

CHAPTER 14

PERSONNEL

- Art. I. In General, {{14-1 - 14-25**
- Art. II. Appointment, Probationary Period, Separations, Reinstatements, {{14-26 - 14-85**
Div. 1. Generally
Div. 2. Probationary Period, {{14-46 - 14-65
Div. 3. Separations, {{14-66 - 14-85
- Art. III. Classification Plan, {{14-86 - 14-105**
- Art. IV. Salary Plan {{14-106 - 14-130**
- Art. V. Records and Reports, {{14-131 - 14-145**
- Art. VI. Attendance and Leave {{14-146 - 14-205**
Div. 1. Generally, {{14-146 - 14-170
Div. 2. Sick Leave, {{14-171 - 14-185
Div. 3. Leave Without Pay, {{14-186 - 14-205
- Art. VII. Employee Development {{14-206 - 14-220**
- Art. VIII. Disciplinary Actions, Appeals, Grievances, {{14-221 - 14-257**
Div. 1. Generally {{14-221 - 14-230
Div. 2. Grievances, {{14-231 - 14-250
Div. 3. Appeals, {{14-251 - 14-257
- Art. IX. Retirement Plan for City Employees, {{14-258 - 14-264.**

ARTICLE I. IN GENERAL

Sec. 14-1. Scope.

The personnel policies provided in this chapter shall govern the appointment, classification, salary, promotion, demotion, dismissal and conditions of employment of the employees of East Dublin. (Ord of 2-23-76)

Sec. 14-2. False Statements, etc.

No person shall make any false statements, certificate, mark or report with regard to any test, certification or appointment made under any provision of this chapter or in any matter commit or attempt to commit any fraud preventing the impartial execution of this chapter.
(Ord of 2-23-76, Art. XIV)

Sec. 14-3. Accepting consideration for position.

No person shall, directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the career service.
(Ord. Of 2-23-76, Art. XIV)

Sec. 14-4. Discrimination.

No employee of the personnel department, examiner or other person shall defeat, deceive or obstruct any person in his right to examination, eligibility, certification or appointment under this chapter, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the career service.
(Ord. Of 2-23-76, Art. XIV)

Sec. 14-5. Penalties.

Any person who willfully violates any provision of this chapter or of the personnel policies established hereunder may, upon action of the proper authority as outlined in this chapter, have one of the following judgments rendered:

- 1) Dismissal from government service.
- 2) Demotion in rank or grade.
- 3) Suspension for a period of time not to exceed thirty (30) days unless a court case is still pending.
- 4) Ineligibility for appointment to or employment in a position in the government service for a period of time or indefinitely. (Ord. Of 2-23-76, Art. XV)

Sec. 14-6. Employees subject to chapter.

The provisions of this chapter shall be applicable to all employees except as provided in this section:

- 1) Elected officials shall be exempt from the provisions of this chapter.
- 2) Employees not covered by the classification plan of this chapter shall be exempt from Articles II, III, and IV.
- 3) Part time officials appointed by the mayor and council, and employees of advisory or special boards and commissions, who work an irregular schedule, shall be exempt from all provisions of this ordinance except section 14-12d,
- 4) Part time and temporary employees shall be exempt from sections 14-32, 14-35 and 14-112, and shall be eligible for only those privileges and benefits which are

specifically stated as applicable under this chapter. (Ord. Of 2-23-76, Art. I, {4})

Section 14-7. Status of employees.

Employees holding positions in the career service in this city for six (6) months or more immediately prior to the adoption of this chapter shall be continued in their respective positions without further examination, until separated from their positions as provided by law. Those holding positions for less than six (6) months immediately prior to the adoption of this law shall serve a probationary period as prescribed by this chapter. Those who shall have failed to qualify as provided herein shall be dismissed from their positions within thirty (30) days after establishment of an eligible list for their respective positions. Nothing herein shall preclude the reclassification or reallocation as provided by this chapter of any position held by any incumbent. (Ord. Of 2-23-76, Art. XVI)

Section 14-8. Responsibility of mayor.

The mayor shall be responsible for the administration of the personnel policies and rules in this chapter, which shall apply to all appointed employees except those specifically exempted. (Ord. Of 2-23-76, Art I, {2})

Section 14-9. Personnel officer.

The mayor and council may appoint either a full-time or a part-time officer to assist in the preparation and maintenance of the position classification plan and the pay plan, and perform such other duties in connection with a modern personnel program as the mayor and council shall require. All matters dealing with personnel shall be routed through the personnel officer who shall maintain a complete system of personnel files and records. (Ord. Of 2-23-76, Art. I, {3})

Section 14-10. Merit principles.

The personnel system established in this chapter shall be consistent with merit principles so as to assure:

- 1) Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointment;
- 2) Providing equitable and adequate compensation;
- 3) Training employees, as needed, to assure high quality performance.
- 4) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance cannot be corrected;

- 5) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex or religious creed and with regard for their privacy and constitutional rights as citizens; and
- 6) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office as stipulated in this article. (Ord. Of 2-23-76, Art I, {1})

Sec. 14-11. Acceptance of gifts, etc.

A city employee shall not accept gifts, gratuities or loans from organizations, business concerns or individuals with whom he has official relationships on business of the city government. These limitations do not apply to articles of negligible value nor loans from regular lending institutions, nor shall they prohibit employees from accepting social courtesies which promote good public relations. It is particularly important, however, that inspectors, contracting or procurement officers and enforcement officers guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion. (Ord. Of 2-23-76. Art X)

Sec. 14-12. Political activities.

- A) No East Dublin employee in the career service shall hold elective office in the city, county, state or national government; nor shall he give or solicit any contributions or assessments, or publicly endorse any candidate for any city elective office. Any employee wishing to run for elective office may apply to the mayor and council for leave without pay to be effective from the date of qualification until elected or defeated. If leave without pay is denied, the employee shall be automatically terminated as of the date of qualification.
- B) Nothing contained in this section shall affect the right of an employee to contribute to, hold membership in, serve as an officer of or support a political party, to vote as he chooses, to support or campaign for political candidates of other governmental jurisdictions, to express privately his opinions on all political subject and candidates, to maintain political neutrality or to attend political meetings. (Ord. Of 2-23-76, Art. XIII)

Sec. 14-13. Outside employment.

No city employee shall engage in any other employment, or in any private business, or in the conduct of a profession, during the hours for which he is employed to work for the city, or outside such hours in a manner or to an extent that affects or is deemed likely to affect his usefulness as an employee of the city. Toward this end, all outside employment must be reported to and approved by the employee's department head and the mayor and council and filed with the mayor. (Ord of 2-23-76, Art. IX)

Sec. 14-14. Agreements.

