

**ALEXANDRIA  
CIVIL SERVICE COMMISSION**

**ALEXANDRIA, LOUISIANA**

**CIVIL SERVICE  
RULES AND REGULATIONS**

*Last amended 12/16/15*

**ENACTED PURSUANT TO THE AUTHORITY VESTED IN THE  
ALEXANDRIA CIVIL SERVICE COMMISSION BY ACT NO. 487  
OF 1954, AS AMENDED, ACT 487 OF 1954, AS AMENDED BY ACT 120 OF 1962,  
ACT 396 OF 1964, ACT 720 OF 1974, ACT 820 OF 1984, ACT 655 OF 1997, AND  
ACT 390 OF 2001 AND AS MAY BE AMENDED FROM TIME TO TIME,  
OF THE LEGISLATURE OF THE  
STATE OF LOUISIANA**



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## RULE I

### DEFINITIONS

#### RULE I §1

The following words and phrases when used in these Rules shall have the following meaning. All other words and terms have the meaning or definition contained in Webster's Third New International Dictionary Unabridged unless a specific meaning has been provided in this section or is defined where the term appears in these Rules. In the event of a conflict, the definition provided in these Rules is controlling. (Amended December 15, 1999) (Amended October 1, 2010)

- I§1.1      **“Act”** means Act 487 of 1954, as amended by Act 120 of 1962, Act 396 of 1964, Act 720 of 1974, Act 820 of 1984, Act 655 of 1997, and Act 390 of 2001 and as may be amended from time to time, known as the "Alexandria Civil Service Law." (Amended October 1, 2010)
- I§1.2      **“Accumulated Annual Leave”** means annual leave earned and not used in previous year.
- I§1.3      **“Allocation”** means the official determination by the Commission of the class to which a position in the classified service shall be deemed to belong, as provided in the Act. (Amended October 1, 2010)
- I§1.4      **“Anniversary Date”** means the date of the following year and each successive year corresponding with the first day of original employment with the City of Alexandria.
- I§1.5      **“Applicant”** refers to a person eighteen years of age or older, who is a qualified voter of the area in which he resides if a United States citizen, or, if not a citizen, has permission to work in the United States by the Department of State, and has submitted to the Civil Service Department the prescribed completed employment forms with proof of the aforementioned, prior to the deadline for applications. (Amended October 1, 2010)
- I§1.6      **“Appointing Authority”** means the Mayor as designated in Section 3-07 of the Home Rule Charter of the City of Alexandria or any administrative officer designated in writing by the Mayor or by law to

effect personnel status changes for positions under his jurisdiction. The proxy shall contain the effective and expiration dates of this designation and shall be provided to the Director, who may then rely upon the actions of the designee as the official action of the Appointing Authority. (Amended October 1, 2010)

- I§1.7      **“Appointment”** means the designation of a person, by the Appointing Authority, to become an employee in a position, and his induction into employment in such position.
- I§1.8      **“Bachelor’s Degree”**, as used in these Rules and in the job descriptions, means a baccalaureate degree obtained from an accredited college or university. (Added April 21, 2004) (Amended October 1, 2010)
- I§1.9      Repealed October 1, 2010
- I§1.10     **“Certify” or “Certification”** means the furnishing of a list of names to the Appointing Authority by the Director from an appropriate employment list, who are eligible to be considered for appointment to a position in the classified service. (Added October 1, 2010)
- I§1.11     **“Child” or “Children”** means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis under the age of eighteen years of age. (Added December 19, 2001)
- I§1.12     **“Class” or “Class of Positions”** means a number of positions sufficiently similar in duties and responsibilities that each position in the group (1) can be given the same job title; (2) can be assigned the same minimum requirements of education and experience; (3) can be filled by substantially the same tests of ability or selection methods; and (4) consists of a similar level of responsibilities and functions. (Amended October 1, 2010)
- I§1.13     **“Class Specification”** means a summary of the most important features of a job, including the general nature of the work performed, specific task responsibilities, and skills to perform the job. (Added December 19, 2001)
- I§1.14     **“Classification Plan”** means all the classes or class of positions established for the classified service arranged in pay grades according

to job evaluation results. (Amended December 19, 2001)

- I§1.15     **“Classified Employee”** means an employee who has successfully completed six consecutive months of employment in the classified service and is otherwise suitable for retention. (Added October 1, 2010)
- I§1.16     **“Classified Service”** means all offices and positions of trust or employment in the City of Alexandria, except those placed in the unclassified service specifically by the Act, or the Home Rule Charter of the City of Alexandria as they may be amended from time to time.
- I§1.17     **“Commission”** means the Alexandria Civil Service Commission as established by the Act and as it may be amended from time to time.
- I§1.18     **“Competitive Position”** means any position in the classified service that is subject to the requirements of the Act relating to the appointment on the basis of competitive tests of fitness, and applies to every position in the classified service that is not expressly excepted or included among the positions in the unclassified service.
- I§1.19     **“Conditional Appointment”** means a temporary appointment of a person to a position of a class for which the absent employee is on authorized leave of absence for greater than three (3) months without acquisition by the appointee on any continuing right to be retained as an employee of the City beyond such period. (Added October 1, 2010)
- I§1.20     **“Continuous Examination”** means an examination for which no final filing date has been set, which will be given on more than one date and from which the resulting employment list is an open list.
- I§1.21     **“Current Annual Leave”** means annual leave earned during the current year.
- I§1.22     **“Days”** means calendar days, unless otherwise specified within the Rule. (Added October 1, 2010)
- I§1.23     **“Demotion”** means a change of a classified employee from a position of one job to a position in another job that is assigned a pay grade with a lower minimum.

- I§1.24     **“Department”** means a legally constituted agency whose employees are in the classified service as defined by the Act. (Amended December 19, 2001)
- I§1.25     **“Department Head”** means a person working at a managerial level who is responsible for planning, directing, and coordinating the daily operations of a department. (Added October 1, 2010)
- I§1.26     **“Departmental Promotion List”** means an employment list of regular employees who have demonstrated their fitness for a position of a higher grade by successfully passing a civil service examination, either written or oral, for such higher class or class of positions and are eligible for promotion within the same department.
- I§1.27     Repealed October 1, 2010
- I§1.28     **“Director”** means the Civil Service Director who reports directly to the Alexandria Civil Service Commission. (Amended December 19, 2001) (Amended October 1, 2010)
- I§1.29     **“Discrimination”** means unequal and unfair treatment of an employee by any employment decision based on race, sexual orientation, color, religion, gender, national origin, citizenship, age, physical or mental disability, political ideas or affiliation, or any protected class according to state and/or federal law. (Added October 1, 2010)
- I§1.30     **“Dismissed” or “Dismissal”** means separation from employment for disciplinary reasons.
- I§1.31     **“Eligible”** means a person whose name is on an employment list. (Amended October 1, 2010)
- I§1.32     **“Emergency Appointment”** means a temporary appointment of a person made before action therefore can be taken under any other provisions of these Rules to fill a vacancy or until the emergency no longer exists without acquisition by the appointee of any continuing right to be retained as an employee of the City beyond such period. (Added October 1, 2010)

- I§1.33     **“Employee”** means any person who works for and draws compensation and is entitled to benefits from the City of Alexandria. (Amended October 1, 2010)
- I§1.34     **“Employment List”** means an original entrance employment list, a promotion list, a reemployment list, a departmental promotion list, or departmental reemployment list.
- I§1.35     **“Exempt”** refers to those groups of employees that are not entitled to be paid in accordance with the overtime provisions of the Fair Labor Standards Act (FLSA) because of their positional duties and responsibilities and the level of decision-making authority. (Added October 1, 2010)
- I§1.36     **“Entrance Test”** means a test for a position in a particular class, admission to which is not limited to persons employed in the City service.
- I§1.37     **“Filing Date”** means the last date upon which the Director may accept applications for the competitive test(s) for an open position.
- I§1.38     **“For Cause”** means actions or inactions by an employee which impairs the efficient and effective operations of the public service. There must be a real and substantial relation between the conduct of the employee and the efficient operation of the public service. (Added October 1, 2010)
- I§1.39     **“In Loco Parentis”** means a person who is responsible for the day-to-day responsibilities to care for and financially support a child or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary. (Added December 19, 2001)
- I§1.40     **“Intern”** means a temporary appointment of a person for off-campus college work-study programs who is enrolled in an accredited college, university, or vocational-technical school without acquisition by the appointee of any continuing right to be retained as an employee of the City beyond such period. (Added January 22, 2003) (Amended October 1, 2010)
- I§1.41     **“Job”** refers to “class” or “class of positions”. (Added December 19,

2001)

- I§1.42     **“Job Evaluation”** means a formal process that determines the relative value to be placed on various classes within the organization. (Added December 19, 2001)
- I§1.43     **“Job Correction”** means the change in the allocation of a position as a result of revisions to the job specifications and/or the allocation criteria. (Added October 1, 2010)
- I§1.44     **“Layoff”** means the removal of an employee because of lack of work, failure of financial appropriation or other causes that do not reflect on the employee.
- I§1.45     **“Leave of Absence Without Pay”** is leave or time off from work granted pursuant to Rule XI § 5 the effect of which does not create a vacancy in the position of the person granted leave.
- I§1.46     **“Leave Year”** means a period of twelve (12) calendar months beginning on January first of any year.
- I§1.47     **“List”** means an employment list, an original entrance employment list, a promotion employment list, a reemployment list, a departmental promotion list, or departmental reemployment list.
- I§1.48     **“May”**, as used in these Rules, shall denote an ability to use discretion or contingency based on the facts of the situation. (Added December 19, 2001)
- I§1.49     **“Nonexempt”** refers to those groups of employees who are entitled to overtime pay after working more than forty (40) hours per week as prescribed by the Fair Labor Standards Act (FLSA). (Added October 1, 2010)
- I§1.50     **“Non-Traditional Work Week”** means a forty-hour work week with regular days off in that week other than the combined Saturday and Sunday. (Added October 1, 2010)
- I§1.51     **“Open List”** means a list to which eligibles may be added from time to time through the continuous examination procedure.

- I§1.52     **“Organization Unit”** means department (Added December 21, 2005)
- I§1.53     **“Original Entrance Employment List”** means an employment list for a class resulting from tests of fitness open to all applicants who meet the prescribed requirements for admission to the tests, regardless of prior employment in the classified service.
- I§1.54     **“Overtime”** means the additional time worked by an employee in excess of forty (40) hours. (Added October 1, 2010)
- I§1.55     **“Pay”** means the salary, wages, fees, allowances, and all other forms of valuable consideration, or the amount of any one or more of them earned by or paid to any employee, by reason of service rendered in any position, but does not include any allowances for expenses authorized and incurred as incidents to employment.
- I§1.56     **“Pay Grade”** means a scale of compensation rates found in a pay plan to which each class or class of positions is assigned after completion of a job evaluation. (Added December 19, 2001)
- I§1.57     **“Pay Range”** means the range of pay rates from minimum to maximum set for a pay grade. (Added December 19, 2001)
- I§1.58     **“Pay Plan”** means all the scales of rates of compensation prescribed under the provisions of the Act, for classes of positions in the classified service.
- I§1.59     **“Permanent Employee”** refers to a classified employee. (Added October 1, 2010)
- I§1.60     **“Political Activity”** means an overt or public effort, other than voting, to support or oppose the election of a candidate for political office or to support or oppose a particular party in an election.
- I§1.61     **“Position”** means any office and any employment in the classified service of the City. For pay and job evaluation purposes, a position is a collection of duties and responsibilities assigned to an individual employee in a department. "Position" does not mean or include the employment of an independent contractor, the duties of which call for services to be rendered by one person. (Amended December 19, 2001)

- I§1.62 **“Preferred Reemployment List”** means a reemployment list of former employees who have left the employment of the City due to layoff or were unable to be reinstated to their former position upon returning from military leave or an approved leave without pay and are found to be entitled to reemployment under the provisions of Rule VII§10.2. (Amended October 1, 2010)
- I§1.63 **“Probationary Employee”** means an employee who has been appointed to a position in the classified service from an employment list and has not achieved classified status. (Amended October 1, 2010)
- I§1.64 **“Probationary Period”** refers to the working test period. (Added October 1, 2010)
- I§1.65 **“Promotion”** means a change of a classified employee from a position in one job to a position in another job that is assigned a pay grade with a higher minimum.
- I§1.66 **“Promotion Employment List”** means a list established in conformity with these Rules, of regular employees who have demonstrated their fitness for a position of a higher grade by successfully passing an examination, either written or oral, for such higher job position and are eligible for promotion within the same department or transfer and promotion from another department. (Amended October 1, 2010)
- I§1.67 **“Promotion Test”** means a test for positions in a particular class, admission to which is limited to employees in the classified service who have held a position in another class.
- I§1.68 **“Provisional Appointment”** means a temporary appointment to a vacant position of a class for which there are no eligibles available for certification for a limited period of service without acquisition by the appointee on any continuing right to be retained as an employee of the City beyond such period. (Added January 22, 2003) (Amended October 1, 2010)
- I§1.69 **“Range”** means the range of pay rates from minimum to maximum set for a pay grade. (Added December 19, 2001)
- I§1.70 **“Reallocation”** means a change in the allocation of a position in the

classified service to a different class or class of positions due to either an error in the previous allocation or a significant change in the duties and responsibilities of that position. (Amended October 1, 2010)

