

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

CITY CLERK DEPT.
05 AUG 25 AM 11:44

DEPARTMENT: Human Resources

AGENDA DATE: 08/30/05

CONTACT PERSON/PHONE: Human Resources, Linda Ball Thomas, (915) 541-4509

DISTRICT(S) AFFECTED: N/A

SUBJECT:

APPROVE: Ordinance changing Civil Service Rules and Regulations to allow more flexibility in granting employee pay increases.

BACKGROUND / DISCUSSION:

The rule change will allow the City Council to establish that the amounts of certain pay increases will be set forth in the budget resolution, rather than in the Rule and to clean up wording and to clarify language in the Rule.

PRIOR COUNCIL ACTION:

Last amended on February 1994, August 1994, and November 1994.

AMOUNT AND SOURCE OF FUNDING:

This item is funded in the Budget Resolution

BOARD / COMMISSION ACTION:

Civil Service Commission will approve this rule change at its August 25, 2005 meeting.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____

FINANCE: (if required) _____

OTHER: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, TO AMEND RULE 5 IN ITS ENTIRETY, TO REVISE THE MANNER IN WHICH CERTAIN INCREASES IN EMPLOYEE COMPENSATION ARE MADE AND TO CLARIFY LANGUAGE AND MAKE APPROPRIATE GRAMMATICAL CHANGES IN THE RULE.

WHEREAS, the Civil Service Commission is given the duty under Section 6.1-5(A) of the City Charter to recommend appropriate amendments to the City's Civil Service Rules; and,

WHEREAS, the City Council is the approving authority for amendments to the Civil Service Rules; therefore, the Civil Service Commission presented their recommended changes to City Council; and,

WHEREAS, both the Civil Service Commission and the City Council have determined that Civil Service Rule 5 should be amended to establish that the amounts of certain pay increases will be set forth in the budget resolution, rather than in the Rule and to clean up wording and to clarify language in the Rule;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Ordinance 8065, Civil Service Rules and Regulations, is amended by revising Rule 5 in its entirety, as follows:

RULE 5

Compensation

Section 1. Compensation.

a. Where graded scales of compensation have been established for positions in the City Service, appointment to such positions from either original or promotional eligible lists will normally be made at the lowest compensation rate, except as follows:

(1) Persons already in the service of the City shall have their salary set in accordance with paragraph "b" below.

(2) Persons hired under the Professional Managerial or Executive Compensation Plan shall additionally be compensated in accordance with Sections 4 and 5 of this Rule. Subsections g. and h. of this section shall not apply to persons hired under the Executive Compensation Plan.

b. The salary of a person already in a permanent position in the classified or unclassified service of the City will not be reduced upon entry or promotion to another position in a higher graded class. If the minimum salary for the new classification is less than the employee's current rate of pay, salary advancement shall be five percent (5%) higher than

the pay rate prior to entry or promotion. (Amended 3/22/88, 12/19/89, 9/17/91, 2/1/94 and 11/1/94)

c. A transfer from one position to another position in the same class will not deprive the person transferred of his credit for length of service in the former position.

d. Advancement in salary through a pay range will be made on the basis of meritorious service, efficiency, and length of service. (Amended 3/22/88, 9/15/92 and 2/1/94)

e. An annual competency increase may be added to employee's current pay rate provided that it does not result in a salary which exceeds the maximum of the applicable pay range. Annual increases will be available to all permanent full and part-time employees earning an overall rating of competent or higher on his/her annual performance evaluation in accordance with the budget resolution adopted for the fiscal year in which the increase is awarded.

Advancement shall be made on the first day of the pay period following the pay period in which the employee's Annual Anniversary Date as defined in paragraph "f" below falls, upon recommendation of the department head, or City Manager, as applicable, and approval of the Human Resources Director, if funds for increases have been budgeted by City Council for the fiscal year in which they are to be received.

f. Annual Anniversary Date is defined as the month and day that the employee entered their current class and grade adjusted for periods of leave without pay in accordance with Ordinance 8064.

g. A merit increase shall be based on meritorious service in accordance with regularly scheduled performance evaluations as set forth herein. Merit increases will not exceed 25% of a department's permanent workforce excluding employees in the Executive Compensation Plan, in each fiscal year. An employee shall become eligible for a merit increase after completion of 12 months of "exceeds performance standards" or "exceptional" performance in the same class and grade, including probationary period, if applicable. The amount of the merit increase will be set in the budget resolution adopted for the fiscal year in which the increase is awarded. Advancement shall be made upon recommendation of the department head and approved on a quarterly basis in the manner designated by the City Manager, if funds for merit increases have been budgeted by City Council for the fiscal year in which they are to be received. (Amended 9/15/92, 9/21/93 and 2/1/94)

h. An employee's eligibility for a merit or competency increase will be based on the employee's evaluations for the prior twelve months of service.