- A) The city government is authorized and empowered to enter into reciprocal agreements, upon such terms as may be agreed upon, for the use of equipment, materials, facilities and services with any public agency or body for purposes deemed of benefit to the public personnel system.
- B) The mayor and council may cooperate with other governmental agencies charged with public personnel administration in conducting personnel tests, recruiting personnel, training personnel, establishing lists from which eligibles shall be certified for appointment and for the interchange of personnel and their benefits. (Ord of 2-23-76, Art. XII)

Secs. 14-15 - 14-25. Reserved.

**ARTICLE II.
APPOINTMENT, PROBATIONARY
PERIOD, SEPARATIONS, REINSTATEMENTS**

DIVISION 1 GENERALLY

Sec. 14-26. Applicability of article.

The provisions of this article shall be applicable to all employees except those exempted in section 14-6. (Ord. Of 2-23-76, Art. IV, {1})

Sec. 14-27. Employment opportunities.

The mayor and council shall publicize opportunities for employment with the city including the salary ranges and employment qualifications for positions to be filled. Each department head shall be responsible for assisting the mayor in recruiting qualified applicants to fill vacancies in his department. (Ord of 2-23-76, Art. IV, {2})

Sec. 14-28. Applications - When accepted; consideration.

As a general policy, in order not to lose competent applicants, the city clerk will accept applications at any time, whether or not a vacancy has been announced. As a result of a single application, a candidate shall be considered for all classes of positions in which his principal qualifications might profitably be used. (Ord. Of 2-23-76, Art. IV, {3})

Sec. 14-29. Same - Form; where made.

Each applicant for a position with the East Dublin government shall make application on a

standard application form approved by the mayor and council. The application shall be made at the city hall. (Ord of 2-23-76, Art. IV, {3)

Sec. 14-30. Same - Rejection.

The mayor may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the class specification or any recruitment notice. An applicant may also be rejected for the practice or attempted practice of fraud or deception in the completion of his application, or if his past record of employment is determined to be unsatisfactory by the mayor. (Ord of 2-23-76, Art. IV, {3)

Sec. 14-31. Qualifications and evaluations.

Employees shall meet the employment standards established by the position classification plan and such other reasonable minimum standards as to character, aptitude, ability to meet the public and physical condition as may be established by the mayor with the advice and recommendations of the city council and department heads, provided however, that such minimum standards are necessary for satisfactory job performance and do not discriminate against any race, sex, nationality or religion. Discrimination in the employment of any person who is an applicant for a merit system position because of race, creed, color, sex, political affiliation or national origin is prohibited. When deemed necessary, the mayor may require the assistance of administrative and supervisory officials in reviewing, evaluating and rating applications and in conducting oral interviews of applicants. The mayor and council may establish whatever reference and investigative requirements they deem necessary, including fingerprinting, check of arrest records or physical examination if deemed a factor in job performance and further provided that the applicants are previously notified of such actions. (Ord. Of 2-23-76, Art. IV< {4)

Sec. 14-32. Appointment - Department heads.

All appointments to the administrative and service departments shall be made by the Mayor from candidates submitted by the Council.

Sec. 14-33. Same - Emergency and provisional.

The mayor may approve emergency employment for not more than ninety (90) days and provisional employment without open evaluation when there is no appropriate eligible list available. No such provisional employment shall continue longer than six (6) months, nor shall successive provisional appointments be allowed except during the first year after the effective date of this article. (Ord of 2-23-76, Art. IV, {7)

Sec. 14-34. Substitute appointments.

The appointing authority may approve a substitute appointment of a city employee to fill temporarily a position with a higher classification. No such substitute appointment shall continue more than six (6) months. If the employee serves in the substitute capacity for five (5) working days or longer, he shall be paid at the minimum rate of the pay grade assigned to the substitute

position, or one pay step above his regular salary, whichever is higher.
(Ord. Of 2-23-76, Art. IV, {6})

Sec. 14-35. Vacancies.

Whenever a vacancy exists, applications of all qualified applicants for the position shall be forwarded by the mayor to the department head for his review. The department head shall appoint the person best qualified for the position and recommend the salary to be paid. The mayor shall then allocate the position to a proper class in the classification plan and recommend the classification and starting salary of the new or promoted employee to the mayor and council.
(Ord. Of 2-23-76, Art. IV, {5})

Sec. 14-36. Reinstatement.

A city employee who has been separated because of reduction in force or who has resigned while in good standing shall be credited with his previously accrued sick leave if he is reinstated within five (5) years. If the reinstated employee shall have continued to be a member of either the employee's retirement system or the peace officers' benefit and retirement fund, he shall receive full credit for all accrued contributions to the time of his separation.
(Ord. Of 2-23-76, Art. IV, {10})

Secs. 14-37 - 14-45. Reserved.

DIVISION 2. PROBATIONARY PERIOD

Sec. 14-46. Duration; benefits.

All City employees except trades and labor employees appointed to or promoted to permanent positions shall serve a probationary period of six (6) months. Trades and labor employees shall serve a probationary period of three (3) months. Employees serving a probationary period following initial employment in a permanent position shall receive all benefits provided in accordance with this chapter with the exceptions or as otherwise provided in this article.
(Ord. of 2-23-76, Art. IV, {8})

Sec. 14-47. Vacation.

A full-time City employee may accumulate vacation leave but shall not be permitted to take vacation leave during the probationary period unless the denial of such leave shall create an unusual hardship. Vacation leave may be granted to such employee only with the approval of the mayor. (Ord. of 2-23-76, Art. IV, {8})

Sec. 14-48. Following promotion.

Employees serving a probationary period following a promotion shall continue to receive all benefits provided in accordance with this chapter and under supplementary rules and regulations,

including the right of appeal, except that they may be demoted to their former position without appeal rights. (Ord. of 2-23-76, Art.. IV, {8})

Sec. 14-49. Report to mayor.

Before the end of the probationary period, the department head shall indicate, in writing, to the mayor:

- 1) That he has discussed with the employee the employee's accomplishments, failures, strengths and weaknesses;
- 2) Whether the employee is performing satisfactory work;
- 3) Whether the employee should be retained in the position;
- 4) Whether the employee should be given a merit salary increase;
- 5) Whether the employee, if a new appointee, should be discharged; or
- 6) Whether the employee, if on probation following a promotion, should be reinstated in his former class. (Ord. of 2-23-76, Art. IV< {8})

Sec. 14-50. Dismissal generally.