- I§1.71 **“Reassignment”** means a change of a probationary or regular employee from a position in one class to a different position in a different class, for which said employee is qualified, that has the same pay range minimum, with no change in the affected employee’s actual rate of pay. (Amended October 1, 2010)
- I§1.72 **“Reemployment List”** means an employment list for a class consisting of a list of names of former employees who have previously occupied positions allocated to that class and who have been found to be entitled to certification for reappointment to positions in such class under the provisions of Rule VII§10.1. (Amended October 1, 2010)
- I§1.73 **“Regular Employee”** refers to a classified employee. (Amended October 1, 2010)
- I§1.74 **“Regulation”** means a definition, policy or mode of procedure formally prescribed by the Director and approved by the Commission to govern the manner of giving effect to a part of the City Civil Service Laws or Rules. (Amended October 1, 2010)
- I§1.75 **“Reinstatement”** means the reappointment of a regular employee who has been separated from his position and is found to be eligible for reinstatement under the provisions of Rule VII§10.5; refers to a decision of the Commission which returns a formerly discharged employee back to the service and all previous conditions of employment shall remain in effect unless specifically altered by a decision of the Commission during the hearing or meeting at which the action to reinstate is taken; the action taken to return an employee to active duty from a leave status. (Added December 19, 2001) (Amended October 1, 2010)
- I§1.76 **“Resign” or “Resignation”** means separation from employment at the employee’s request.
- I§1.77 **“Shall”**, as used in these Rules, denotes an obligation or mandatory duty, without use of discretion. (Added December 19, 2001)

- I§1.78     **“Sick Leave”** means absence from duty of the employee due to illness or injury of the employee, exposure of the employee to a contagious disease, illness of the employee's unmarried, minor child or adult disabled child, or hospitalized spouse. (Amended October 1, 2010)
- I§1.79     **“Special Assignment”** means the temporary assignment of an employee to perform the duties and responsibilities of a position other than the one to which he is regularly assigned, without prejudice to his rights in and to his regular position. (Added January 22, 2003)
- I§1.80     **“Spouse”** means legal husband or wife under the laws of the State of Louisiana. (Added December 19, 2001)
- I§1.81     **“Student Worker”** means a temporary appointment of a person who is enrolled in an accredited high school, college, university or vocational-technical school to be used for training purposes or to address a work overload situation where it is not possible or practical to use regular or probationary employees without acquisition by the appointee of any continuing right to be retained as an employee of the City beyond such period. (Added January 22, 2003) (Amended October 1, 2010)
- I§1.82     **“Suspension”** means the temporary exclusion from employment of an employee for disciplinary reasons or while criminal proceedings are pending or an investigation is being conducted.
- I§1.83     **“Temporary Appointment”** means an appointment for a limited period of service without acquisition by the appointee of any continuing rights to be retained as an employee beyond such period.
- I§1.84     **“Temporary Services Firm”**, for the purposes of these Rules, means a private firm on contract with the City whose primary business is to provide temporary employee staffing. (Added January 22, 2003)
- I§1.85     **“Temporary Staffing Service Employee”** means a short-term, temporary worker whose employer is a private-sector temporary services firm on contract with the City. (Added January 22, 2003)

- I§1.86     **“Tests”** means a specific phase of the examination process, such as a written test, a performance test, an oral interview, an experience rating, etc. (Added October 1, 2010)
- I§1.87     **“Transfer”** means a change of a probationary or regular employee from a position in a class or class of positions to another position in the same class or class of positions without a change in the probational or permanent status and without a break in service on one or more working days. Moving an encumbered position from one department to another without affecting pay or classification of the incumbent shall be considered a transfer in the absence of formal creation and abolition of positions in the same class.
- I§1.88     **“Transient Appointment”** means a temporary appointment of a person when the services of an extra employee are needed on a part-time basis, for seasonal work, or for special projects for any position in the classified service for a period of six (6) months or less without acquisition by the appointee of any continuing right to be retained as an employee of the City beyond such period. (Added October 1, 2010)
- I§1.89     **“Unclassified Service”** means all offices or positions of trust or employ in the City of Alexandria, except those specifically placed in the classified service by the Act or the Home Rule Charter of the City of Alexandria as they may be amended from time to time.
- I§1.90     **“Working Test”** means the period that commences immediately upon appointment to a position whereas a probationary employee or a regular employee who has been promoted demonstrates the required knowledge and skill level required of the position while occupying the position. (Amended October 1, 2010)
- I§1.91     **“Working Test Period”** means the time when an employee is considered to be in an on-the-job test situation for a period of six (6) consecutive months. (Added December 19, 2001) (Amended October 1, 2010)

## RULE II

### ORGANIZATION, RULES, PROCEDURES AND DUTIES OF COMMISSION

#### **RULE II §1            ORGANIZATION OF COMMISSION**

- II§1.1        Election of Chairman. The Commission annually shall elect one of its members as chairman.

The Commission shall, at the regular monthly meeting in September of each year, elect one member to act as chairman for a term of one year, or until a successor is duly elected. If the office of a chairman is vacated because of death, resignation, or in any other manner, before the expiration of his term of office, the Commission shall elect his successor at its next regular meeting.

- II§1.2        Special Meetings. Special meetings may be held at such times and places as shall be specified by call of the chairman or any two members of the Commission. Notice of the time and place of all meetings shall be given in writing to each member by the Director.

The Commission shall give written public notice of any special, regular, or rescheduled meeting no later than twenty-four (24) hours before the meeting, excluding Sundays, Saturdays and legal holidays. Such notice shall include the agenda, date, place, and time of the meeting. (Added December 15, 1999) (Amended October 1, 2010)(Amended October 21, 2015)

Written notice shall include, but is not limited to, posting a copy of the notice on City departmental bulletin boards and mailing a copy of the notice to the news media for publication the day before the meeting. (Added December 15, 1999)

- II§1.3        Rules of Order. The Commission shall not be bound by any Rules of Order, evidence or procedure in its meetings, hearings or investigations except such as it may itself establish.

- II§1.4        Regular Meetings. All meetings and hearings of the Commission shall be open to the public and classified employees, except executive sessions. Regular meetings of the Commission shall be held on the third Wednesday of every month, if necessary, at a specified time and place unless the Commission, by notice in compliance with law,

changes the date of the regular meeting. (Amended December 15, 1999) (Amended October 1, 2010)

Any classified employee may participate at any meeting that he chooses to do so. Specifically, the right of the classified employee shall not be altered, modified, or limited by any policies or directives of the employee's supervisor, department head, division head, and member of the administration, and/or the Appointing Authority. The classified employee is free to voice any concerns that fall within the jurisdiction of the Commission. However, should the employee wish to lodge a complaint or grievance, he must comply with Rule II § 1.10. (Added October 1, 2010) (Amended October 21, 2015)

The Commission shall give written public notice as required by law of any regular or rescheduled meeting. Such notice shall include the agenda, date, time, and place of the meeting, provided that upon a motion introduced, seconded, and unanimously passed by a roll call vote of the Commission members present, the Commission may add a matter to the agenda for its consideration. The motion shall specifically identify the matter, the purpose of the agenda item added, and recorded into the minutes. There shall be an opportunity for public comment prior to voting on the motion to take up a matter not on the agenda. (Added December 15, 1999) (Amended October 1, 2010) (Amended October 21, 2015)

Written notice of the meetings of the Commission shall be posted or distributed in accordance with the Louisiana Open Meetings Law. (Added December 15, 1999)

II§1.5 Executive Session. At any regular or special meeting, the Commission may go into executive session upon a motion duly made, seconded, and adopted by the affirmative roll call vote of a least two-thirds of the Commission members present for the purposes permitted by the Louisiana Open meetings Law. After all evidence or stipulations have been received in a disciplinary or grievance hearing heard in open session, the Commission may go into executive session for the purpose of deliberation on the issues presented. No final or binding action shall be taken during an executive session, and all binding votes or action by the Commission shall be taken in public session, except to the extent that other laws may require confidentiality. (Added December 15, 1999) (Amended October 1, 2010) (Amended October 21, 2015)

II§1.6 Quorum. At least three (3) members of the Commission shall be present at any meeting in order that the Commission shall have a quorum for the transaction of business. Except when an affirmative law requires a vote greater than a majority, the concurrence of the majority of the members present shall constitute a ruling upon an item of business then before the Commission. (Amended December 15, 1999) (Amended October 21, 2015)

(Redesignated as Rule XIII.3.C effective October 1, 2010)

II§1.7 Secretary of the Commission. The Director shall act as Secretary of the Commission, and shall keep adequate records and minutes of its business and official actions.

II§1.8 Minutes of Proceedings. The minutes of the proceedings of the Commission shall be prepared and maintained by the Director on behalf of, and subject to the approval of, the Commission.

II§1.9 Employee Member Election (Added July 9, 1980) (Amended December 15, 1999)

A. The Director shall post a notice on the City departmental bulletin boards advising that the election of the employee member of the Alexandria Civil Service Commission shall be held. The notice shall provide the following information:

1. Date, time and place of the election;
2. Any classified employee in the City's service may nominate as a Civil Service Commissioner any employee within the City's Civil Service System, who is a registered voter, excepting members of the police and fire departments;
3. Nominations must be made in writing and delivered in person, or by mail, to the Director on or before July 20th of the year of the election; and
4. The duties and term of office.

B. The Director shall determine if the nominee meets the qualifications to serve as a commissioner and shall post the names of all qualified persons who have been nominated as

candidates for the office of Civil Service Commissioner on the City's departmental bulletin boards on or before July 22nd of the year of the election.

- C. The Director shall provide voting machines with the names of each nominee to be used in the election. (Amended October 1, 2010)

The election shall be held at the City Compound in the Employee Facility. The election shall be held on the first Wednesday in August of the year of the election between the hours of 7:00 a.m. and 5:00 p.m.

- D. At the close of voting, the Director shall certify the results tabulated by the voting machine. Following the certification, the Director shall publish the results of the election.

II§1.10 Matters To Be Addressed By the Commission (Amended October 1, 2010)

The Commission has the obligation to receive, hear, and act on complaints, grievances, and/or concerns presented by classified and unclassified employees, members of the administration, elected officials, citizens, and members of the Alexandria City Council and to take appropriate action on matters within the Commission's jurisdiction. (Amended October 1, 2010)

A classified employee, member of the administration, elected official, citizen, and/or member of the Alexandria City Council has the right to file a complaint, grievance, or concern directly to the Commission. A classified employee is encouraged to first lodge his complaint, grievance, or concern with his direct supervisor, department head, division head, Human Resources Director, member of the administration, and/or the Mayor. However, if the complainant is unwilling or unable to have his grievance resolved by his supervisor, he must provide a written explanation of the reasons for same. (Added October 1, 2010)

Complaints, grievances and/or concerns shall be provided to the Director in writing. The Director shall make an initial determination of whether the complaint, grievance, and/or concern falls within the purview of the Commission. The Director shall prepare a report and recommendation that will be forwarded to the Commission for a final

adjudication of jurisdiction and further investigation. Matters requiring Commission action shall then be researched by the Director and, time permitting, placed on that month's meeting agenda if received by the specified deadline. Matters received after the deadline will be addressed at the next scheduled meeting. (Amended October 1, 2010)

The reporting of complaints, grievances, and/or concerns shall be governed by Rule XIII. (Added October 1, 2010)

Matters of urgency may be received during a regular meeting under new business and addressed at a special meeting, if deemed necessary by the Commission. No action shall be taken on matters initiated under new business on the date of introduction.