Section 2. Compensation Changes.

a. The wages and salaries of all persons in the Civil Service will be reduced by the same percentage whenever the budget set by the Council for all wages and salaries is less than that normally required by the classification and compensation plans.

b. Except for reclassification or similar study, or merit increases, general increase in wages and salaries will be applied uniformly to all persons in the Civil Service.

Section 3. Transfer to Same Class and Grade.

Whenever an employee in any department of the City is transferred to a position in another department, the employee shall retain his grade and pay rate, provided:

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to training and experience to those of the new position, as determined by the Human Resources Director, subject to review by the Commission. Seniority credit where applicable will be given to the employee for the number of years (s)he has been performing similar work in the former department. (Amended 2/1/94)

Section 4. Executive Compensation Plan.

- a. The Executive Compensation Plan shall include Directors of all departments, assistant directors of all departments and all other positions as determined by City Council by ordinance.
- b. The salary schedules of the Plan shall consist of salary levels, with a minimum and maximum range for each level, such salary schedules to be adopted by City Council by ordinance. Assignment of classes within the salary schedule shall be approved by the Commission.
- c. The starting salary for any person covered under the Plan shall be determined by City Council but shall normally be no greater than the midpoint of the range for the position; however, an applicant or employee may be hired up to the third quartile of the range upon recommendation of the City Manager and approval of Council subject to procedures approved by the Commission and subject to the current pay scale adopted by the City Council for the fiscal year. (Amended 6/5/90, 3/17/92, and 8/31/04)
- d. At any time that any position in the Executive Compensation Plan needs to be reevaluated, reevaluation will be investigated by the Human Resources Department, and reassigned to the proper level in the Executive Compensation Plan in accordance with the standards established in the Charter and Rules as to reclassification of positions, and such reevaluation and reassignment shall be final when approved by the Commission and Council.
- e. Merit increases for employees in the Executive Compensation Plan shall be based on meritorious service in accordance with regularly scheduled performance evaluations as set forth in the Rules. An employee shall become eligible for a merit increase after completion of 12 months of "exceeds performance standards" or "exceptional" performance in the same class and grade, including probationary period, if applicable. The amount of the merit increase for department heads shall be determined by the City Manager. The amount of the merit increase for all others in the Executive Plan shall be set in the budget resolution adopted for the fiscal year in which the increase is awarded. Such increase for department heads will be authorized by the City Manager. Merit increases for all others covered by this plan will be made upon recommendation of the department head and approved on a quarterly basis in the manner designated by the City Manager. (Amended 2/1/94 and 8/31/04)
- f. Any provisions of these Rules relating to compensation which conflict with these provisions shall not apply to those persons covered in the Executive Compensation Plan. (Section 4 passed 12/18/84)

Section 5. Professional/Managerial Compensation

- a. The Professional/Managerial Plan shall include classes within professional and managerial functions as determined by City Council by ordinance.
- b. The salary schedules of the Plan shall consist of salary levels, with minimum and maximum pay rates for each level, such salary schedules to be adopted by City Council by ordinance. Assignment of classes within the salary schedule shall be approved by the Commission. (Amended 2/1/94)
- c. The starting salary for any person covered under the Plan shall normally be at the entry rate; however, in cases where the person is already a permanent employee in the service of the City, or in cases where an applicant with exceptional qualifications, or where recruiting efforts have failed to fill a position at the minimum, the applicant or employee may be started at a higher rate, not to exceed the top of the third quartile of the range. A starting salary above the entry rate must be in accordance with procedures approved by the Commission and must be approved by the Human Resources Director and City Manager. (Amended 3/17/92, 2/1/94, 11/1/94, and 8/31/04)
- d. At any time that any position in the Professional/Managerial Compensation Plan needs to be re-evaluated, re-evaluation will be investigated by the Human Resources Department, and reassigned to the proper level in the Professional/Managerial Compensation Plan in accordance with the standards established in the Charter and Rules as to reclassification of positions, and such re-evaluation and assignment shall be final when approved by the Commission and Council.
- e. Any provisions of these Rules relating to compensation which conflict with these provisions shall not apply to those persons covered in the Professional/Managerial Compensation Plan. (Passed 9/6/88 and 2/1/94)

Section 6. Transfer During Probationary Period.

- a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.
- b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85)

PASSED AND ADOPTED this day 13th of September 2005.

THE CITY OF EL PASO

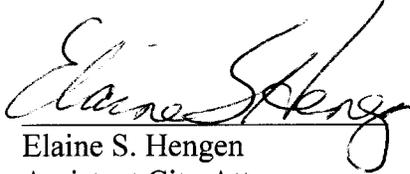
John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Elaine S. Hengen
Assistant City Attorney


Linda Ball Thomas
Interim Director, Human Resources Dept.

APPROVED BY THE CIVIL SERVICE COMMISSION ON August 25, 2005.

By 