A new appointee may be dismissed at any time during the probationary period if the appointing authority determines that the employee is incapable of doing his assigned duties satisfactorily. (Ord. of 2-23-76, Art. IV, {8})

Sec. 14-51. Terminal pay; appeal of dismissal.

A City employee, if dismissed during the probationary period shall not be eligible for terminal pay for accumulated vacation leave, nor shall he be entitled to exercise the right to appeal his dismissal. (Ord. of 2-23-76, Art.. IV, {8})

Secs. 14-52 - 14-65. Reserved.

DIVISION 3. SEPARATIONS

Sec. 14-66. Methods.

A City employee may be separated from government service by anyone of the eight (8) different methods as described in this division. (Ord. of 2-23-76, Art.. IV, {9})

Sec. 14-67. Resignation generally.

To resign in good standing, a City employee should give his department head at least fourteen (14) calendar days prior notice. Normally failure to comply with this rule shall be entered on the employee's personnel records and may be grounds for refusal to re-employ. However, the department head or the mayor may exempt an employee who has given less than required notice if in his judgment exceptional circumstances warrant such exemption.
(Ord. of 2-23-76, Art.. IV, {9})

Sec. 14-68. Compulsory resignation.

An employee who, without valid reason, fails to report to work for three (3) consecutive days without authorized leave shall be separated from the payroll and reported as a compulsory resignation. Such an employee may not be eligible for re-employment.
(Ord. of 2-23-76, ART.. IV, {9})

Sec. 14-69. Layoff - Defined.

Layoff is the termination of employment of a merit system employee when, for any valid reason, it may be necessary to abolish one or more positions or reduce the number of employees in the City service. Layoff does not reflect discredit upon the service of the employee.
(Ord. of 2-23-76, Art.. IV, {9})

Sec. 14-70. Same - Procedure.

- A) Prior to a layoff under this division, the department head shall consider work records, employee evaluation ratings and length of service and shall make recommendations to the mayor as to which employee shall be laid off. The chief basis of the decision shall be the relative competence of the employees for the job that remains. In choosing between two (2) employees, the employee most competent for the job that remains shall be retained. If it is found that two (2) or more persons in the organizational unit in which layoff is to be made have equal ratings as determined by review of employee records and evaluation ratings, the order of layoff shall be: The last employee to enter the service shall be the first to be laid off. No permanent career employee shall be laid off while another person in a classified position is employed on a temporary or part-time basis in the same class if the employee is willing to accept the temporary or part-time work.
- B) Permanent career employees shall be notified in writing at least fourteen (14) calendar days prior to the effective date and shall be informed of their right of appeal under section 14-151 et seq. (Ord. of 2-23-76, Art.. IV, {9})

Sec. 14-71. Disability.

The mayor may direct any employee under his jurisdiction to be examined by a physician employed by the City. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his continuance on the job a danger to himself or others,

one of the following actions shall be taken:

- 1) If the disability is correctable, a specified period of time shall be allowed for its correction. Failure to correct shall be grounds for disciplinary action or layoff.
- 2) If, in the opinion of the examining physician, the disability cannot be corrected, the appointing authority may place the employee in another position which he can perform satisfactorily, or take steps to separate the employee from government service through retirement or layoff. (Ord. of 2-23-76, Art.. IV, {9})

Sec. 14-72. Loss of job requirement.

Any employee who is unable to do his job adequately because of the loss of a necessary license or other requirement shall be terminated from employment. (Amended Ord of 11-14-11)

Sec. 14-73. Dismissal.

A permanent City employee whose work is not satisfactory over a period of time shall be notified in what way his work is deficient and what he must do if his work is to be satisfactory. A permanent employee may be dismissed by the mayor or by his department head if he fails to perform work up to the standard of the classification which he holds or is guilty of any of the acts listed in section 14-221. When an employee is discharged, the department head shall immediately provide the mayor and the discharged employee with a written notice of the discharge indicating the effective date and the reasons for the discharge. A permanent career employee shall have the right of appeal as provided in section 14-251 et seq. (Ord. of 2-23-76, Art.. IV,{9})

Sec. 14-74. Retirement.

Provisions of any retirement ordinance of the City shall apply.(Ord. of 2-23-76, ART.. IV, {9})

Sec. 14-75. Death.

When a permanent City employee dies while in the classified service, his estate shall be eligible to receive the accumulated annual leave and any other compensation due the deceased employee (Ord. of 2-23-76, Art.. IV, {9})

**ARTICLE III.
CLASSIFICATION PLAN**

Sec. 14-86. Coverage.

This position classification plan attached to the ordinance from which this section is derived shall be the classification plan of East Dublin, Georgia. This classification plan shall include all permanent classes of positions except those exempted in Section. 14-6.
(Ord of 2-23-76, Art. II, {1}).

Sec. 14-87. Allocation of positions.

The mayor shall allocate each position covered by the classification plan to its appropriate class in the position classification plan. (Ord of 2-23-76, Art.. II, {2})

Sec. 14.88. Maintenance of plan.

The mayor shall be responsible for the administration and maintenance of the position Classification plan. Department heads shall be responsible for bringing to the attention of the mayor: (1) the need for new positions, and (2) material changes in the nature of duties, responsibilities, working conditions or other factors affecting the classification of any existing position. Following the receipt of such information concerning any existing or proposed position, the mayor shall restudy the position and report his findings and recommendations to the city council. (Ord of 2-23-76, Art.. II, {3})

Sec. 14-89. New positions.

New positions shall be established only with the approval of the mayor and council, after which the mayor shall either (1) allocate the new position to the appropriate class within the existing classification plan, or (2) recommend that the mayor and council amend the position classification plan to establish a new class to which the new position may be allocated. (Ord of 2-23-76, Art.. III, {3})

Sec. 14-90. Change in existing position.

When the mayor finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the mayor shall:

- 1) Direct that the existing class specification be revised,
- 2) Reallocate the position to the appropriate class within the existing classification plan, or
- 3) Recommend that the mayor and council amend the position classification plan to establish a new class to which the position may be allocated.
(Ord. Of 2-23-76, Art. II,. {3})

Sec. 14-91. Amendment.

Classes of positions shall be added to and deleted from the position classification plan upon the recommendation of the mayor and with the approval of the council.
(Ord of 2-23-76, Art.. II. {4})

Secs. 14-92 - 14-105. Reserved.

**ARTICLE IV.
SALARY PLAN**

Sec. 14-106. New Plan.

