

AGENDA ITEM

June 17, 2014

Subject: Chapter 25, Personnel Code Changes

Department: Human Resources

The Human Resources Department has been working with the Employee Relations Committee in reviewing and updating the Personnel Code. Attached are recommended changes to the following sections:

- Section 25-2.107, which discontinues the hiring of closely related family members from within city service.
- Section 25-2.109, which clarifies “acting” position appointments.
- Section 25-3.102, which removes a duplicate sentence.
- Section 25-3.105, which removes a duplicate sentence.
- Section 25-3.110, which removes time constraints on pay days.
- Section 25-3.113, which clarifies working out of classification.
- Section 25-4.110, which increases amount of earned sick hours per month to coincide with hours worked.

The City Manager and City Attorney have reviewed these proposals.

A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, AMENDING THE CITY PERSONNEL CODE SECTIONS 25-2 CONDITIONS OF EMPLOYMENT, 25-3 JOB CLASSIFICATION AND PAY PLAN, AND 25-4 FRINGE BENEFITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. Section 25-2.107, Closely related employees, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

(a) Persons who are closely related to persons already employed by the city shall not be employed in the city's service. The term "closely related," for purposes of this section, shall include husband, wife, brother, sister, aunt, uncle, father, mother, grandfather or grandmother, and step relationships involving the preceding relatives. Should employees in the city service desire to marry, one is expected to resign their position within 30 days after the date of the marriage. If either employee refuses to resign, the employee with the lesser amount of service time with the city will be terminated by the city manager. Closely related employees that are currently in city service as of July 1, 2014, shall be grandfathered until such time they no longer meet the "closely related" definition, then must comply with this change. Closely related employees currently in city service will not be appointed to work in the same division or office of any department.

(b) Notwithstanding the above, closely related employees may be hired for summer seasonal work and for temporary positions not to exceed ten months, however, a person employed under this exception cannot in any event become a supervisor of another closely related employee or become subject to the supervision of another closely related employee.

Section 2. Section 25-2.109, Types of classifications; pay and fringe benefits, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

For purposes of determining the applicability of the pay plan and eligibility for fringe benefits, employment is sometimes segregated into four classifications:

(1) *Seasonal or temporary*. Those employees appointed to do work for a limited period of time for a specific duty, such as seasonal programs or specific short-term projects. Seasonal or temporary employees do not receive fringe benefits, except as authorized by this Code or the city manager, or by separate contract, and are paid salaries established by the city manager following council authorization by budget.

(2) *Part-time*. Those employees who generally work 28 hours or less per week. Part-time employees do not receive fringe benefits except as specifically authorized by this Code or the city manager and are paid a salary set by the city manager and authorized by the council through budget.

(3) *Regular*. Those classified employees who regularly work a normal work week (refer to FLSA, non-overtime hours) on a continuous basis for an indefinite period of time. Regular employees do receive fringe benefits and are paid under the city classification and pay plan.

(4) *Acting*. Those regular employees filling an opening on a temporary basis prior to conclusion of a regular appointment. Such employees are entitled to fringe benefits and are paid under the city classification and pay plan. Acting employees are to be paid at the rate of the higher classification for each day of a period of active employment after the employee has served for 14 consecutive calendar days in the higher classification. If serving in an acting position in which overtime is not paid, overtime will not be paid but the salary of the higher classification will be continued. Employee would be moved to the higher classification in the next pay step that would allow a pay increase from current pay.

Section 3. **Section 25-3.102, Pay Ranges**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

A pay plan developed annually with the budget will constitute the basic monthly salary schedule consisting of steps of pay in each pay range. The respective ranges will be identified by numbers, and the steps within each range will be identified by the letters A through G or similar designation.

Section 4. **Section 25-3.105, Advancement within pay ranges**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

The following suggestions are made as to salary advancements within ranges:

(1) Probationary advancement. After the salary of a new employee has been initially established under the "job classification and pay plan," such employee may be advanced from his original step to the next higher step effective the first day of the next pay period following the date of satisfactory completion of the individual's six-month probationary period.

(2) Merit advancement. An employee may be considered for advancement from step to step through step C in a particular pay range upon completion of the minimum length of service as provided in section 25-3.103. As the term implies, however, such a merit increase is not an automatic advancement, and this type of salary adjustment will only be approved following a successful review of the employee's work performance by the appropriate department head and the city manager. The effective date of a merit increase will be the first day of the next pay period following approval by the city manager. The "merit salary adjustment program" is also contingent upon the city's general financial condition and may be frozen from time to time.