## **RULE II §2**

### **DUTIES OF THE COMMISSION**

- II§2.1 In addition to those duties stated in the Act and the Rules and Regulations, it shall be the duty of the Commission: (Amended October 1, 2010)
- A. To represent the public interest in the management of personnel issues governed by the Civil Service Rules; (Amended October 1, 2010)
  - B. To advise the City Council and the Director on matters and personnel issues governed by the Civil Service Rules; (Amended October 1, 2010)
  - C. Repealed October 20, 1976;
  - D. To make and publish such annual and special reports as it considers desirable regarding personnel administration in the City service and recommendations for improvement therein;
  - E. To conduct hearings and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, reduction in pay or position, suspension or dismissal of such officer or employee, in accordance with the provisions of the Act;
  - F. To make, alter, amend and promulgate rules and regulations for effectively carrying out the purposes and intentions of the

Act. (Amended December 15, 1999); (Amended October 1, 2010)

1. Prior to adopting proposed or revised rules and regulations, the Commission shall provide advance written public notice of the date, time, and place of the regular or special meeting. Said notice shall include the agenda and a copy of proposed or revised rules.
  2. The proposed or revised rules and regulations shall be considered for adoption at the next regular meeting, but no sooner than thirty (30) calendar days, allowing an opportunity for any interested party to advocate why the proposed rule, amendment, or part thereof should not be adopted. Advanced notice of meeting shall be given as required by law.
  3. Unless otherwise provided, rules adopted by the Commission shall become effective immediately.
- G. To hear and pass upon such other matters as the Director may from time to time bring before the Commission for determination and to perform all the duties with reference to that position that are assigned to the Director in relation to all other positions in the classified service. (Amended December 19, 2001);
- H. (Redesignated as Rule II§2.2 effective October 1, 2010)
- I. To enforce the provisions of the Law and the Rules and Regulations of the Commission made in accordance therewith. (Added December 15, 1999); and
- J. To appoint, in addition to the Director, such clerical or other assistants as may be deemed necessary from time to time to carry out the provisions of the Act and the Rules and is authorized to fix the compensation of such additional employees in accordance with the pay plan. (Amended December 19, 2001)

II§2.2 Nothing herein shall prevent the Commission from taking such action on any subject as its members consider proper in the performance of

their duties. (Redesignated from Rule II§2.1.H effective October 1, 2010)

**RULE II § 3**

**POWERS OF THE COMMISSION** (Added December 19, 2001)

The Commission retains exclusive jurisdiction and authority over all matters arising from the civil service system, its operation in and for the City of Alexandria and/or these Rules and Regulations. The Commission shall exercise its jurisdiction and authority over any and all decisions that relate to this civil service system and its operation in and for the City of Alexandria. This exercise of jurisdiction and authority includes the ability to review any decision by any person within the City of Alexandria that relates to the civil service or impacts its function and/or purpose. Further, the Commission may approve, reject or modify any action and/or decision taken or made by its personnel irrespective of that action and/or decision being based upon discretion. (Added October 1, 2010)

II§3.1 To administer oaths, require the attendance of witnesses and the production of papers, records, files, and books in connection with any investigation or hearing authorized by the Act or these Rules. (Amended October 1, 2010)

Said proceedings shall conform with Rule XIII§2.4 of these Rules. Penalties for failure to respond to a subpoena, to answer a question, or to produce documents pertinent to the investigation are as represented in Rule XIII§2.2. (Amended October 1, 2010)

II§3.2 To recommend to the District Attorney that he institute or cause to be instituted criminal action to the Appointing Authority or a member of any board or commission which possess appointing power for any violation of this Act and prosecute same to a final conclusion.

II§3.3 To investigate any complaint that the provisions of the Law or Civil Service Rules have been violated by any person in the classified service and shall hold a public hearing with reference thereto. If the Commission shall determine that the charges are true, it is empowered to such action as allowed under Rule XIII§4.9. (Amended October 1, 2010)



## **RULE III**

### **DUTIES AND POWERS OF DIRECTOR**

**RULE III § 1**      **DUTIES OF THE DIRECTOR**    (Amended August 17, 1988)  
(Amended December 15, 1999)

In addition to those duties stated in the Act, it shall be the duty of the Director:

- III§1.1      To establish and maintain a roster of all employees in the City service in which there shall be set forth, as to each employee, the class title of the position held, the salary or pay, and any change in class title, pay or status, and other necessary data.
- III§1.2      Repealed February 1990
- III§1.3      (Amended December 19, 2001) Repealed October 1, 2010
- III§1.4      To investigate from time to time the operation and effect of the Act and of the Rules and to report his findings and recommendations to the Commission, the administration, and to the City Council. (Amended October 1, 2010)
- III§1.5      To make and publish annual reports regarding the work of the Department, and such special reports as he considers desirable, to the Commission, the administration, and to the City Council. (Amended October 1, 2010)
- III§1.6      To perform any other acts and functions which he may consider necessary or desirable to carry out the purposes of the Act, or which he may be directed to perform by the Commission.
- III§1.7      As chief executive officer of the Commission shall direct and supervise its administrative work. (Added December 15, 1999)
- III§1.8      Shall attend all meetings of the Commission and to act as its secretary and keep record thereof and shall in addition be official custodian of the files and records of said Commission. (Added December 15, 1999) (Amended December 19, 2001)
- III§1.9      To formulate and prescribe procedures consistent with the Act and

Civil Service Rules to fill vacancies in the classified service; to superintend examinations and tests; to maintain lists of eligibles; to validate the qualifications of applicants for employment in the classified service and to certify a list of eligible candidates for appointment. (Added December 19, 2001) (Amended October 1, 2010)

- III§1.10 To prepare and submit, subject to review by the Commission, budget requests covering estimated costs of administering the Civil Service Program. (Added December 19, 2001)
- III§1.11 To act between meetings of the Commission on routine matters requiring Commission approval. Any such action of the Director shall be reported to the Commission at the next meeting and, unless approved by the Commission at such meeting, shall terminate. (Added December 19, 2001)
- III§1.12 Repealed October 1, 2010
- III§1.13 To act between meetings on piecemeal Classification and Pay Plan matters requiring Commission approval, including qualification waivers and amendments to job descriptions. Any such action by the Director shall be reported to the Commission at the next regular meeting and, unless approved by the Commission at such meeting, shall terminate. (Added December 19, 2001)(Amended November 19, 2003)
- III§1.14 Repealed October 1, 2010
- III§1.15 To develop and propose to the Commission uniform classification and pay plans and amendments thereto. (Added December 19, 2001)
- III§1.16 To develop and propose to the Commission Rules and amendments thereto governing employment conditions for employees in the classified service. (Added December 19, 2001)
- III§1.17 To perform job audits to certify the duties and responsibilities of a classified position within a department are true to the class allocated and to present the findings to the administration and Commission for consideration and/or action. (Added December 19, 2001)
- III§1.18 To write or amend specifications for job classifications that adequately reflect the duties and responsibilities of the class and

propose to the Commission for approval. (Added December 19, 2001)

III§1.19 To serve as a member of the Retirement Board for the classified employees. (Added December 19, 2001)

III§1.20 Shall not hold any public elective office nor become a candidate or applicant for any such public office and shall be in the classified service provided for municipal employees covered under the Act. (Added December 15, 1999.)

**RULE III § 2                    POWERS OF THE DIRECTOR** (Amended December 15, 1999)

The Director shall have the power:

III§2.1 To select City officers or employees as examiners.

The Director may select officers or employees in the City service to act as examiners in the preparation and rating of tests. An employee serving in this capacity shall be excused from his regular duties for the time required for his work as an examiner. Officers and employees shall not be entitled to extra pay for their services as examiners.

III§2.2 To appoint special examiners.

The Director may, for the purpose of assisting in the examination of candidates for positions of high responsibility and positions requiring unusual qualities or qualifications, retain the services of persons from within or without the City who, because of their experience or for other reasons, have special acquaintance with the qualities or qualifications requisite for such positions.

III§2.3 To recommend the adoption and amendment of rules.

The Director shall recommend to the Commission such rules as he may consider necessary or desirable to carry out the provisions of the Act and may, from time to time, recommend amendments or additions thereto.

III§2.4 To appoint a deputy.

The Director may designate an employee of the Department to act as his deputy. In case of the absence of the Director or his inability from any cause to discharge the powers and duties of his office, such

powers and duties shall devolve upon his deputy.

III§2.5 To swear in witnesses. (Added December 19, 2001)

The Commission Chairperson may swear in witnesses offering testimony in a matter before the Commission. In case of the absence of the Commission Chairperson or his inability from any cause to discharge powers and duties of his office, such responsibility shall devolve upon another member of the Commission. (Amended October 1, 2010)

**RULE III § 3**      **EXERCISE OF POWERS OF DIRECTOR** (Amended December 15, 1999)

III§3.1 The powers herein conferred upon the Director shall be subject only to the provisions of the Act and of the Rules adopted by the Commission or by action of the Commission and may be exercised by regulation or by order as the Director sees fit.

III§3.2 Subject to ratification by the Commission, the Director is authorized to incur such expenses in connection with the operation of his office and the performance of his duties, including travel, as are necessary or advisable, for the effective carrying out of the interests and purposes of the Civil Service Law and Rules. (Amended October 1, 2010)

## **RULE IV**

### **THE CLASSIFIED AND UNCLASSIFIED SERVICE**

#### **RULE IV § 1      THE UNCLASSIFIED SERVICE (Amended December 15, 1999)**

The unclassified service shall be comprised of those positions designated in Section 1.(A) of the Act and in Section 4-08 of the Home Rule Charter, as well as the following: (Amended October 1, 2010)

IV§1.1      Repealed December 15, 1999

IV§1.2      Repealed December 15, 1999

IV§1.3      Repealed October 20, 1976 (See CSL, Section 5)

IV§1.4      Persons employed in a temporary or professional capacity for the purpose of conducting or assisting in the conduct of examinations held pursuant to the provisions of the Act. (Amended October 1, 2010)

IV§1.5      Persons employed in a temporary or professional capacity to conduct a special investigation or inquiry or persons filling positions that were created because of a war emergency and whose employment was considered advisable in connection with the defense program or because of conditions resulting from a war effort. (Amended June 10, 1974) (Amended October 1, 2010)

IV§1.6      Joint employees of the City and the state, parish or federal government, or any of their departments whose duties or compensation are partly or wholly subject to the supervision or control of other governmental agencies.

IV§1.7      Repealed December 15, 1999

IV§1.8      Any other professional personnel appointed on a fee or contract basis. (Amended October 1, 2010)

#### **RULE IV § 2      THE CLASSIFIED SERVICE (Added December 15, 1999)**

IV§2.1      The classified service comes under the Act and shall comprise all

existing positions in the City service other than those above enumerated, including positions that may be hereafter created.

IV§2.2 The City Council may abolish any office or position covered by the Act whenever the need for such office shall no longer exist, provided, however, that if within twelve (12) months any office or position is created or restored or a like or similar office or position is created by any other title or designation, the employee holding the position at the time of its abolishment shall be given priority and preference over all other persons whomsoever, to fill said office or position, and the said employee shall be given ten (10) days in which to elect whether he wishes to resume said office or position, the said ten (10) days to count from the date of notification to him that said office or position is available to him. Such notification is to be given by the Director to the employee or former employee concerned by United States registered mail sent to the last known address of said employee or former employee.

IV§2.3 In the event that any position in the classified service is abolished, the work or duties of said position shall not be taken over, assumed, carried on, performed, or supervised by any person in the unclassified service.

## **RULE V**

### **CLASSIFICATION PLAN**

#### **RULE V § 1      CREATION AND ADOPTION OF CLASSES (Amended November 29, 2000)**

The Director shall cause to be prepared a classification plan, which shall consist of classes, designated by standard titles, designed to provide for all positions in the classified service. He shall from time to time review the duties and responsibilities of the positions in the classified service and may add, combine, divide, or abolish classes, or revise the titles of existing classes. The classification plan so provided and any changes therein shall become effective when adopted by the Commission in accordance with the Rules and amendments thereto.

The classification plan adopted by the Commission may be found in the Addendum's Section of the Rules. (Added October 1, 2010)

#### **RULE V § 2      ALLOCATING POSITIONS (Amended November 29, 2000)**

V§2.1      The Director, as soon as practicable after the adoption of a classification plan hereunder, and after consultation with the Appointing Authority, shall allocate each position in the classified service to its appropriate class, and, thereafter, shall allocate each new position in such service to its appropriate class, and may reallocate positions from class to class. In making such allocations, he shall provide for uniform application of the classification plan to positions under different departments. Allocation of positions shall be based on those duties actually certified as true by the Appointing Authority. Falsification or misrepresentation of duties is a violation of these Rules and may result in appropriate action by the Commission. Any employee affected by the allocation or reallocation of the position occupied by him at any time shall, upon his request, be given a reasonable opportunity to be heard thereon.