The following four (4) principles shall govern the transition to a new salary plan:

- 1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- 2) All employees being paid at a rate lower than the minimum rate established for their respective classes shall have their salaries raised to the new minimum for their classes.
- 3) All employees being paid at a rate below the maximum rate established for their respective classes shall be paid at a rate listed in the salary schedule; all employees not at a listed rate shall have their salaries raised to a listed rate.
- 4) All employees being paid at a rate above the maximum rate established for their respective classes shall remain at their present salaries as long as the maximum rate is below the employees' present salaries. (Ord of 2-23-76, Art.. III, {3})

Sec. 14-107. Coverage.

The "schedule of salary ranges" and "assignment of classes to salary ranges" attached to the ordinance from which this section is derived shall be the salary plan of East Dublin, Georgia. The salary plan shall include all permanent classes of positions included in the classification plan. (Ord of 2-23-76, Art.. III, {1})

Sec. 14-108. Maintenance of plan.

The mayor shall be responsible for the administration and maintenance of the salary plan. Each year, prior to the preparation of the annual budget the mayor shall secure information concerning the general level of salaries paid and the fringe benefits provided in private industry in the area, the salaries paid and the fringe benefits provided comparable municipal, county and state employees, and any change in the cost of living in the area during the fiscal year. The mayor shall conduct continuing studies of the internal relationships between classes in order to reduce or eliminate inequities between classes of positions. Based on the studies and recommendations and the general financial condition of the governmental unit, the mayor shall recommend to the council such increases, reductions or amendments of the salary plan as he deems necessary to maintain the fairness and adequacy of the salary plan. (Ord of 2-23-76, Art.. III, {2})

Sec. 14-109. Payment at a listed rate.

All employees covered by the salary plan shall be paid at a listed rate within the salary ranges established for their respective job classifications except employees in a “trainee” status, or employees whose present salaries are above the established maximum rate following transition to a new pay plan. (Ord. Of 2-23-76, Art.. III, {4})

Sec. 14-110. Entrance at the minimum.

Each new employee shall be appointed at the minimum salary which has been established for the classification in which he is employed except:

- 1) If the new employee does not meet the minimum requirements of the position and qualified applicants for the position are not available, the mayor may designate the employee as a “trainee” to be appointed at a salary below the minimum;
- 2) When the mayor shall determine that there has been a demonstrated inability to recruit at the minimum salary or that an applicant possesses exceptional qualification, the mayor may authorize the employment of the applicant at a higher rate than the minimum in the salary range.
(Ord. Of 2-23-76. Art.. III, {5})

Sec. 14-111. Trainee.

A new employee who does not meet all of the established qualifications for a position may be appointed with the approval of the mayor and council at a “training” salary not more than two (2) steps below the minimum salary established for the position. The employee shall continue to receive the reduced salary during the probationary period until the appointing department head with the approval of the mayor and council shall determine that the employee is qualified to assume the responsibilities of the position, or until the end of the probationary period when the employee is either discharged or moved to a listed rate in the salary range established for the position. (Ord. Of 2-23-76, Art.. III, {6})

Sec. 14-112. Earned salary increments.

- A) Salary increases above the minimum established for each class of positions shall be granted only in recognition of superior or improved performance. The mayor and council shall each year include funds in the budget proposal for providing earned salary increments. Insofar as practicable, each department shall receive a share of the salary increment funds which is in proportion to the department’s share of the total salaries paid employees eligible for salary increments in all departments.
- B) A salary increment given to any employee shall consist of no more than one full step in the salary range established for his class. Salary increments shall be effective only upon the recommendation of the supervising department head and the mayor with the approval

of the mayor and council. (Ord. Of 2-23-76, Art.. III. {7})

Sec. 14-113. Reclassified employee.

An employee whose position is reclassified to a class having higher pay range shall receive a one-step salary increase, or an increase to the minimum step of the new salary range, whichever is higher. Upon recommendation of the department head and approval of the mayor and council, an increase of more than one step may be granted. An employee whose position is reclassified to a class having a lower pay range shall not receive a reduction in salary as a result of the reclassification. (Ord. Of 2-23-76, Art. III. {8}).

Sec. 14-114. Promoted employee.

A city employee promoted to a position in a class having a higher pay range shall ordinarily receive a one-step salary increase, or an increase to the minimum step of the new salary range, whichever is higher. Upon recommendation of the department head and approval of the mayor and council, an increase of more than one step may be granted, provided however, that the step increase so granted does not exceed the difference between the grades of the employee's old and new positions. (Ord. Of 2-23-76, Art.. III {9})

Sec. 14-116. Demoted employee.

The salary of an employee demoted to a position in a class with a lower salary range shall be adjusted to the maximum of the new range or to one step below his former salary, whichever is lower; except that in a non-disciplinary demotion, upon recommendation of the department head, the mayor and council may continue the salary at the rate of pay prior to the demotion provided such salary falls within the range of pay allocated for the new position. If an employee fails to complete successfully, he shall be reinstated in his former position or in a position in the same class as his former position. (Ord of 2-23-76, Art.. III, {11})

Sec. 14-117. Part-time employee.

The pay plan established by the ordinance from which this section is derived is for full-time service. An employee appointed for less than full-time service shall be paid at a rate determined by converting the established monthly salary of the position into an hourly rate. (Ord of 2-23-76, Art.. III, {12})

Sec. 14-118. Effective date of salary adjustments.

Salary adjustments approved after the first working day of a pay period shall become effective at the beginning of the next pay period, or at such specific date as may be provided. (Ord of 2-2-376, Art.. III, {13})

Secs. 14-119 - 14-130. Reserved.

**ARTICLE V.
RECORDS AND REPORTS**

Sec. 14-131. Records - Establishment, retention.

There shall be established and maintained such personnel records as the mayor deems necessary for the administration of the merit system. The mayor shall prescribe the form and scope of these records. When not in conflict with state or federal laws, the mayor and council shall determine the time limit that personnel records shall be kept on file, and shall determine the final disposition of such records. (Ord of 2-23-76, Art.. VIII, {2})

Sec. 14-132. Same - Open to public.

All personnel records, except examinations, employee performance reports, personnel histories and such others as may be specified in the rules in this chapter or by action of the mayor as confidential, shall be public records and shall open for public inspection during office hours and reasonable times in accordance with such procedures at the mayor may prescribe. (Ord of 2-23-76, Art.. VIII, {1})

Sec. 14-133. Employee performance reports.