(3) Reconsideration. When an employee is considered but not approved for a merit advancement, he may be reconsidered for such advancement at any subsequent time. If an employee is subsequently approved for a merit increase, the eligibility date for further merit reviews will then be changed to coincide with the actual date of approval, generally one year from the most recent approval date.

(4) Special merit advancement. In those cases where an employee consistently demonstrates exceptional ability and proficiency in the performance of his assigned duties, the appropriate department head may recommend to the city manager that the employee be advanced to the next highest step in the same pay range without regard to the minimum length of service provisions contained in section 25-3.103. The city manager may approve such advancement, provided that appropriate budgeted funds are available.

Section 5. **Section 25-3.110, Pay Days**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

All city employees should normally be paid every other Wednesday (26 pay checks per year), barring computer difficulties in check preparation. If a regular pay day falls on an authorized holiday, pay checks will normally be issued the preceding Tuesday.

Section 6. **Section 25-3.113, Work out of classification**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

Employees required through appointment by the department head to temporarily assume, on a full-time basis, all responsibilities of an out of classification position for more than 14 consecutive calendar days shall be paid, after the 14th consecutive calendar day, the pay of the higher classification. Employee would be moved to the higher classification in the next step that would allow a pay increase from current pay.

Section 7. **Section 25-4.104, Sick Leave**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

(a) Regular employees will earn sick leave at the rate of eight (8) hours per each full calendar month of service. Fifty-six (56) hour employees will earn twelve (12) hours per each full calendar month of service. Sick leave will accrue from the date of employment as a regular employee, and it may be taken after the first (1st) month of service. Sick leave may not be taken before it is earned, except as authorized in unusual situations by the City Manager.

(b) Twenty calendar days or more of employment, for employees entering or leaving the city service, in the beginning or ending month, will be considered as one full month for sick leave purposes, and less than 20 calendar days will be disregarded.

(c) The employee will notify the appropriate supervisor before taking any sick leave, and provide such reasonable verification during illness as may reasonably be requested. Situations where such notification is not provided shall be considered an unexcused absence (see subsection 25-8.103(a) (22)). An employee who is aware that sick leave will be required in the near future will notify the appropriate supervisor as soon as possible.

(d) Fifty-six hour personnel will be charged three days (eight hours each) of such leave for missing one 24-hour shift, but will not be charged more than five days (40 hours) of sick leave during any period of seven calendar days.

(e) Unless excused by the department head, an employee taking sick leave will be required to furnish a medical certificate verifying illness, if such verification is requested by the appropriate supervisor or department head.

(f) Improper use of sick days will result in discharge.

(g) Employees may accumulate up to 1,040 hours of sick leave. Hours accumulated by employees prior to September 17, 1996, will remain as an entitlement.

(h) Upon retirement as specified in subsections 25-4.109(c)(1)—(6), an employee with at least ten years of continuous service will be compensated at the final rate of pay for one-half of the sick leave earned and not taken, up to a maximum of 480 hours compensation. Hours accumulated by employees prior to September 17, 1996, will remain as an entitlement unless reduced by using sick leave. Upon such reduction, the reduced balance will remain as an entitlement.

(i) Upon written approval by the city manager, regular, full-time employees may donate accumulated sick leave to other regular full-time employees in an amount not to exceed 24 hours per year per donor. Employees are eligible after two years of employment to receive donated sick leave not to exceed 40 hours per year per receiver.

(j) Sick leave and accumulation of sick leave is a gratuity provided by the City of Nevada for its employees to accommodate genuine illness. It is forfeited if not needed for genuine reasons during the period of employment. Payment for accumulated sick leave as allowed by this Code, is authorized as a gratuity when an employee actually retires. No payment for accumulated sick leave is authorized upon any other form of separation from service. Such payment is also considered on the availability of budgeted funds therefore.

Section 8. This ordinance shall be effective upon its passage and approval.

PASSED, APPROVED and ADOPTED by the City Council of the City of Nevada, Missouri, this 1st day of July, 2014.

CITY OF NEVADA, MISSOURI

(SEAL)

By: _____
Seth Barrett, Mayor

Attest:

Bev Baker, City Clerk