

## Chapter 31

### PERSONNEL POLICIES

**[HISTORY: Adopted by the Mayor and Council of the City of Seat Pleasant 8-14-1978 by Ord. No. 78-02. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Departments and committees — See Ch. 14.  
Drug and Alcohol Abuse Policy — See Ch. 16.  
Ethics — See Ch. 18.  
Personnel Appeals Board — See Ch. 30.  
Police Department — See Ch. 35.

#### **§ 31-1. Equality.**

All appointments and promotions in the City service shall be made without regard to sex, race, religion, national origin, physical handicap or political affiliation and shall be based on merit and fitness.

#### **§ 31-2. Scope.** [Amended 2-14-1994 by Ord. No. 94-01]

All offices and employees of the City are classified as merit or non-merit employees. All positions shall be governed and administered under the provisions of this chapter. The following employees shall be classified as non-merit employees:

- A. Elected officials.
- B. Department heads.
- C. All persons appointed by the Mayor and Council.
- D. Contract employees.
- E. Part-time employees.
- F. Temporary employees.
- G. Probationary employees.
- H. Vendors.
- I. Summer interns.

#### **§ 31-3. Implementation.**

The responsibility for implementing the personnel system and for general supervision of the personnel system is hereby vested in the Chief Executive Officer.

#### **§ 31-4. Responsibilities of chief executive officer.**

The Chief Executive Officer shall be responsible for the following:

- A. Recommendations to the City Council with regard to the classification of positions and compensations therefor; the administration of the classification system and the rates of compensation; and the inclusion of said recommendations each year in the budget recommendations submitted to the City Council.
- B. Establishing classifications for all employment positions prior to the creation thereof.
- C. The appointment, transfer, promotion, demotion, suspension, dismissal or any such change in an employee's status.
- D. Maintenance of such personnel records as may be required.
- E. Administration of the personnel system and regulations.

**§ 31-5. Responsibilities of City Council.**

By resolution the Council shall:

- A. Adopt rules for the regulation of personnel matters in conformity with and furtherance of this chapter.
- B. Approve, establish or modify all positions or classes of positions in connection with the adoption of the annual budget for the City.
- C. Approve, establish or modify all salary classes of positions, provided that in connection with the adoption of the annual budget for the City, the Council shall approve salary schedules.

**§ 31-6. Classification of positions.**

The Chief Executive Officer shall so classify positions that employees doing like work will be similarly titled and compensated. He/she may recommend to the Council reclassification from time to time if changes in duties have taken place, and he/she may also recommend changes in rates of compensation when deemed necessary.

**§ 31-7. Tenure of positions.**

Classified employees shall be granted tenure subject to the provisions of regulations established in the personnel handbook and approved by the Council.

**§ 31-8. Authority to effect personnel changes.**

The Chief Executive Officer shall have the authority to effect personnel changes by promotion, demotion, appointment or separation, subject to the provisions of the Charter and this chapter.

**§ 31-9. Agreements authorized**

The Chief Executive Officer is authorized and empowered to enter into any agreements, upon terms agreed upon, with any public agency or body for purposes deemed to benefit the public personnel system. With the approval of the City Council, the Chief Executive Officer may

cooperate with other governmental agencies in conducting personnel tests, recruiting and training, establishing lists of eligible candidates for jobs, interchanging personnel and other programs of benefit to the City.

**§ 31-10. Prohibited acts.**

- A. No person shall defeat, deceive or obstruct with false statements the right of any person to examination, eligibility, appointment, promotion or pay raise or commit fraud to prevent the impartial execution of any policies, rules or regulations adopted by the Mayor and Council.
- B. No person shall directly or indirectly give, solicit or accept money, service or other valuable consideration for any appointment, promotion or proposal of appointment to a position in the career service.

**§ 31-11. Violations and penalties.** [Amended 2-14-1994 by Ord. No. 94-01]

Anyone violating § 31-10 of this chapter shall be charged with a misdemeanor. Any person convicted of a misdemeanor under this chapter shall be ineligible for a position in City service for a period of five years following the conviction. Any person so convicted who holds office or a position of employment shall forfeit that office or position upon conviction and, in addition, shall be fined an amount not less than \$500 and not more than \$1,000 or be imprisoned for not more than six months, or both.

**§ 31-12. Fiscal authorization for hiring and transfers.** [Added 2-9-2009 by Ord. No. 09-04]

- A. Before hiring any new personnel for the City government or transferring an existing employee from one position to another in the City government, the hiring authority shall request from the City Treasurer a written certification that the current City budget contains sufficient appropriation, and unexpended and unencumbered funds are available, to pay the salary and benefits for the proposed hire or transfer, and that the current City budget also contains a vacant allocation for the position to which the employee is proposed to be hired or transferred.
- B. No person may hire any personnel for the City of Seat Pleasant, or effect a transfer of an existing employee from one position to another in the City government, unless the hiring authority first has requested and received from the City Treasurer the certification specified in Subsection A of this section.
- C. The City Treasurer may not issue the certification specified in Subsection A of this section unless the Treasurer has verified that that the current City budget contains sufficient appropriation, and that unexpended and unencumbered funds are available, to pay the salary and benefits for the proposed hire or transfer, and that the current City budget also contains a vacant allocation for the position to which the employee is proposed to be hired or transferred.
- D. Any hire or transfer made without the certification from the City Treasurer specified in Subsection A of this section is void.

**§ 31-13. Personnel Manual.** [Added 12-12-2011 by Ord. No. O-12-10; amended 5-15-2017 by Ord. No. O-17-22]

- A. The Personnel Manual for the City of Seat Pleasant is the Personnel Rules and Regulations Manual as amended by resolution of the Council from time to time.
- B. A copy of the current edition of the Personnel Rules and Regulations Manual shall be kept on file in the office of the City Clerk.
- C. In the event of a conflict between any other provision of this Code and the current edition of the Personnel Rules and Regulations Manual, the latter shall prevail.