Immediate supervisors shall initiate employee performance reports in such form and at such times as directed by the mayor. Performance reports shall be reviewed and approved by the department head and the mayor prior to the granting of merit increases. Reports of substandard performance shall be reviewed and signed by affected employees prior to their submission to the mayor. (Ord. Of 2-23-76, Art.. VIII, {3})

Sec. 14-134 - 14-145. Reserved.

**ARTICLE VI.
ATTENDANCE AND LEAVE**

DIVISION I. GENERALLY

Sec. 14-146. Hours of work.

The established work week for full time employees in the career service shall be not less than forty (40) hours, and shall be the same for all persons occupying full-time positions in the same class under the same conditions. The work schedules for each department shall be established by the mayor and the department head. (Ord of 2-23-76, Art.. IV, {1})

Sec. 14-147. Attendance.

Each department head shall be responsible for the punctual attendance of all employees under his administrative supervision and shall keep such attendance records as shall be required by the mayor and council. Leave shall be authorized in units of days or half days only.
(Ord. Of 2-23-76, Art.. VI, {2})

Sec. 14-148. Overtime - Generally.

Supervisors shall arrange the work schedules of their employees so as to accomplish the required work within the standard work day. Employees shall be required to work overtime only in emergencies, and the supervisor may order extensive overtime only with the prior approval of the mayor. Overtime work shall be considered work performed by an employee at the direction of a department head or his authorized representative which exceeds the established work week of the employee. (Ord of 2-23-76, Art.. IV, {3})

Sec. 14-149. Same - pay.

City employees covered by provisions of the Fair Labor Standards Act shall be paid overtime in compliance therewith. Other city employees who are required to work overtime may receive compensatory time off at a time which will least obstruct departmental operation, or be compensated at a rate set by the mayor and council. (Ord of 2-23-76, Art.. VI, {3})

Sec. 14-150. Holidays - generally.

It shall be the policy of the city to insure that all permanent full-time employees enjoy the same number of holidays each year. In order to achieve this end, six (6) eight -hour working days leave shall be added to the vacation leave for each full time permanent employee working on a shift basis. All other full time permanent employees shall be eligible for holiday leave for the following days and such other days as may be designated by specific action of the mayor and council: New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day and Martin Luther King Day. Permanent employees working less than full time shall also be eligible for the above named holidays with pay for their regular number of hours at their regular rate of pay. In order to receive pay for an observed holiday, an employee must not have been absent without leave either on a workday before or after the holiday.
(Ord of 2-23-76, Art.. VI, {4})

Sec. 14-151. Same - Saturday or Sunday.

When a holiday falls on a Saturday, the previous Friday shall be designated at the holiday. When a holiday falls on Sunday, the following Monday shall be designated at the holiday.
(Ord. Of 2-23-76, Art.. VI, {4})

Sec. 14-152. Same - workday.

All eligible employees, except those working on a shift basis, who are required to work on a scheduled holiday shall be paid for the overtime worked in accordance with the rules governing

overtime. (Ord of 2-23-76, Art.. VI {4})

Sec. 14-153. Annual leave (vacation) - Persons entitled.

All permanent employees, working full or part time, and career employees serving temporarily in substitute or acting capacities, are eligible to accrue vacation leave as outlined in section 14-154 of this article. Temporary, seasonal and other part time or substitute employees are not eligible for vacation leave. (Ord of 2-23-76, Art.. VI, {5})

Sec. 14-154. Same - Accrual.

Full time eligible employees shall accrue vacation leave at the rate of five (5) working days (one calendar week) following one year of service, and ten (10) working days (two (2) calendar weeks) after five (5) years of service, fifteen (15) working days (three (3) calendar weeks) after ten (10) years of continuous service and twenty (20) working days (four calendar weeks) after twenty (20) years of service. Permanent part time employees shall have their vacation leave reduced proportionately as their formal hours of work are to the forty hour work week. Vacation time shall accrue from the date of employment, but no employee shall be entitled to receive vacation leave or pay for accrued vacation time until he shall have completed one year of satisfactory service with the city. Vacation leave must be used within one year after it is accrued, or it will be forfeited. Employees shall be charged with one-half day vacation leave for each day's unauthorized absence from work. Authorized leave shall be as follows: Paid holidays, approved sick leave, court duty and other reasons approved by the appropriate department head or the mayor and council. Employees working twenty four hour "duty days" shall be charged two (2) leave days for each "duty day" taken. (Ord of 2-23-76, Art.. VI, {5})

Sec. 14-155. Accumulation.

In no case shall a city employee have his annual leave extended more than one year beyond the year it was earned, unless due to work schedules or unforeseen events, and then only at the discretion of the employee's department head and with the consent of the mayor, an extension of six (6) months may be granted for use of said leave. Any deviation from this policy shall require specific approval of the mayor and council. (Ord of 2-23-76, Art.. IV, {5})

Sec. 14-156. Same - When used.

Vacation leave assignments will be made in accordance with the preference of the employee, where possible, however, leave must be taken at the convenience of the department, and the department head's decision as to when leave may or may not be taken will be final. Seniority will be a major factor when preparing leave schedules. (Ord of 12-23-76, Art.. IV {5})

Sec. 14-157. Same - Pay when not used.

A city employee may elect to receive pay in lieu of part or all of his accrued annual leave. Upon termination of employment, an employee shall be paid for his accrued annual leave, if he meets

basic earned leave requirements. (Ord of 2-23-76, Art.. VI, {5})

Sec. 14-158. Military leave.

Military leave exceeding two (2) weeks in length shall be considered to be leave without pay and all the rules, procedures and rights outlined in division 3 of this article shall apply. For leave of two (2) weeks or less, the city will pay the difference between the employee's regular pay and pay he received for military duty, not to exceed the employee's regular rate of pay. (Ord. Of 2-23-76, Art. IV, {7})

Sec. 14-159. Civil leave.

Any employee shall be given necessary time off without loss of pay when performing jury duty or when required by proper authority to be a witness in legal proceedings, provided such call to duty is reported in advance to the individual's department head. In order to receive full pay for the necessary time off duty, all such fees received by the employee (Other than meal and travel allowance) must be deposited with the city clerk. Employees who perform jury duty or who are required to be a witness in a legal proceeding when such is required during periods when the employee is otherwise in a non-duty status will be permitted to retain all fees and allowances received therefore. (Ord of 2-23-76, Art.. VI, {8})

Sec. 14-160. Maternity leave.