V§2.2      Whenever the duties of the position are so changed that the position in effect belongs to a different class than that to which it was originally allocated, the Director shall review the duties of the position and shall reallocate the position to an appropriate class. Reallocations shall become effective upon approval by the Commission. An employee adversely affected by a reallocation may request a review of the

Director's action in the same manner as provided for employee appeals under Rule V§3. (Redesignated, in part, as Rule V§3 and amended effective October 1, 2010)

V§2.3 Status of Incumbent When a Position is Reallocated By a Job Correction

Upon approval by the Commission of the Director's recommendation for reallocation, the employee in such position shall be entitled to continue therein with the same status and all the rights and privileges the employee would have had if he had been originally appointed by competitive examination and certification hereunder to a position of the class to which the position has been allocated, provided he possesses any license, commission, certification, or accreditation which is established as a minimum requirement. (Redesignated, in part, as Rule V§2.4 and amended effective October 1, 2010)

(Redesignated as Rule V§2.4 effective October 1, 2010)

Repealed October 1, 2010

When the employee lacks the required license, commission, certification, or accreditation, the Director, with approval of the Commission, shall declare the position a new position and the former position shall be deemed abolished and the incumbent removed therefrom by layoff. (Added October 1, 2010)

Compensation for a reallocated position under this section of the Rules shall be in accordance with Rule VI§12. (Added October 1, 2010)

V§2.4 Status of Incumbent When a Position is Reallocated

Upon approval by the Commission of the Director's recommendation for reallocation, the employee in such position shall be entitled to continue therein with the same status and all the rights and privileges the employee would have had if he had been originally appointed by competitive examination and certification hereunder to a position of the class to which the position has been allocated provided the employee meets the minimum qualification requirements of the classification. (Redesignated from Rule V§2.3 and amended effective October 1, 2010)

If the incumbent does not meet the minimum qualification

requirements, the Appointing Authority may remove from the position the duties which caused the reallocation and the Director shall return the position to the class to which it was originally allocated. If the duties are so removed, the incumbent shall be entitled to remain in the position. (Redesignated from Rule V§2.3 effective October 1, 2010)

If the duties are not removed by the Appointing Authority, and if the incumbent does not meet the minimum qualification requirements, the Director, with approval of the Commission, shall declare the position a new position and the former position shall be deemed abolished and the incumbent removed therefrom by layoff. (Redesignated from Rule V§2.3 effective October 1, 2010)

(Redesignated as Rule VI§16 effective October 1, 2010)

Compensation for a reallocated position under this section of the Rules shall be in accordance with Rule VI§16. (Added October 1, 2010)

V§2.5 When a new position not previously existing in the classified service is originally allocated hereunder, it shall be filled in accordance with Rule VIII.

V§2.6 No position in the unclassified service as referenced to in Section 4-08 (C) of the Alexandria Home Rule Charter may be reallocated to a classified position. No unclassified position may be created or filled in violation of the limitations imposed by the Alexandria Home Rule Charter or the Louisiana Constitution or a valid act of the Louisiana Legislature. The Commission may take such action to prevent or remedy the creation of unauthorized positions or the employment of persons therein as the Commission deems appropriate.

V§2.7 Market Grade Adjustment. (Added October 1, 2010)

When the pay range for the grade to which a class is currently assigned is either not sufficient to compete with prevailing market conditions, or is found to exceed prevailing market rates, the Director may, upon approval of the Commission, authorize the assignment of the class to a grade with a more appropriate pay range. The pay rate of employees occupying positions in the affected class shall be set in accordance with Rule VI§12.

**RULE V § 3**

**HEARINGS OR APPEALS FROM ALLOCATIONS OR REALLOCATIONS (Amended November 29, 2000)**

An employee who believes his position has been improperly allocated or reallocated and/or whose compensation is affected by the reallocation of the employee's position shall provide advance written notice to the Director and will be afforded an opportunity to have his case reviewed by the Director, who will make an initial determination concerning the appropriateness of the reallocation and will forward findings to the administration for resolution. Should the administration fail to resolve the matter to the satisfaction of the employee within thirty (30) calendar days, the employee shall seek a final determination from the Commission in accordance with Rule XIII. (Redesignated, in part, from Rule V§2.2 and amended effective October 1, 2010)

**RULE V § 4**

**USE OF CLASS TITLES (Amended November 29, 2000)**

The title of each class shall be the official title of every position allocated to the class, for all purposes having to do with the position as such, and shall be used to the exclusion of all others on all payrolls, budget estimates, and official records and reports, pertaining to the position, provided that any abbreviation or code symbol approved by the Director may be used to designate a position of a class. No employee shall be appointed, employed, or paid under any title other than that of the class to which the position occupied by him is allocated.

**RULE V § 5**

**INTERPRETATION OF CLASS SPECIFICATION (Amended May 8, 1996) (Amended November 29, 2000)**

The Director, subject to the Rules and approval of the Commission, shall provide and may amend from time to time, a written definition for each class, describing the nature and purpose of the positions they encompass, duties and responsibilities characteristic of positions properly pertaining to the class, with illustrative examples of work and the associated knowledge, skills, training, and abilities, where desirable, and setting forth the minimum qualifications deemed to be requisite for entrance to positions of the class. Such definitions shall be deemed to be descriptive only and not restrictive. A class specification shall focus on the duties and responsibilities of the position and not any specific individual filling the position. They shall be construed merely as defining the several classes and not as

prescribing what the duties or qualification requirements of any position shall be, or as limiting the right of any employee to compete for promotion. (Amended October 1, 2010)

**RULE V § 6                    FORCE AND EFFECT OF CLASSES (Amended November 29, 2000)**

The specifications of the classes of positions in the classification plan and their various parts shall have the following force and effect:

V§6.1            The definitions are intended to indicate the kinds of positions that should be allocated to the class as determined by their duties and responsibilities, and shall not be construed as declaring to any extent or in any way what the duties or responsibilities of any position shall be or as limiting or in any way modifying the power of the Appointing Authority or his designee(s) to assign duties to, and to direct and control the work of employees under his supervision. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind or quality.

V§6.2            In determining the class to which any position should be allocated, the definition of each class shall be considered as a whole. Consideration shall be given to the general duties, specific tasks, responsibilities, qualification requirements, and relations to other classes, as together affording a picture of the kind of employment that the class is intended to embrace.

V§6.3            Repealed October 1, 2010

V§6.4            The qualifications listed under the Requirements Section of the specification for any class shall constitute one of the bases for acceptance or rejection of applications for examinations for the class.

**RULE V § 7                    REORGANIZATION PLANS AND CONTRACTS (Adopted April 21, 2004) (Amended October 1, 2010)**

V§7.1            Jobs that are necessary for the discharge of the functions of City divisions, departments, offices, and agencies as those functions are defined by the Home Rule Charter of the City of Alexandria and the Constitution and laws of the State of Louisiana are presumed to be included in the classified service unless specifically excluded therefrom by Article X, Section 2 of the Louisiana Constitution of 1974, the Alexandria Home Rule Charter, the Rules of this

Commission, and/or any other applicable laws pertaining to civil service. All persons who provide services to the City of Alexandria or its divisions, departments, offices, and agencies, under conditions the Commission determines constitute an employment relationship shall, unless specifically excluded therefrom by Article X, Section 2 of the Louisiana Constitution of 1974, the Rules of this Commission, and/or any applicable laws pertaining to civil service be retained under an appropriate civil service appointment. (Amended October 1, 2010)

All reorganization plans and contracts related to the creation, change, alteration, combination or abolition of city departments, offices or agencies, or classified positions submitted to the City Council shall also be concurrently provided to the Civil Service Commission for review, comment, or further action. Amendments to the original document shall be resubmitted to the Civil Service Commission concurrently with submission to the City Council. (Added October 1, 2010)

The prime objectives and purposes of the civil service system of the City of Alexandria are to ensure classified city employees are:

- A. competitively selected on the basis of merit, free from political influence; and
- B. protected from discriminatory or arbitrary employment decisions without cause. (Amended October 1, 2010)

V§7.2 Repealed October 1, 2010

V§7.3 Reorganization plans and contracts under Rule V § 7 are to be reviewed by the Commission to determine whether: (Amended October 1, 2010)

- A. civil service employees will be involuntarily displaced by the contract; and
- B. if so, whether the contract is being entered into for reasons of efficiency and economy and not as a pretext for the discriminatory or arbitrary dismissal of civil service employees. (Amended October 1, 2010)

- V§7.4 Repealed October 1, 2010
- V§7.5 All contracts governed by this Rule shall comply with the criteria and requirements of these Rules. (Amended October 1, 2010)
- A. (Redesignated as Rule V§7.6.A effective October 1, 2010)
  - B. (Redesignated as Rule V§7.6.B effective October 1, 2010)
  - C. (Redesignated as Rule V§7.8 effective October 1, 2010)
  - D. Repealed October 1, 2010
  - E. (Redesignated as Rule V§7.6.C effective October 1, 2010)
- V§7.6 Upon review of the reorganization plan or contract under this Rule, the Commission may request the Appointing Authority to provide a written explanation to possibly include the following: (Amended October 1, 2010)
- A. The effects of the reorganization plan or contract on the status of current classified civil service employees, as well as any specific contractual commitments entered into by the parties, which affect the interests of the displaced civil service employees; (Redesignated from V§7.5A and amended effective October 1, 2010)
    - 1. Repealed October 1, 2010
    - 2. Repealed October 1, 2010
    - 3. Repealed October 1, 2010
    - 4. Repealed October 1, 2010
    - 5. Repealed October 1, 2010
    - 6. Repealed October 1, 2010
  - B. Evidence the reorganization plan or contract abides by all local, state, and federal laws regarding unlawful treatment of civil service employees; (Redesignated from Rule V§7.5.B and amended effective October 1, 2010)

- C. A copy, of studies, research, cost benefit analysis and such other evidence to support rationale for reorganization or contract; and (Redesignated from Rule V§7.5.E and amended effective October 1, 2010)
  - D. Repealed October 1, 2010
  - E. Repealed October 1, 2010
  - F. Repealed October 1, 2010
  - G. Any other information or documentation required by the Commission or its Director. (Added October 1, 2010)
- V§7.7 Repealed October 1, 2010
- V§7.8 Employees impacted by or potentially impacted by the reorganization plan or contract who choose to remain in the classified service of the City may request the Commission to invoke the Rules governing layoffs in order to preserve their classified status. (Redesignated from Rule V§7.5.C effective October 1, 2010)
- V§7.9 No classified employee shall enter into a contractual agreement to provide services to the City of Alexandria or its divisions, departments, offices, and agencies without prior written approval from the Commission. (Added October 1, 2010)
- V§7.10 Nothing in this Rule shall prohibit or limit the authority and ability of the Commission to seek, obtain, and/or maintain an injunction relative to any reorganization plans or contracts. (Added October 1, 2010)

## **RULE VI**

### **PAY PLAN**

#### **RULE VI § 1**

#### **PREPARATION AND AMENDMENT OF PAY PLAN**

(Amended November 13, 1996)

The Director after consultation with the Appointing Authority and resort to such other measures of investigation and research as he may deem desirable, shall cause to be prepared and submit to the Commission for approval a pay plan for the classified service, comprising a scale of rates for each class. Each such scale of rates shall be determined with due regard to the scales of rates for other classes and to the relative difficulty and responsibility of the characteristic duties of positions of the class, the minimum qualifications requisite therefore, and the prevailing rates of pay for similar employment outside the service, economic considerations and any other factors that may properly be considered to have a bearing upon the fairness or adequacy of the rates of the pay plan. He shall also, from time to time, recommend such changes in the pay plan as changes in classes or in economic conditions, or in other factors, may render desirable. Such pay plan and changes therein shall become effective for budget purposes when approved by the City Council. (Amended October 1, 2010)

The pay plan adopted by the Commission may be found in the Addendum's Section of these Rules. (Added October 1, 2010)

The rates of pay prescribed in the pay plan provided under the requirements of this Act shall be deemed to be the rates prescribed for full-time employment for the regularly established working hours, in any period for which payment is to be made, subject to such provisions as may be made under any provision of law for holidays and leaves of absence with pay.

In establishing the pay plan, the Director shall take into consideration and be guided by the pay scales as provided in the union contracts with the City.

To follow the market as the value of jobs change, the Director shall make a recommendation to the Commission concerning a pay

structure adjustment at least annually. (Added October 1, 2010)

**RULE VI § 2**

**SCALE OF RATES**

The scale of rates for any class shall consist of a minimum rate, a maximum rate and such intermediate rates as may appear to be necessary or equitable.

The pay of all positions in the classified service shall be determined with reference to the pay plan in effect and in accordance with the provisions of this Act; any provision of law or appropriation for any different salary rate or mode of payment for any position to the contrary notwithstanding, and no employee in such service shall be paid any compensation for service as such except in accordance with the rate fixed under the provisions of this Act, and the Rules adopted under its provisions.

VI§2.1 Repealed October 1, 2010

VI§2.2 Alternative Scales of Rates. The Director is authorized, in preparing his recommendations for pay plan purposes, to establish alternative scales of rates for a class of positions, provided:

A. the alternative scales of rates shall consist of a scale of monthly rates, a scale of daily rates and a scale of hourly rates, or any two of them; and,

B. the scales of rates shall be as comparable as practicable.

The Appointing Authority may select any one of the alternative scales of rates, provided that all persons holding positions of the class within a department, or organization unit shall have their remuneration computed on the basis of the same scale of rates. The Appointing Authority, with the prior approval of the Director, may, after the selection authorized herein, elect to use one of the other alternative scales of rates for a class, provided the change is uniform throughout the class within the department, or organization unit. (Amended October 1, 2010)

VI§2.3 Under no circumstances shall an employee's pay exceed the absolute maximum rate of the pay grade to which his class is assigned except as specifically permitted elsewhere in the Rules, or as specifically provided in the pay plan. (Added October 1, 2010)

**RULE VI § 3**

**APPOINTMENT RATES (Amended October 1, 2010) (Amended April 22, 2015)**

VI§3.1 Appointment to a position in the classified service shall be at the minimum of the corresponding pay range, subject to adjustment by the Director, upon a recommendation of the Appointing Authority to do so due to business necessity and approval of the Commission.

