledge of budget preparation, personnel records systems and standard general and fiscal administration policies and practices,
 - Application of considerable knowledge of management and supervisory principles and techniques and pertinent federal, state and local labor and safety rules and regulations,
 - Application of good knowledge of human resources information systems.
 - Assess objectives and operational requirements to develop and implement appropriate administrative policies and procedures for the city and the department.
- Page 2
- Clear concise oral and written communication to prepare and present comprehensive reports to Mayor, Council, City management, Civil Service Commission and the general public.

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Establish and maintain effective working relationships with coworkers, officials, customer departments, boards and commissions, regulatory agencies and the general public.

OTHER JOB CHARACTERISTICS:

Residency within the City of El Paso city limits required by date of employment. May work extended hours as an executive reporting to the Deputy City Manager.

CLASSIFICATION STATUS:

(Ord. 016352 04/25/06), (CC 07/29/12)

Page 3 of

/As provided under Classification and Compensation Ordinance 8064, Section 2.2, General purpose and typical duties summarized are only illustrative of work customarily assigned and performed. Typical requirements shown may be more specifically defined by additional job analysis.

ARTICLE II – Officers

1. The officers of the Commission shall be the Chair, the Vice-Chair, and the Secretary. The Chair and the Vice-Chair shall be elected annually during the month of February, but in any case shall hold office until their successors have been elected and have qualified. (Amended 11/13/14)
2. Officers shall assume office on the day of election, immediately following election. The officers shall qualify as regularly appointed members of the Commission. The duties of the officers shall be those usually pertaining to their respective offices.
3. The Chair shall preside at all meetings of the Commission, but if for any reason he or she is absent or unable to act, then the Vice-Chair shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Chair. Upon the arrival of the Chair, the acting Chair shall immediately relinquish the chair upon the conclusion of the item of business then pending before the Commission.
4. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Commission, shall state questions coming before the Commission as necessary for clarity, and shall announce the decision of the Commission on all subjects.
5. All questions of order shall be decided by the presiding officer. Any member of the Commission may appeal a ruling by the presiding officer as to any point of order ruled upon by the presiding officer on his/her own initiative. The ruling of the presiding officer shall be sustained in the absence of a majority vote against the ruling.
6. The Chair shall represent the Commission before City Council as well as the general public, and may appoint any member to appear on his/her behalf.
7. When an officer vacancy exists, the Commission will immediately elect a replacement to serve the unexpired portion of the term.

ARTICLE VII - Order of Business

Items that do not require a public hearing by law may be considered and approved under the Consent Agenda. Items removed from the Consent Agenda by the Chair, at the request of other Commission members and staff, will be considered and acted upon during the Regular Agenda. Items on the Regular Agenda will then be considered.

ARTICLE VIII- Administrative Staff

1. The Secretary of the Commission shall provide for the administrative staffing of the Commission which duties shall, at a minimum, include the following:
 - a. including maintaining all records of meetings, findings and determinations of the Commission;
 - b. assisting in all research activities undertaken by the Commission;
 - c. carrying out all functions assigned to or connected with the Commission;
 - d. representing the Commission as requested or when no other member is present at hearings of the City Council, as necessary.
2. The Secretary shall make available to the City Council and all other duly elected or appointed public officials, all records and recommendations undertaken by the Commission that are not confidential by law.
3. The Secretary shall assist members in performance of their office through consultation and the furnishing of information.

ARTICLE IX – Amendments

The Commission, by a majority decision of its voting members, may make, alter, or rescind these Bylaws at any regular meeting, after fourteen (14) days written notice to the voting membership.