Maternity leave shall be granted to city merit system employees upon written request filed by the employee at least two (2) weeks prior to effective date (unless emergency conditions prohibit the filing of such prior notice, in which case it shall be filed as soon as possible.) Time for beginning of maternity leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of maternity leave shall be when the employee's doctor certifies that she is able to return to work. Maternity leave shall consist of the following: Use of any accumulated sick and annual leave, at the expiration of which permanent status career employees may apply to the mayor for leave without pay as prescribed in Division 3 of this article. Reemployment rights available to employees granted leave without pay shall apply to employees granted leave without pay because of pregnancy and childbirth. (Ord of 2-23-76, Art.. VI, {9})

Sec. 14-161 - 14-170. Reserved.

DIVISION 2. SICK LEAVE

Sec. 14-171. Definition.

Sick leave is paid leave that may be granted to each eligible employee who through sickness or injury becomes incapacitated to a degree that makes it impossible for him to perform the duties of his position, who is quarantined by a physician because he has been exposed to contagious disease or for medical, dental or optical examination or treatment. Up to three (3) days sick leave

may be used for emergency personal leave if specifically approved by the appropriate department head. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-172. Persons entitled.

All permanent City employees, working full or part-time, and career employees serving temporarily in substitute or acting capacities, are eligible to accrue sick leave as outlined in the following section. Temporary, seasonal and other part-time or substitute employees are eligible for sick leave. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-173. Accrual

Full-time eligible City employees shall accrue sick leave at the rate of one eight-hour working day per month, or major portion thereof, for a total of twelve (12) such days per year. If unused, up to ten (10) days sick leave may be carried over each year and added to previously accumulated sick leave. Permanent employees working less than full-time shall have their sick leave reduced proportionately as their normal hours of work are to the forty-hour work week. Sick leave time shall accrue from the date of employment, but no employee shall be entitled to receive sick leave times until he shall have completed ninety (90) days of service. An employee who has taken sixteen (16) or more calendar days sick leave with or without pay in one month shall not earn sick leave credit for that month. For purposes of accumulating sick leave, full-time employees of all departments shall be considered to be working a forty-hour week, a "week" so designated by the department head. (Ord. of 2-23-76, Art.. VI,{6})

Sec. 14-174. On-the-job injury

An employee who sustains an injury on the job must at the time of the injury or as soon as possible thereafter notify the supervisor on the forms provided. The mayor shall review the case and make recommendations for appropriate compensation. If the injury necessitates the employee's absence from work, the employee shall receive only that compensation provided under workers' compensation, unless additional compensation is approved by the mayor and council. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-175. Reporting.

A City employee who is absent from work because of illness is responsible for reporting to the appropriate supervisor or department head informed within two (2) hours after the designated reporting time on the day of absence, and will be expected to keep his supervisor or department head advised of his progress on a regular basis; such leave will be charged against sick leave. Where a relief employee is required in a department which must provide twenty-four (24) hours sustained service, the employee must report his absence two (2) hours before the designated reporting time. In the event of failure of compliance with this provision, the employee will be charged on the payroll with leave without pay. Employees working twenty-four-hour "duty days" shall be charged two (2) days leave for each "duty day" taken. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-176. Privilege; abuse.

Sick leave is not to be considered a right which an employee may use at his discretion, but a privilege not to be abused. Department heads who feel an employee is abusing the sick leave privilege may require the employee to furnish a doctor's certificate for each period of absence regardless of the provisions of the following section. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-177. Doctor's certificate generally.

Sick leave with pay in excess of three (3) consecutive working days for reasons of personal illness or physical incapacity shall be granted only after presentation of a written statement by a licensed physician, or dentist, certifying that the employee's condition prevented him from performing the duties of his position. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-178. Employees with prior service.

Additional sick leave may be granted to present employees upon recommendation of the department head and approval of the mayor and council, taking into consideration the employee's prior service and prior use of sick leave. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-179. Termination of employment.

Additional sick leave may be granted to present employees upon recommendation of the department head and approval of the mayor and council, taking into consideration the employee's prior service and prior use of sick leave. (Ord. of 2-23-76, Art.. VI, {6})

Secs. 14-180 - 14-185. Reserved.

DIVISION 3. LEAVE WITHOUT PAY

Sec. 14-186. Definition.

When it is deemed in the best interest of the City government service, a permanent status career employee may be granted leave without pay for personal or other reasons, provided such leave is recommended by the department head and approved by the mayor and council. Non-career employees are not eligible for grants of leave without pay. (Ord. of 2-23-76, Art.. VI, {6})

Sec. 14-187. Reasons for granting.

The mayor and council may grant leave without pay for a period not to exceed one year, when it is deemed to be in the best interest of the City. Valid reasons shall include, but not be limited to, illness of a member of the employee's household, educational or training enrichment, pregnancy and childbirth, and military service. (Ord. of 2-23-76, Art.. VI, {10})

Sec. 14-188. Requests.

Application for leave without pay shall be submitted in writing in advance showing the employee's reasons for requesting such leave and shall contain a statement that he intends to return to the City government service upon expiration of such leave, and that he agrees to the terms and conditions as outlined in the policies in this chapter. In emergency situations, when an employee does not have accrued leave and is unable to return to work as scheduled as a result of illness or emergency reasons, his department head may recommend approval of the granting of leave without pay without prior application by the employee, or the mayor may investigate and make such recommendations in the absence of the department head.

(Ord. of 2-23-76, Art.. VI, {10})

Sec. 14-189. Temporary filling of position.

During the employee's approved leave of absence without pay, his position may be filled by temporary appointment or substitution. At the expiration of leave without pay, the employee, subject to the following two (2) sections, shall be reinstated in his former position, and the substitute employee returned to his former position without loss of status or benefits.

(Ord. of 2-23-76, Art.. VI, {10})

Sec. 14-190. Reinstatement to former position.

City employees granted leave without pay for not exceeding two (2) calendar months shall be entitled to reinstatement to their former positions. For employees granted leave without pay exceeding two (2) calendar months, every effort will be made to return the employee to his former position or to a comparable one. He shall be listed on re-employment lists in the same manner as employees who are laid off in good standing. (Ord. of 2-23-76, Art.. VI, {10})

Sec. 14-191. Continuity of service.