A proposal to hire at above-minimum rates shall include limits, if any, of the respective supervisor(s)' pay and recommended realignment of the pay rates of employees in the class with the incoming employee, if found necessary by the Director, for which funds have been appropriated.

Pay rates authorized under this section shall apply to promotion, demotion, re-employment, reinstatement, transfer, reassignment, or special assignment.

VI§3.2 Preferred Reemployment Rate: (Added October 1, 2010)

If an individual is appointed from a preferred reemployment list within one (1) year from his date of original separation, his pay shall be fixed at the same rate as that paid at the time of separation, subject to any general increase that may have been provided during the interval between the layoff and reemployment, if it is within the appropriate current pay range or at the maximum rate for the class, whichever is lower.

VI§3.3 Reemployment Rate: (Added October 1, 2010)

If an individual is appointed from a reemployment list within one (1) year from his date of original separation, his pay shall be at the minimum rate for the class; except that in unusual cases where economic or employment conditions warrant, the Director may, with the approval of the Commission, upon recommendation of the Appointing Authority, authorize appointment at a higher rate within the scale of rates for that position but not to exceed the rate paid at the time of separation.

**RULE VI § 4**

**REPEALED MARCH 20, 1974**

**RULE VI § 5**

**RATE OF PAY UPON DEMOTION** (Amended November 14, 1979)

- VI§5.1 In the event of job abolishment, when an employee is demoted, his pay shall be fixed at the maximum rate for the new class or shall remain at his last rate in his former position, whichever is the lower.
- VI§5.2 A voluntary demotion of an employee to a class held prior to a promotion, within six (6) months of said promotion, shall cause the demoted employee's rate of pay to revert to what it was prior to promotion, plus any increases that occurred since the promotion. (Added October 1, 2010)
- VI§5.3 If an employee, through no intentional fault of his own, becomes physically unable to perform the duties of his classification, he shall, subject to application to the Appointing Authority and approval by the Commission, be allowed to accept a position in a lower pay range for which the Director has predetermined he is qualified to perform with no loss in wages, provided that his present rate of pay falls within the new range. If his pay exceeds the maximum rate, it shall be fixed at the maximum rate for the new class. (Added March 12, 1986) (Redesignated from Rule VI§8.3 and amended effective October 1, 2010)
- VI§5.4 Demotion, voluntary or involuntary, due to inability or unwillingness to perform or for disciplinary reasons shall cause the employee's salary to be fixed at the percentage above the minimum in the lower range as the percentage above the minimum in the higher range at the time of demotion. (Added November 14, 1979)(Amended May 8, 1996) (Redesignated from Rule VI§8.2 and amended effective October 1, 2010)
- VI§5.5 The pay rate of employee's demoted under this section of the Rules must fall within the respective range and shall not exceed the maximum rate of the new class. (Added October 1, 2010)

**RULE VI § 6**

**REINSTATEMENT RATE**

Repealed October 1, 2010

An employee reinstated to his former position in accordance with Rule VII§10.5 within one (1) year from his date of separation shall be paid at the same rate as that paid at the time of separation from his

former position, subject to any general increase that may have been provided during the interval between the date of separation and reinstatement, or at the maximum rate for the class, whichever is lower. (Added October 1, 2010)

**RULE VI § 7**

**SALARY INCREASES** (Amended March 20, 1974) (Amended August 16, 2000)

VI§7.1 Effective immediately the rate of pay of an employee in a classified position may be increased in any period of twelve consecutive months as follows, subject to the provisions of other subsections of this Rule: (Amended March 21, 2001) (Amended October 1, 2010)

A (Redesignated, in part, as Rule VI§7.5 and Rule VI§10.4 effective October 1, 2010)

An employee who has not attained classified status on the date a salary increase is granted by the Appointing Authority and the City Council shall receive said increase at the end of his probationary period to be effective the first pay period following completion of his probationary period. (Added June 20, 2001) (Amended October 1, 2010)

B. Red Circle Rates

All increases herein authorized by this Rule are subject to the requirement that no employee's pay shall exceed the maximum rate of the scale prescribed for his class. (Amended October 1, 2010)

This Rule shall not apply to, affect, or limit in any way an across-the-board salary increase granted by the Appointing Authority and the City Council. Further, across-the-board salary increases shall not be used to modify the pay plan. (Added October 1, 2010)

Individual pay rates that fall above the maximum rate established for the grade become red circle rates. Such rates remain in effect until the grade for the position catches up with the rate; however, eligibility for a red circle rate is lost upon demotion or separation from City service. Employees whose pay exceeds the maximum rate of the pay scale prescribed for his class upon adoption of this Rule shall not be eligible for

any pay increases. (Added October 1, 2010)

Red circle rates are assigned under the conditions as outlined below: (Added October 1, 2010)

1. when the classification to which a position is allocated is assigned to a lower grade;
2. when a position is reallocated to a classification assigned a lower grade;
3. when an adjustment to the pay structure has the effect of lowering the maximum rate for the grade to which a job is assigned;
4. upon granting an across-the-board or merit increase which results in an employee's pay exceeding the maximum rate; or
5. when an employee's pay exceeds the maximum of the approved grade. Any employee whose rate of pay exceeds the maximum rate established for the appropriate class of work but not more than twenty percent (20%) shall not be required to suffer a salary loss, but shall be ineligible for any further pay increases until such time as such increases are permissible in accord with the provisions stipulated elsewhere in these Rules or in the pay plan permitting pay above the maximum rate; or is permissible as a result of an adjustment to the pay structure which has the effect of increasing the maximum rate for the grade to which a class is assigned.

C. An employee's eligibility for the increases authorized under this section of the Rules shall not be interrupted by: (Amended October 1, 2010)

1. His promotion or reassignment;
2. His demotion;
3. The reallocation of his position to a lower class;
4. A change in the salary range assigned his class

position;

5. His appointment to an equivalent or lower class position in the same or another department without a break in service of one or more working days;
  6. Time served by him in the military service if he is re-employed under the provisions of these Rules; (Amended October 1, 2010) or
  7. His transfer from a position in one department to a position in another department. (Amended October 1, 2010)
- D. (Redesignated as Rule XI§1.6.A and Rule XI§2.6.A effective October 1, 2010)
- E. Any adjustment or increase that an employee receives under provisions of other sections of these Rules, unless otherwise indicated, shall not be charged against such employee's eligibility to receive the regular increases authorized under this section.
- F. (Redesignated as Rule VI§17.1.A and Rule VI§17.2 effective October 1, 2010)
- G. Repealed August 16, 2000
- H. Prior approval of the Civil Service Commission must be obtained in the case of an increase in pay which, by itself or with another increase, will have the effect of increasing an employee's pay more than fourteen percent (14%) in any twelve (12) consecutive months, except where the Appointing Authority and the City Council grants an across-the-board salary increase. (Amended January 15, 1997) (Amended October 1, 2010)
- I. Should an employee not be granted an increase in salary for which he has attained eligibility, the Appointing Authority shall furnish the employee a written statement detailing the reasons for denial of the salary increase. An appeal to the Commission shall be available to any classified employee who has reason to believe that the denial has been made without just

cause. (Amended October 1, 2010)

- J. The following changes in the rate of pay of an employee shall not constitute increases in pay within the meaning of this section: (Redesignated from Rule VI§7.3 and amended effective October 1, 2010)
  - 1. A change in the rate of pay to the minimum rate of a higher class made necessary by the promotion of an employee; or
  - 2. A change in the rate of pay made necessary by a change in the minimum rate of pay established for the class of position involved.

VI§7.2 Repealed March 20, 1974

VI§7.3 (Redesignated to Rule VI§7.1.J effective October 1, 2010)

VI§7.4 Merit Increases (Added October 1, 2010)

- A. Upon adoption by the Commission of a performance evaluation plan and upon a satisfactory showing that the proper implementation has occurred, each employee may be granted a merit increase if the Appointing Authority has determined from an objective evaluation that his overall performance merits such an award. An employee with a rating of “competent”, “very good” or “outstanding” shall be eligible to receive a two percent (2%), three percent (3%), or four percent (4%), respectively, increase of his individual pay rate on the first day of the pay period immediately following his anniversary date. Increases shall be retroactive to the pay period immediately following the employee’s pay raise eligibility date.
- B. Merit increases may not cause an employee’s pay to exceed the pay range maximum, nor may a merit increase be awarded to an employee whose pay exceeds the respective pay range maximum.
- C. Employees with “improvement needed” or “unsatisfactory” ratings on their performance evaluation shall not be eligible for a merit increase for twelve (12) months following the unsatisfactory evaluation.

D. If funds approved for merit increases are inadequate to cover the application of guidelines provided under this section consistently to all employees classified under these Rules, no merit increase shall occur.

VI§7.5 Across-the-Board Increases (Redesignated, in part, from Rule VI§7.1.A effective October 1, 2010)

An across-the-board increase refers to an increase in pay by the same percentage of each employee's actual pay rate that is provided on the same date to all employees classified under these Rules.

VI§7.6 Personnel status change forms or other documents reporting pay increases must be received in the Human Resources offices at least five (5) work days before the end of the pay period in which the increase is effective. Forms received less than five (5) work days before the end of the pay period shall be held over and made effective, subject to the limitations of these Rules, beginning with the next succeeding pay period. No pay increase shall be retroactive to a date prior to the pay period in which the personnel form is initiated. (Added October 1, 2010)

## **RULE VI § 8**

### **PAY REDUCTIONS (Amended November 14, 1979)**

The rate of pay of any employee may be decreased under the conditions and subject to the procedural requirements hereinafter prescribed.

VI§8.1 The Appointing Authority may, for cause, reduce the salary of an employee within the salary range not to exceed five percent (5%). Notice of intention to effect a reduction in pay and the reasons for such action shall be given to the employee and the Director in writing, by the Appointing Authority, ten (10) days prior to the effective date of the reduction and the reduction shall be reported to the Director on a Personnel Status Change form established for this purpose. Any classified employee who believes that his rate has been reduced without just cause may appeal to the Commission in accordance with the provisions of Rule XIII. (Amended October 1, 2010)

VI§8.2 (Redesignated as Rule VI§5.4 effective October 1, 2010)

- VI§8.3 (Redesignated as Rule VI§5.3 effective October 1, 2010)
- VI§8.4 An employee's pay is subject to reduction when, after a hearing before the Commission, it is determined that the employee has benefited from increased pay as a result of either a violation of these Rules, or an abuse of the discretion granted in these Rules. (Added October 1, 2010)
- VI§8.5 Any employee whose rate of pay exceeds the maximum rate established for the appropriate class of work by more than twenty percent (20%) shall be required to suffer a salary reduction to a rate equivalent to twenty percent (20%) above the maximum rate and shall be ineligible for any further pay increase(s) until such time as such increase(s) is permissible in accord with the provisions stipulated elsewhere in these Rules or in the pay plan permitting pay above the maximum rate, or is permissible as a result of an adjustment to the pay structure which has the effect of increasing the maximum rate for the grade to which a class is assigned. (Added October 1, 2010)

#### **RULE VI § 9**

#### **PAY RATES FOR TEMPORARY EMPLOYEES ON SPECIAL PROJECTS**

The Rules may provide for the payment of employees temporarily employed to be paid at the minimum rate provided for the class, except that, with prior approval of the Commission, the Appointing Authority may pay a temporary employment appointment a pay rate of up to the market value of the pay range provided for the class, subject to the following conditions: (Amended October 1, 2010)

- A. that the appointee possesses extraordinary or superior qualifications/credentials above and beyond the minimum qualifications/credentials required which have been verified and documented as job related, and that additional pay shall be limited to five percent (5%) per year of formal education or documented paid work experience, or other valuable qualification or credential; (Added October 1, 2010)
- B. that the appointee was, or is currently, satisfactorily employed by another government jurisdiction in a capacity equivalent to the position involved, which employment has been verified, and that additional pay shall be limited to five percent (5%) per year of experience; (Added October 1, 2010) and

C. that the duties and responsibilities of a position require the employment of a person with qualifications/credentials that differ significantly from those normally required for other positions in the same class, and the persons who possess such qualifications are not readily available in the labor market at the minimum entrance rate in the pay grade. (Added October 1, 2010)

VI§9.1 (Redesignated to Rule VIII§4.13 effective October 1, 2010)

VI§9.2 The Director, subject to approval by the Commission, shall have authority to validate the qualifications/credentials credited for purposes of this section. (Added October 1, 2010)

**RULE VI § 10                    COMPENSATION FOR PART-TIME SERVICES**

Repealed October 1, 2010

VI§10.1 When part-time service is rendered, it shall be the duty of the Appointing Authority to certify to the Director, on each notice of appointment or change in status of the employee, the percent of full-time hours to be worked. (Amended October 1, 2010)

VI§10.2 When part-time service in any position is authorized or rendered, the actual compensation to be paid shall be the appropriate hourly rate. (Added October 1, 2010)

VI§10.3 An employee paid on a bi-weekly basis, who is employed for only part of a pay period shall be paid for the proportionate calendar days worked. (Added October 1, 2010)