Employees granted leave without pay shall not be considered to have effected a break in service except as outlined below:

- 1) In cases of leave without pay exceeding two (2) calendar months, the effective date of an employee's merit increase shall be adjusted month for month for each month he is on leave without pay in excess of two (2) months.
- 2) In the case of a probational status employee (either from initial or promotional appointment), the effective date of the end of the probationary period shall be adjusted month for month for each month he is on leave without pay.
- 3) For purposes of retirement benefits for eligible employees, breaks in service shall be as defined in any retirement ordinance of the City.
- 4) Continuation of insurance benefits for eligible employees during the time the employee is on leave without pay shall be in accordance with the provisions of

employee group insurance contracts, and providing that such employees reimburse the City for the cost of premiums on such insurance during the leave period.

- 5) Employees granted leave without pay under this chapter shall not accrue sick and annual leave while on leave status. However, any sick leave accrued at the time leave is granted shall be continued upon return to duty. Any employee who fails to return to duty and is terminated shall forfeit any sick leave that had been accumulated. (Ord. of 2-23-76, Art.. VI, {10})

Secs. 14-192 - 14-205. Reserved.

ARTICLE VII. EMPLOYEE DEVELOPMENT.

Sec. 14-206. In Service Training.

The mayor shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement. (Ord. of 2-23-76, Art.. VII, {1})

Sec. 14-207. Education enrichment.

Upon the recommendation of the department head and the approval of the mayor and council, an employee may receive payment for the cost of tuition and books for any job-related post-high school course successfully completed. Such courses shall be taken during employee off-duty hours unless it is necessary training for the job which is specifically approved by the department head and the mayor. In case of necessary training for the job which involves travel, the mayor may also approve compensation based on regular City travel policies. (Ord. of 2-23-76, Art.. VII, {2})

Sec. 14-208. Retirement system.

Provisions for group insurance and group medical coverage for employees shall be as outlined in existing group contracts and plans, or as they may be amended. (Ord. of 2-23-76, Art.. VII, {4})

Sec. 14-210. Uniforms and equipment.

Uniforms for police and fire department employees and such other employees as the mayor and council may authorize may be furnished by the City government. Equipment deemed essential to job performance may also be furnished if authorized by the mayor and council. (Ord. of 2-23-76, Art.. VII, {5})

Secs. 14-211 - 14-220. Reserved.

ARTICLE VIII.
DISCIPLINARY ACTIONS, APPEALS, GRIEVANCES.

DIVISION 1. GENERALLY.

Sec. 14-221. Reasons for disciplinary action.

Listed in this section are some of the reasons which might be cause for disciplinary action referred to in this chapter, but disciplinary action is not limited to the offenses listed:

- 1) Insubordination or uncooperative attitude, tending to lower discipline and morale.
- 2) Failure to do work at an acceptable level of competence as determined by department head (may include excessive tardiness, lost time or inefficiency).
- 3) Conviction of a felony or a crime involving moral turpitude.
- 4) Inexcusable absence without leave.
- 5) Theft, abuse or misuse of City property or vehicles.
- 6) Willfully giving false statements to supervisors, officials, the public or boards.
- 7) Violation of City ordinances, administrative regulations or departmental rules.
- 8) Drinking of alcoholic beverages or use of illegal, nonprescription drugs while working or in off-duty hours in such a manner as to adversely affect attendance or work performance.
- 9) Discovery of a false statement in an application which had not be previously detected.
- 10) Acceptance of gratuities in conflict with section 14-11.
- 11) Physical or mental disability which precludes satisfactory performance of duties or refusal to be examined by a City authorized, licensed physician when so directed.
- 12) Political activity in conflict with this article.
- 13) Acts during or outside of duty hours which are incompatible with the public service.

- 14) Discourteous treatment of the public or other employees. (Ord. of 2-23-76, Art. V, {2})

Sec. 14-222. Types of disciplinary action.

Except as otherwise provided by general statutes of the state, the provisions in this article shall govern the disciplinary actions affecting City employees in the classified service. A department head, subject to the approval of the mayor and appeal rights of the employee stated herein, shall have the alternatives described herein and in section 14-50 for disciplinary action.

(Ord. of 2-23-76, Art.. V, {1})

Sec. 14-223. Suspension.

The mayor and/or department head may, for disciplinary purposes, suspend without pay any employee under his supervision for a length of time as he considers appropriate, not exceeding ten (10) working days. A written statement specifically setting forth reasons for such suspension shall be furnished to the affected employee by his appointed authority and a copy filed with the mayor. With the approval of the mayor, an employee may be suspended for a longer period, pending the investigation or trial of any charges against him. The fact that a person is acquitted of any charges or that the charges are dropped does not necessarily mean the suspension or other disciplinary action will be revoked. Permanent career employees shall be notified of their right of appeal under division 3 of this article. (Ord. of 2-23-76, Art.. V, {1})

Sec. 14-224. Demotions.

With the prior approval of the mayor, a department head may reduce the salary of an employee within the range provided in the pay plan or demote the employee for cause to a lower grade. A written statement of the reasons for any such action shall be furnished to the affected employee by his appointing department head and a copy filed with the mayor at least five (5) days prior to the proposed effective date of the action. Permanent career employees shall be notified of their right of appeal under division 3 of this article. (Ord. of 2-23-76, Art.. V, {1})

Secs. 14-225 - 14-230. Reserved.

DIVISION 2. GRIEVANCES.

Sec. 14-231. Policy.

It is the policy of the City government to foster employee satisfaction and to give careful consideration and attention to any complaint. For the purposes of this rule, a grievance shall be considered to be any matter concerning an employee's status or conditions of employment for which appeal to the mayor and council is not provided in this chapter.

(Ord. of 2-23-76, Art. V, {4})

Sec. 14-232. Actions within authority.

Employees cannot use the procedure in this division to complain about any proper order, directive, regulation, policy or administrative decision issued by any supervisor or management official who is acting within his delegated authority. If there is reasonable evidence that proper authority has been exceeded, this procedure may be used to challenge this issue.

(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-233. Submission of complaint generally.

A City employee may submit a complaint on a condition or action at any time. For other specific one-time occurrences, the employee must submit the initial complaint within five (5) working days from the date the matter arose. Otherwise, it will not be accepted.

(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-234. Actions by higher management.

If the employee complaint is the result of an action or decision of a management official above the first line supervisor, the initial complaint will be submitted to that person.

(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-235. Explanation.

Written grievances must explain the complaint and what remedy is sought.

(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-236. Maintenance of file.

For each grievance under this division a file will be maintained of all written material submitted by the employee or management for use at every step. (Ord. of 2-23-76, Art.. V, {4})

Sec. 14-237. Meetings.

Informal discussions and meetings will be held within three (3) days from receipt of a complaint under this division. Formal hearings will be held within ten (10) days from the date of filing of written complaint or notice of appeal. (Ord. of 2-23-76, Art.. V, {4})

Sec. 14-238. Continuing to higher step.