VI§10.4 A permanent, part-time employee shall be entitled to the same pay provisions provided in this section of the Rules that he would receive if he were employed on a full-time basis. (Redesignated from Rule VI§7.1.A effective October 1, 2010)

**RULE VI § 11                    COMPENSATION FROM MORE THAN ONE SOURCE**

No payment or allowance shall be made to any employees in respect of any service rendered to the City by him either in the discharge of his ordinary duties or in the performance of other duties imposed upon him or which he may undertake to perform, that will have the effect of causing his total compensation or pay for any period to exceed the

amount authorized hereunder, as determined by the rate prescribed, except as may be expressly authorized under any provision made by due authority for payment for overtime work in excess of the hours required for full-time employment. (Amended October 1, 2010)

**RULE VI § 12**

**PAY UPON JOB CORRECTION OR GRADE ASSIGNMENT**  
**(Amended October 1, 2010)**

When the Commission assigns a job to a different grade or changes the allocation of a position from one class to another by job correction, the rate of employees in the positions of any class for which a rate is established or changed or reallocation made shall be adjusted as follows: (Amended October 1, 2010)

- A. The rate of any employee who is paid at less than the minimum rate of the scale prescribed for his class shall forthwith be increased to such rate;
- B. Repealed October 1, 2010
- C. The rate of any employee who is paid at a rate between the minimum rate and the maximum rate of the scale prescribed for his class, but not corresponding with any specified rate of such scale, shall not be changed; or
- D. The rate of any employee who is paid at a rate in excess of the maximum rate of the scale prescribed for his class shall be governed by the provisions of Rule VI§7.1.B.3. (Amended October 1, 2010)

**RULE VI § 13**

**COMPENSATION FOR PART OF A PAY PERIOD**

When an employee receiving a salary on a bi-weekly basis is employed for part of a pay period, compensation shall be allowed for the proportionate calendar time he is employed. (Amended October 1, 2010)

When less than a full pay period of time is lost while the employee remains on the payroll and no authorized leave with pay is allowed, deduction shall be made for the proportionate calendar time lost, including any intervening holiday or regular day off, provided that:

- A. When a holiday or regular day off immediately precedes or

follows a period of leave without pay, deduction shall not be made for the holiday or regular day off;

- B. When authorized leave without pay is five (5) calendar days or less, no deduction shall be made for any Sunday or holidays included in such leave; (Amended October 1, 2010)
- C. When an employee is on leave without proper approval by the Appointing Authority, a deduction shall be made for any holiday or regular day off which immediately precedes or follows or is included in such period of leave without pay. This does not prohibit other disciplinary action in the discretion of the Appointing Authority; or
- D. When a holiday or regular day off immediately precedes, follows, or is included in a disciplinary action whereby the employee has been suspended of his duties without pay, deduction shall be made for the holiday or regular day off. (Added October 1, 2010)

**RULE VI § 14**

When an employee is transferred from one budget unit to another and a holiday or regular day off intervenes between the last day worked in the budget unit releasing the employee and the first day worked in the budget unit employing the person after the transfer, payment for the intervening holiday or regular day off shall be made by the budget unit employing the person the major portion of the pay period. If two budget units employ the person for the same length of time during the pay period, the budget unit releasing the employee shall be liable for any payment due for such intervening holiday or regular day off.

**RULE VI § 15**

**CHANGE IN RATE OF PAY**

When any change is made in the rate of pay of an employee, the Appointing Authority must file with the Director a copy of the "Personnel Status Change" form approved by the Commission. The Director shall endorse this form before a copy thereof is filed with the Payroll Department. No change in the rate of pay of any employee shall be made by the Payroll Department unless and until a Personnel Status Change form properly signed by the Appointing Authority and endorsed by the Director has been filed with the head of the Payroll Department. The Director shall have the authority to prohibit any change in pay that does not comply with this Rule or any other Rule adopted by the Commission. (Amended October 1, 2010)

**RULE VI § 16**

**PAY UPON REALLOCATION (Redesignated from Rule V§2.3, in part, effective October 1, 2010)**

When the duties of a position are so changed that the position in effect becomes one of a different class from that to which it is allocated, such change shall abolish the former position and create a new position of such different class.

- A. If the reallocation of a position is to a class with a higher maximum rate of pay, the employee's rate of pay shall be fixed in accordance with Rule VI§17.
- B. If the reallocation is to a class with a lower maximum rate of pay, the rate of pay of the employee, if within the range of the class to which the position is reallocated, shall not be changed by reason of the reallocation.
- C. If the reallocation is to a class with the same maximum rate of pay, the rate of pay of the employee, if within the range of the class to which the position is reallocated, shall not be changed by reason of the reallocation.
- D. The rate of pay of any employee who is paid at a rate in excess of the maximum rate of the class to which the position is reallocated shall be governed by the provisions of Rule VI§7.1.B.

**RULE VI § 17**

**PROMOTION RATE (Added October 1, 2010)**

VI§17.1 When an employee is promoted to a class with a higher pay grade, his pay shall be increased as follows:

- A. An employee who receives a promotion shall be granted a seven percent (7%) salary increase or have his salary raised to the minimum rate of the new class, whichever is the higher; or (Amended January 15, 1997) (Redesignated from Rule VI§7.1.F and amended effective October 1, 2010)
- B. An employee who receives a three (3) grade or higher promotion shall be granted a ten and one-half percent (10.5%) salary increase or have his salary raised to the minimum rate of the new class, whichever is higher. (Added October 1, 2010)

- VI§17.2 In the event an employee is receiving a salary greater than the maximum rate of his current class and is promoted to a higher class, the salary increase shall be calculated on the maximum rate of his current class and not his current salary. (Added January 15, 1997)(Redesignated from Rule VI§7.1.F and amended effective October 1, 2010)
- VI§17.3 The rate of pay of any employee who is paid at a rate in excess of the maximum rate of the class to which he has been promoted shall be governed by the provisions of Rule VI§7.1.B.5. (Added October 1, 2010)

**RULE VI § 18            OVERTIME PAY (Added October 1, 2010)**

An employee in the classified service may be required by the Appointing Authority to work overtime and shall be compensated for overtime in accordance with Fair Labor Standards Act, hereinafter referred to as “FLSA”, for overtime conditions.

It is the intent of civil service to ensure equal distribution of overtime by assigning overtime to the employee who is qualified to do the job by rotation based on seniority within the job classification within the department. The initial distribution and assignment of overtime shall be by seniority. After the initial overtime assignment, overtime will be worked by those employees in the job classification having worked the least amount of overtime.

A chart of overtime assigned and worked shall be kept in each department based on the applicable overtime premium rate (for example, two (2) hours worked shall be posted as three (3) hours if at time and one half). Each January 1<sup>st</sup> the hours listed on such charts shall be set back to zero while the order of names on such charts shall begin with the most senior employee within the job classification.

Voluntary overtime work offered but refused shall be recorded as above and given equal consideration as overtime actually worked in regards to eligibility for future overtime assignments. Refusals to work voluntary overtime shall be made in writing. If an employee is in a leave status or cannot be contacted for overtime, the Appointing Authority shall go to the next eligible employee and the employee

will not be penalized for the overtime offered and will remain eligible for the next overtime assignment.

When an employee is on extended leave for a period greater than four (4) weeks, not including annual leave, he will be positioned on his department's overtime list for his class utilizing the mean average overtime hours worked by all employees within his assigned job classification within the department.

If the overtime assignment requires qualifications not possessed by the next senior employee eligible for voluntary overtime work, the Appointing Authority shall so advise the employee and go to the next eligible employee possessing the required qualifications and the employee will not be penalized for the overtime offered and will remain eligible for the next overtime assignment.

Overtime pay provisions shall not apply to classes of work designated as exempt in the pay plan. It is expected that employees in the exempt classes will work whatever hours are required to satisfy the needs of the service and will adjust their working schedules to meet such needs.

#### VI§18.1 Methods of Compensation for Overtime

Overtime compensation for non-exempt employees may be granted in the form of cash payment or compensatory leave earned.

#### VI§18.2 Compensatory Leave

- A. Compensatory leave credited to an employee shall be used with prior approval of the department head.
- B. An employee who has been credited with compensatory leave may be required, by the department head, to take all or part of such leave at any time.
- C. Payment is required under circumstances defined in Rule VI§18.5.

VI§18.3 Compensation Rate for Non-Exempt Employees

- A. All FLSA overtime shall be compensated at the time and one-half rate.
- B. Overtime performed during official closures due to emergency situations shall be compensated at the time and one-half rate.
- C. Overtime performed and actually worked on a holiday may be compensated at the time and one-half rate.

VI§18.4 Compensation Rate for Exempt Employees (Added October 1, 2010)

The Appointing Authority shall not compensate exempt employees for overtime, except in emergencies as declared by the City Council.

VI§18.5 Caps and Payment of Overtime Earned (Added October 1, 2010)

- A. Non-exempt employees who accrue compensatory leave at the time and one-half rate shall accumulate no more of such compensatory leave than allowed under FLSA. Once the maximum balance of compensatory leave earned at time and one-half is reached, any additional work in excess of the employee's established work period must be paid to the non-exempt employee in cash at the time and one-half rate.
- B. For non-exempt employees, payment shall be made at the end of the fiscal year for any unused compensatory leave at the rate defined in Rule VI§18.3.
- C. Upon separation of employment or promotion to an assistant management or management level of a department or division, all compensatory leave credited to a non-exempt employee shall be paid according to the method of calculation of hourly rate contained in the Fair Labor Standards Act at the final rate received by the employee or, upon promotion, at the regular rate of the lower classification.

VI§18.6 Prior authorization and approval from the department head must be given for any overtime worked.

**RULE VI § 19**

**CALL OUT DUTY** (Added October 1, 2010)

An employee called back to work after having completed his regular shift shall be paid at the rate of one and one-half (1 ½) times his regular rate of pay for a minimum of three (3) hours. Call out pay shall not be paid but once in any given three (3) hour period. (Edited October 20, 2010)

Employees called to work less than three (3) hours before the scheduled start of the work day shall be paid one and one-half (1 ½) times their normal hourly rate for that position of the three (3) hours remaining from the time the employee was called to work and the time the employee was scheduled to start work. (Added March 25, 2015)

This call out provision shall not apply to an employee who is called to start his regular shift earlier than the normal reporting time, nor shall it apply to an employee who is held over at the end of a shift. Employees who are scheduled to work after his regular shift shall not be paid under the call out provisions of this section. (Added October 20, 2010)

**RULE VI § 20**

**COMPENSATION DURING AN EMERGENCY** (Added October 1, 2010)

If an employee reports to work at his regular shift and is sent home due to an emergency declared by the Appointing Authority, he shall be paid for his regular shift at the rate to which he would be entitled.

An employee in a classification that is considered essential during an emergency that reports to work at his regular shift and must remain on duty due to the emergency declared by the Appointing Authority shall be paid for his regular shift at his regular rate of pay and shall receive paid leave of absence for the regular shift hours worked when the emergency no longer exists, to be calculated at the rate paid for his regular shift. Said leave of absence shall be subject to approval of the Appointing Authority.

**RULE VI § 21**

**SHIFT DIFFERENTIAL PAY** (Added October 1, 2010)

VI§21.1 Employees assigned to and working the second shift shall be paid a shift differential of fifty (\$.50) per hour for all hours worked on that shift and consecutive hours worked beyond the normal end of that

shift. An employee whose shift begins between 2:00 p.m. and 10:59 p.m. shall be considered as assigned to and working the second shift.

VI§21.2 Employees assigned to and working the third shift shall be paid a shift differential of one dollar (\$1.00) per hour for all hours worked on that shift and consecutive hours worked beyond the normal end of that shift. An employee whose shift begins between 11:00 p.m. and 5:00 a.m. shall be considered as assigned to and working the third shift.

VI§21.3 An employee assigned to and working a 12-hour shift beginning between 5:00 p.m. and 7:00 p.m. shall be paid shift differential of seventy-five (\$.75) per hour for all hours worked on that shift and consecutive hours worked beyond the normal end of that shift.

VI§21.4 Documentation assigning the employee to the appropriate shift shall be maintained in the employee's personnel file.

**RULE VI § 22      SPECIAL ASSIGNMENT PAY (Redesignated from Rule VIII § 8 effective October 1, 2010)**

VI§22.1 No reduction shall be made in the salary of such employee assigned temporary duties in a position of a class lower than the class of his regular position. (Redesignated from Rule VIII§8.1 effective October 1, 2010)

VI§22.2 An employee assigned temporary duties in a class higher than the class of his regular position for a period longer than thirty (30) days shall have his pay fixed at the rate he would have received upon promotion to the higher position on the thirty-first day to be effective the first pay period following his thirty-first day in the higher position with an adjustment being made retroactive to his first day of assignment to the higher position. (Redesignated from Rule VIII§8.2 effective October 1, 2010)

VI§22.3 While on special assignment, all pay increases to which the employee is entitled in his permanent position shall be calculated on his authorized rate of pay in his permanent position and the special assignment pay adjusted accordingly. (Amended January 16, 2008) (Redesignated as Rule VIII§8.3 and amended effective October 1, 2010)

**RULE VI § 23**

**HOLIDAY PAY**

- VI§23.1 Employees shall be paid a holiday allowance at their regular hourly rate for the number of hours they would normally have been scheduled to work if the day was not a holiday. (Added October 1, 2010)
- VI§23.2 Whenever the Appointing Authority determines that any employee shall be required to work on any holiday, the employee shall, in addition to holiday pay, be compensated at time-and-one-half for all hours worked on the holiday. (Redesignated from Rule XI§7.2.B effective October 1, 2010)
- VI§23.3 Holidays which occur during unpaid leaves or suspensions shall not be paid. (Added October 1, 2010)
- VI§23.4 Employees working twelve (12) hour rotating shifts or a non-traditional work week shall: (Added October 1, 2010)
- A. observe the actual calendar holiday as defined in Rule XI§7.1;
  - B. not receive a holiday allowance as defined in Rule VI§23.1 when not scheduled to work on the actual calendar holiday; and
  - C. receive a holiday allowance as provided in Rule VI§23.1 and VI§23.2 when a holiday is worked.

**RULE VI § 24**

**WORKMEN'S COMPENSATION INSURANCE PAY**

(Amended July 21, 2004)(Amended September 15, 2004)  
(Redesignated from Rule XI§2.2 and amended effective October 1, 2010)

When an employee is absent from work due to disabilities for which he is entitled to workmen's compensation, he: (Added October 1, 2010)

- A. shall, to the extent of the amount that his sick leave balance allows, be granted sick leave not to exceed the amount necessary to receive total payments for leave and workmen's compensation equal to his regular salary;
- B. may, to the extent of the amount that his annual leave balance

allows, be granted annual leave not to exceed the amount necessary to receive total payments for leave and workmen's compensation equal to his regular salary; and

- C. Leave credits resulting from adjustments due to workmen's compensation shall not be available for use until the employee's return to duty.

**RULE VI § 25**

**COMPENSATION VIOLATIONS (Added October 1, 2010)**

If payments to an employee are found to have been made in violation of the provisions of the laws, Rules, or pay and classification plans governing the compensation of classified employees, the Director may take such corrective action he deems appropriate or may direct the Appointing Authority to take such corrective action. Corrective actions may include, but are not limited to, rescinding any actions associated with the violation and the associated compensation, and/or restitution by the employee. The Appointing Authority or affected employee may appeal such corrective action to the Commission.

**RULE VI § 26**

**APPRENTICE PAY PROGRESSION (Added August 26, 2015)**

Pay progressions may be approved by the Commission for classes where employees are required to obtain certification by a statute or an agency with lawful rule-making authority. In these classes, where certification is required for continued employment, hiring or promotion may occur between the minimum of the pay grade and a program completion rate as justified by progress toward final certification. Failure to achieve the certification identified as necessary for positions in the respective class will result in removal of the employee. An apprentice period cannot be extended for any reason other than authorized leave. The Director of Civil Service is authorized, subject to funding, to make minor adjustments in completion rates, 'steps' in the progression and resulting pay rates as necessary to preserve relationships between pay, progress in the program, and length of service.

## **RULE VII**

### **EXAMINATIONS AND EMPLOYMENT LISTS**

(Amended March 25, 2015)

#### **RULE VII § 1      PUBLIC ANNOUNCEMENT, APPLICATIONS, DEADLINES**

VII§1.1      The Director shall give written notice fifteen (15) days before holding any test given to establish an employment list, by posting a notice which includes the minimum and midpoint rates of pay, as well as the desired or necessary qualifications for the class, on the Civil Service Office bulletin board and by mailing copies to the Mayor, City Clerk, division directors and department managers for posting on their bulletin boards.

Announcements for promotional examinations which are limited to applicants from a division or department must be posted on the Civil Service Office bulletin board and mailed to the Mayor and City Clerk, but distributed only to the affected division or department.

VII§1.2      The Director may also advertise vacancies in newspapers, trade publications, journals and any other medium found to be available and appropriate.

VII§1.3      An application filing deadline shall be established for either 4:00 p.m. on the 15<sup>th</sup> day of the examination announcement or when a maximum number of applicants has been reached, whichever occurs first.

A.      Should the deadline for applications fall on a City employee's holiday, it is extended to the next working day.

B.      The Director may extend deadlines due to an inadequate number of qualified applicants or other sound business reasons.

#### **RULE VII § 2      APPLICANTS**

VII§2.1      An applicant is a person of lawful age who has permission to work in the United States issued by the U.S. Government, if not a citizen, and has submitted to the Civil Service Office the prescribed application for employment forms with proof of the aforementioned prior to the deadline for applications.

- VII§2.2 An application for employment shall be rejected for one of the following reasons:
- A. failure to meet special necessary qualifications as specified in the examination announcement;
  - B. applicant has been previously dismissed from the public service for delinquency or misconduct within the past five (5) years preceding the filing deadline, or is a former employee not recommended for rehire by the Appointing Authority where such recommendation is supported by recorded performance records subject to verification by the Director;
  - C. applicant has been found to have falsified any material on an application, examination or other materials used in the selection process or used fraud or deception in the process;
  - D. applicant is a regular employee whose performance has been rated less than competent during the twelve (12) months preceding the application filing deadline and is applying for a position with the same or essentially the same desired education and experience qualifications;
  - E. applicant has been previously demoted from the class being examined for incompetence; or
  - F. applicant has previously taken the same test for the same class within the last six months.

**RULE VII § 3                    TYPES OF EXAMINATIONS**

- VII§3.1 Examinations are procedures developed or sanctioned by the Civil Service Office that, by means of numerical scores, measure qualifications and merit of applicants.
- VII§3.2 Examinations may take the form of written or oral tests, performance tests, ratings of education and experience, or a combination of these. If a written test is available or can, in the opinion of the Director, be prepared within a reasonable period, said written test shall be used as the whole or part of the examination process in question.

- A. Written examinations shall be prepared for each position where resources allow and shall be job related, practical and as objective as possible.
- B. Performance examinations shall be the opportunity for applicants for a position to perform the work tasks of the position before the Director or his delegate and an expert in the task tested. A numerical score shall result which reflects the degree of skill shown by the applicant in performing the tasks of the position.
- C. Ratings of education and experience shall consist of forced choice rating scales measuring directly job related education, professional certifications and working experience. Each rating choice shall have a fixed point value and the scale shall yield a numerical score providing a relative ranking of applicants on the basis of objective and observable qualifications.

VII§3.3 The Director may, due to an inadequate number of applicants with desired education and experience, delays in advertising, preparation or revision of examinations, or other unforeseen circumstances, delay, postpone or cancel examinations. Suitable notice shall be provided to applicants in advance, if and when possible.

**RULE VII § 4                      WEIGHTING AND SCORING EXAMINATIONS**

VII§4.1 Two or more types of examinations may be combined with the following weighting:

	Written Examination	Performance Test	Rating of Education and Experience
A.	100%	0%	0%
B.	50%	50%	0%
C.	50%	30%	20%
D.	60%	0%	40%
E.	0%	100%	0%
F.	0%	60%	40%
G.	0%	0%	100%

VII§4.2 Civil Service examinations shall be scored using deviation scores whenever possible. Other scoring methods may be authorized by

the Director in cases of inadequate numbers, skewed distributions or other sound reasons. The minimum passing score on all examinations is 75.

VII§4.3 Scores shall be grouped into Bands by use of a Standard Error of Measure for each examination where it can be calculated. All applicants whose scores are within the same Band are considered to be tied.

VII§4.4 Preferences: One of the following shall be added to passing scores where applicable:

A. Veterans': Five (5) points shall be added to the scores of applicants who have provided proof of service in the armed forces of the United States under honorable conditions. Documents containing proof of honorable discharge must be presented to the Director.

B. Seniority: Regular employees of the Alexandria classified service shall have one (1) point for each year of service added to their score, to a maximum of twenty (20) points.

C. Residents': Applicants residing in the City limits shall have three (3) points added to their score.

VII§4.5 Within thirty (30) days after the completion of an examination, the Director shall complete the scoring and notify applicants of their test results. The Director shall keep the papers and documents pertaining to the examination available for applicants' inspection for thirty (30) days after the date of notification of the test results.

A. Examination items or questions subject to re-use shall not be made available to disputing applicants, but the Director may authorize inspection by a mutually agreed upon outside professional as necessary to resolve a dispute.

B. An error in scoring a test shall be corrected if discovered, but its correction shall not invalidate an appointment or promotion previously made from said list.

**RULE VII § 5**      **EXAMINERS**

VII§5.1 The Director may appoint employees in the classified service to serve as subject matter experts and assist in preparation, administration and/or scoring examinations. The Appointing Authority shall excuse any employee so appointed from his regular

duties for the time required. Employees are not entitled to extra compensation for these services.

- VII§5.2 The Director may retain the service of qualified persons from outside the classified service to assist in preparation, administration and/or scoring examinations.

**RULE VII § 6      EMPLOYMENT LISTS**

- VII§6.1 Insofar as practicable, employment lists shall be prepared by the use of competitive examinations, but the Director is authorized to prepare a non-competitive employment list in cases where position qualifications are so minimal as to prevent the use of examinations.

- VII§6.2 The Director may limit applications for employment to regular employees in a division, department, or to the classified service, or open the examination to the general public, at the request of the Appointing Authority.

- VII§6.3 The Director may schedule and conduct examinations in anticipation of need for an employment or promotion list.

- VII§6.4 The Director shall prepare, following each examination, in descending order of scores, an

- A. Open Employment List containing names of the highest scoring applicants, regardless of their current employment status; and/or
- B. Promotional Employment List containing names of the highest to lowest scoring employees in the department where the vacancy exists, followed by the highest to lowest scoring employees in the remainder of the division where the vacancy exists, followed by the highest to lowest scoring employees in the remainder of the entire classified Civil Service.
- C. The employment lists provided for herein shall remain in effect for at least six (6) months and may be extended by the Director for up to three (3) years.

- VII§6.5 Removal of names from an employment list may occur due to:

- A. refusal of three (3) offers of employment;
- B. appointment to a position in the class the list is prepared for;
- C. filing a written statement or verbal communication by the applicant of unwillingness to accept appointment. The Department will send a letter to the applicant confirming the decision;
- D. failure to report within a reasonable time to a pre-selection interview by the Appointing Authority or his delegate, unless evidence of good cause is provided to the Director or lack of prompt response to contact by the Appointing Authority to schedule an interview;
- E. failure to report for work after selection;
- F. failure to meet the physical requirements for performing the essential functions of the class with reasonable accommodation as determined by an appropriate medical professional;
- G. death; or
- H. rejection of application as described in Section 2.2.

**RULE VII § 7**

**SELECTION OF CIVIL SERVICE DIRECTOR**

The selection shall be in accordance with these Rules but with the examination process to be conducted by competent examination professionals from another Merit System to be selected by the Board.

## **RULE VIII**

### **VACANCIES, CERTIFICATION AND APPOINTMENT**

(Amended March 25, 2015)

#### **RULE VIII § 1      GENERAL RULES FOR FILLING VACANCIES**

- VIII§1.1 A position that can be filled by regular employment under the Civil Service Rules shall be, but allowances are made for temporary employment, subject to approval of the Director.
- A. A regular full-time position is a position expected to exist into the foreseeable future where an employee regularly and predictably works forty (40) hours or more weekly.
  - B. A regular less than full-time position is a position expected to exist into the foreseeable future wherein an employee regularly and predictably works more than thirty-two (32) but less than forty (40) hours per week.
- VIII§1.2 Insofar as practical, vacancies in positions shall be anticipated and sufficient advance notice given so as to accommodate position classification, advertising, examination and certification.
- VIII§1.3 The Appointing Authority may request applications be limited to persons with special qualifications, education, professional certifications, and/or experience where such special qualifications are reasonable.
- A. When Special Necessary Qualifications are requested and approved by the Director, these shall be stated in the pursuant examination announcement.
  - B. Special Necessary Qualifications shall be bona fide occupational qualifications made necessary by responsibilities of the position to be filled and shall not be approved if found unreasonable or contrary to the intent of the Act and Rules adopted there under.
- VIII§1.4 The Appointing Authority may request Selective Certification from an existing employment list of persons with certain education, professional certifications, and/or experience qualifications.

VIII§1.5 A vacancy is considered filled as of the date the Appointing Authority appoints an eligible to regular employment from a list certified by the Director.

VIII§1.6 Similar classes are classes that, in the analysis of the Director, are so closely related that a person who has been laid off from one of them can be re-employed in another.

**RULE VIII § 2      PROCEDURE FOR FILLING VACANT POSITIONS OF REGULAR EMPLOYMENT**

VIII§2.1 The Appointing Authority shall notify the Director of intent to fill a position and request a list of eligibles for this purpose on the forms required by the Director and indicate the list(s) requisitioned as follows:

- A. Both Open Employment and Promotion Lists;
- B. A Promotion List limited to regular employees of the division where the vacancy is located who have passed the examination;
- C. A Promotion List limited to regular employees of a department where the vacancy is located who have passed the examination; or
- D. A Promotion List limited to regular employees of the classified service who have passed the examination.