An employee desiring to continue a grievance to a higher step must submit it within three (3) workdays after receiving the lower step decision, or within three (3) workdays after any management official fails to observe the time limits established by this procedure. Otherwise, the grievance will be canceled.(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-239. Reprisals.

City employees shall be assured freedom from reprisal for using the grievance procedures.
(Ord. of 2-23-76, Art.. V, {3})

Sec. 14-240. Other rules.

Rules for the conduct of appeals listed under sections 14-252 -14-254 of this article shall also apply to grievances. (Ord. of 2-23-76, Art.. V, {4})

Sec. 14-241. Informal procedure - Step 1, discussion.

An employee submitting a grievance for the first time must discuss it informally with the immediate supervisor unless the complaint resulted from an action of a higher level manager. The employee will be given an oral decision within three (3) days after the discussion.
(Ord. of 2-23-76, Art.. V, {4})

Sec. 14-242. Same - Step 2, when formal grievance authorized.

If a City employee is not satisfied with the decision in Step 1, or the supervisor fails to comply with the time limit established in this procedure, the employee may continue the grievance by discussing it with his supervisor's immediate superior, if any, in the administrative service. Every effort should be made to find an acceptable solution by informal means at the lowest possible level of supervision. If the employee is not in agreement with the decision reached by informal discussion, he shall have the right to file a formal grievance in writing within five (5) workdays after receiving the informal decision or decisions. (Ord. of 2-23-76, Art.. V, {4})

Sec. 14-243. Formal procedure - Step 1, when authorized procedure.

If the employee is not in agreement with the decision reached under the informal grievance procedure, he may present his complaint in writing to his department head. The department head shall discuss the grievance with the employee, his representatives, if any, and with other appropriate persons. The department head shall render his decision and comments in writing, and return them to the employee within five (5) workdays after receiving the appeal. If the employee does not agree with the decision reached, or if the department head fails to provide resolution of the grievance as outlined above, he may present his appeal in writing to the mayor.
(Ord. of 2-23-76, Art. V, {4})

Sec. 14-244. Same - Step 2, action by mayor.

The mayor, upon receiving the grievance, shall discuss the grievance with the employee, his representative, if any, and with other appropriate persons. The mayor shall render his decision and comments in writing and return them within five (5) workdays after receiving the appeal. The decision of the mayor shall be final. (Note: Appeals procedure should be used as outlined in division 3 for cases involving demotion, suspension, dismissal, layoff in violation of established

policy or charges of discrimination in promotional procedures.) (Ord. of 2-23-76, Art. V, {4})

Secs. 14-245 - 14-250. Reserved.

DIVISION 3. APPEALS

Sec. 14-251. Employees eligible.

Any permanent-status career employee who has been demoted for cause, suspended or dismissed or who alleges charges of discrimination in promotional procedure or layoff in violation of established layoff policy shall have the right of appeal to the mayor and council. The employee or his authorized agent shall file such an appeal in writing with the office of the mayor within five (5) workdays of the effective date of such action and shall file a copy of such appeal at the same time with his department head. (Ord. of 2-23-76, Art.. V, {3})

Sec. 14-252. Use of work time.

A City employee and his representative may be privileged to use a reasonable amount of work time as determined by the appropriate department in conferring about and presenting the appeal. (Ord. of 2-23-76, Art.. V, {3})

Sec. 14-253. Assistance for employee.

The employee may request the assistance of another person of his own choosing in preparing and presenting his appeal at any level of review under this division. (Ord. of 2-23-76, Art.. V, {3})

Sec. 14-254. Extension of time limits.

The time limits specified in this division may be extended to a definite date by mutual agreement of the employee and the reviewer concerned. (Ord. of 2-23-76, ART.. V, {3})

Sec. 14-255. Hearing - Time and Place.

The mayor and council shall set a time and place for a hearing to be held not less than five (5) nor more than twenty (20) working days after the receipt of the request and shall notify the employee thereof. (Ord. of 2-23-76, Art.. V, {3})

Sec. 14-256. Same - Procedures.

Hearings under this division shall be conducted informally, and technical rules of evidence shall not apply. All testimony shall be under oath. A majority vote of the members of the mayor and council shall be final. (Ord. of 2-23-76, Art.. V, {3})

Sec. 14-257. Same - Notification of results; action by council.

(a) The affected employee shall be promptly notified in writing by the mayor and council of

the final determination with respect to the disciplinary action was not well founded, the affected employee shall be paid in full for such portion of time as he was unjustly suspended, reduced in pay or removed. In the event that the disciplinary action taken was removal or reduction in pay, the employee affected shall be restored to his former position and pay status, or to a position in the same class and pay status.

(Ord. of 2-23-76, Art.. V, {3})

ARTICLE IX. RETIREMENT PLAN FOR CITY EMPLOYEES

Sec. 14-258. Eligibility.

All employees of the City of East Dublin are declared eligible to participate in an "Individual Retirement Account Matching Plan" offered by the City.

Sec. 14-259. Voluntary participation.

Employees who elect to voluntarily participate shall notify in writing the City Clerk of their intent to participate on or before December 31, 1986. Employee must have been employed with the City of East Dublin for two (2) years before entering the Plan.

Sec. 14-260. Designation of percentage of salary to be withheld.

Each employee who participates shall designate in writing to the City Clerk a percentage of their salary to be withheld from their normal pay period. Said percentage shall not be less than two (2%) percent, four (4%) percent or six (6%) percent.

Sec. 14-261. City will match.

The City of East Dublin will then match equally the percentage chosen by each employee participating in the plan. Said matching percentage shall not be less than two (2%) percent, nor greater than six (6%) percent.

Sec. 14-262. City Clerk authorized to establish account.

The City Clerk is authorized to contract with an institution of the employee's choice to establish an IRA in the name of each participating employee.

Sec. 14-263. Employee's right to terminate.

Employees shall have the right to terminate their participation in this voluntary IRA plan at any time upon the giving of written notification to the City Clerk. Employees who terminate themselves from the Plan will be entitled to retain everything previously contributed from all sources. However, upon termination, no further payroll deductions or matching contributions

will be made by the City.

Sec. 14-264. Employees right to change percentage allocations.

Employees who remain in the voluntary IRA plan shall have the right to change their percentage allocations either upward or downward within the two (2%) percent, four (4%) percent or six (6%) percent limits once every six (6) months by submitting this request in writing to the City Clerk.