VIII§2.2 Certification occurs when the Director prepares and transmits to the Appointing Authority a list of names of persons lawfully eligible for appointment to a classified position.

- A. The Director shall, upon notification of intent by the Appointing Authority to fill a position, certify the top five (5) names of those on the preferred reemployment list for that or a similar class. If fewer than five (5) are available, he shall then certify the top ranking names on the reinstatement list for that class as necessary to provide at least five (5) names.
- B. The Director shall, when preferred reemployment and

reinstatement lists contain fewer than five (5) persons available for appointment, certify from the Open and/or Promotion lists.

- C. If there are fewer than five (5) names available for appointment following certification as per this Rule, the Appointing Authority may request additional names or may select from those available.
- D. The Director shall certify one (1) additional name, plus ties, for each additional vacancy to be filled.
- E. Certification from Open Employment and Promotion Lists shall provide the names of eligible on the Open Employment who have the top five (5) scores on the applicable examination, plus those tied with them, as well as the top five (5) names of regular employees, if any, plus ties, from the Promotion List.
- F. Certification from a Promotion List limited to regular employees of a department shall provide the names of regular employees of said department who have the top five (5) scores, plus ties, on the applicable examination.
- G. Certification from a Promotion List limited to regular employees of a division shall provide the names of regular employees of the department where the vacancy is located who have the top five (5) scores, plus ties, on the applicable examination. Should fewer than five (5) be available, the names of the top scores, plus ties, of regular employees of the division shall be certified as necessary to provide names of at least five (5) eligibles.
- H. Certification from a Promotion List limited to regular employees of the classified service shall provide the names of regular employees of the department where the vacancy is located who have the top five (5) scores, plus ties, on the applicable examination. Should fewer than five (5) be available, the names of the top scores, plus ties, of regular employees of the division shall be certified as necessary to provide five (5) names. Should there still be fewer than five (5) certified, the names of the top scores, plus ties, of regular employees of the entire classified service shall be certified as

necessary to provide names of at least five (5) eligibles.

VIII§ 2.3 The Director shall, in addition, notify the Appointing Authority of regular employees wishing to be demoted to the position and class in question, those who wish to be transferred to the vacant position, and those who wish to be reassigned to said position to the extent the Civil Service office is aware of them.

VIII§2.4 Vacant positions in the classified civil service shall be filled by appointment from the employment lists described in this Rule or the position shall be considered abolished by the Civil Service Office.

**RULE VIII § 3      PREFERENCE IN FILLING VACANCIES**

VIII§3.1 Vacant regular positions in the classified service shall be filled, when in the best interests of the service, by demotion, transfer, reinstatement, preferred re-employment, promotion, appointment from an open employment list, or temporary appointment, in the order named.

- A. Demotion is a change in the employment of a classified employee from a position in one class to a different position in a different class with a lower pay range minimum.
- B. Transfer is a change in the employment of a classified employee from a position in a class to a different position in the same class. Moving an encumbered position from one division to another without affecting pay or classification of the incumbent shall be considered a transfer in the absence of formal creation and abolition of positions in the same class.
- C. Reassignment is a change in the employment of a classified employee from a position in one class to a different position in a different class, for which said employee is qualified, that has the same pay range minimum.
- D. Reinstatement means the restoration of a classified employee to employment in a class from which they accepted demotion to avoid lay off.
  - 1. The Director shall keep a reinstatement list which shall contain the names of all persons who have been

demoted from classes through no fault of their own but to avoid lay off.

2. The Director shall certify names from a reinstatement list by listing the employee with the most seniority in the appropriate class first.
- E. Preferred reemployment means the restoration of a former employee to employment in the same or similar class from which they were involuntarily separated through no fault of their own, such as a lay off.
1. The Director shall keep a preferred reemployment list which shall contain the names of all persons who have been separated under this subsection.
  2. The Director shall certify names from the respective reemployment list by listing those with most seniority in class first.
  3. Should an employee be disabled or physically unable to perform in the respective class at the time of separation, said employee shall not be certified for reemployment until determined to be capable of working in the class by a physician.
  4. Removal of names from reemployment lists shall result from the following:
    - a. Expiration of eligibility two (2) years after layoff;
    - b. filing a written statement of unwillingness to accept reemployment in the same or similar classes;
    - c. refusal of three (3) offers of reemployment in the same class laid off from;
    - d. failure to respond within fourteen (14) calendar days of notification to report for interview or appointment;

- e. death;
  - f. failure to report for work after appointment;  
or
  - g. reemployment to the same class laid off from.
- F. Promotion is the change in regular employment under the classified Civil Service from a position in a class having a lower pay range minimum to a different position in a different class having a higher pay range minimum.
- G. Open appointment is initial employment under the classified Civil Service following certification of an Open Employment list resulting from an examination and subsequent appointment by the Appointing Authority.

**RULE VIII § 4      SPECIAL ASSIGNMENT OF DUTIES**

Whenever the services of an employee are temporarily needed in any other position in the City service, in the same or another department, such employee may be temporarily assigned the duties of the other position for a period not to exceed three (3) months, in which the Rules relating to certification, transfer, demotion and promotion shall not apply. The assignment will commence upon receipt of written justification from the Appointing Authority to the Director. In extenuating circumstances and with the Commission's approval, the Appointing Authority may assign an employee for a period in excess of three (3) months; but in such event, all rights of the employee shall be maintained. The employee shall not be given preferred rights to the position.

Compensation for employees on special assignment shall be in compliance with Rule VI § 22.

## **RULE IX**

### **WORKING TEST**

#### **RULE IX § 1      WORKING TEST**

Every person appointed to a position in the classified service after certification of his name from an original entrance employment list and every employee promoted to a position shall be evaluated by a working test while occupying such position.

#### **RULE IX § 2      DURATION OF WORKING TEST**

The period of such working test shall commence immediately upon the first day of work in the position and shall continue for six (6) months. (Amended October 1, 2010)

The working test period for a part-time employee of the classified service shall be computed on the same calendar basis as if he was employed full time. (Added October 1, 2010)

#### **RULE IX § 3      REPEALED October 1, 2010**

#### **RULE IX § 4      REPEALED**

#### **RULE IX § 5      INTERRUPTION OF WORKING TEST**

(Redesignated as Rule IX§5.6 effective October 1, 2010)

IX§5.1      If an employee is transferred during his working test period from a position in one department to a position in another department, the second department head may, in his discretion, permit the granting of credit for the portion of the working test period previously completed. (Amended October 1, 2010)

IX§5.2      If an employee resigns during a working test period, all credit for the portion of the working period completed before he resigned shall be cancelled. (Amended October 1, 2010)

IX§5.3      If an employee is granted leave without pay (except military leave) during a working test period and is subsequently reinstated to the same department in the position he was occupying when granted leave

without pay, he shall be given credit for the portion of the working test period completed before he was granted leave. (Amended October 1, 2010)

IX§5.4 If an employee is granted military leave during a working test period and is subsequently reinstated or reemployed, he shall be given credit for the portion of the working test period completed before he was granted military leave. (Amended October 1, 2010)

IX§5.5 If a probationary employee is promoted while serving a working test period to a position of a higher class in the same department, he shall continue to serve his working test in the position from which promoted and upon completion of six (6) months satisfactory combined service in the two (2) positions, he shall acquire full civil service status in the lower class; but, if he has been promoted to another department as a result of certification from a promotion list, he must also serve a working test period on the new position, duration of which shall not be less than six (6) months from the time he was promoted. (Amended October 1, 2010)

IX§5.6 If an employee is laid off during a working test period and subsequently reappointed by the same department to the same class within one year, he shall be given credit for the portion of the working test period completed before he was laid off. (Redesignated from Rule IX § 5 and amended October 1, 2010)

**RULE IX § 6                    EVALUATION OF EMPLOYEE'S PERFORMANCE**

During the third or fourth month of the working test period and in such manner as the Director may require, the Appointing Authority shall report to the Director his observation of the employee's work, and his judgment as to the employee's willingness and ability to perform his duties satisfactorily, and as to his habits and dependability. (Amended October 1, 2010)

**RULE IX § 7                    REMOVAL OF EMPLOYEE DURING WORKING TEST PERIOD**

IX§7.1 Removal by Appointing Authority After Two (2) Months. (Amended October 1, 2010)

After the first two (2) months of the employee's working test period, the Appointing Authority may remove an employee if the employee is

unable or unwilling to perform his duties satisfactorily or his habits and dependability do not merit his continuance in the service. Upon removal of an employee, the Appointing Authority shall inform the Director and employee, in writing, of the fact and the reason for his action. (Amended October 1, 2010)

A classified or probationary employee may be demoted during his working test for inability to perform the duties of his position satisfactorily. The employee may be allowed eligibility for another position or classification for which he has been deemed qualified or reinstated to his former position if a vacancy exists. If the probationary employee is demoted prior to reaching classified status, the working test period shall begin anew. If a classified employee is demoted or reinstated to his former position during the working test period, the working test shall be terminated. (Added October 1, 2010)

**IX§7.2** Removal by the Appointing Authority Within the First Two (2) Months.

The Appointing Authority may remove an employee within the first two (2) months of his working test period only with the approval of the Director. (Amended October 1, 2010)

**IX§7.3** Removal by Director.

The Director may remove an employee during his working test period if he finds, after giving him notice and an opportunity to be heard, that such employee was appointed as a result of fraud or error.

**IX§7.4** Limitation on Number Removed During Work Test Period.

No more than three (3) employees shall be removed successively from the same position during their working test periods without the approval of the Director.

**IX§7.5** If an employee is removed from his position during or at the end of his working test period, he may be placed on an employment list in accordance with Rule VII§13. (Added October 1, 2010)

**RULE IX § 8**

**CERTIFICATION AT CLOSE OF WORKING TEST PERIOD**

Ten (10) days prior to the expiration of an employee's working test period, the Appointing Authority shall notify the Director in writing

whether the services of the employee have been satisfactory and whether he will continue the employee in his position. A copy of such notice shall be given to the employee ten (10) days prior to the expiration of such employee's working test period. Upon approval of the Director of a favorable report, the appointment of the employee shall be deemed to be complete at the expiration of the working test period. Failure by an Appointing Authority to give such ten (10) days notice to the Director and a copy thereof to the employee shall have the same force and effect as a satisfactory report.

**RULE IX § 9**

**RECOGNITION OF PROVISIONAL SERVICE (Added October 1, 2010)**

In the case of an employee who was hired under provisional appointment, and who subsequently qualifies for and is appointed to the same position on a regular basis, without interruption of employment, credit towards completion of the required working test period shall be given for all service previously rendered under the proceeding provisional appointment.

**RULE X**

**Repealed**

## RULE XI

### HOURS OF WORK AND LEAVES OF ABSENCE

**RULE XI § 1      ANNUAL LEAVE (Amended March 20, 1974)(Amended  
November 10, 1993)(Amended September 24, 2003)**

XI§1.1      Leave Accrual

Annual leave with pay shall be earned by all full-time employees (both monthly salaried and hourly wage) on the following basis: Employees who have completed one (1) year of service will be entitled to eighty (80) working hours of vacation for the current calendar year.

Thereafter, annual leave will be credited on January 1st of each year as follows:

2 years - 4 years	80 hours of annual leave
5 years - 9 years	104 hours of annual leave
10 years - 14 years	120 hours of annual leave
15 years - 20 years	160 hours of annual leave
21 years -	8 additional hours per year for each year over 20 years up to 30 days.

Employees shall accrue annual leave during all periods of absences from work due to paid leave. Employees shall not accrue leave: (Redesignated from RuleXI§8.2 and amended effective October 1, 2010)

- A. For any overtime hour;
- B. For any hour of unpaid leave, worker's compensation, or periods of suspension;
- C. For any hour in on-call status outside his regular duty hours;
- D. For any hour of travel or other activity outside his regular duty hours; or
- E. For any overtime hour of holiday.

XI§1.2 Taking Annual Leave.

Annual leave is at all times subject to the approval of the Appointing Authority, is to be requested by the employee in advance of its being taken, and may not be taken in units smaller than one-quarter (1/4) hour. (Amended October 1, 2010) (Amended November 17, 2010)

In computing and recording charges against an employee's accumulated annual leave, deduction shall be made only for such time that the employee is absent when scheduled to work. Annual leave may not be charged for non-work days. (Added October 1, 2010)

XI§1.3 Repealed October 1, 2010

XI§1.4 Maximum Accrual (Amended October 1, 2010)

Annual leave may be carried from one calendar year to the next provided that the amount carried forward does not exceed the current year's earnings. Annual leave in excess of that which can be carried forward, not to exceed eighty (80) hours, shall be credited to the employee's sick leave balance.

XI§1.5 Payment Upon Termination (Amended October 1, 2010)

Upon termination of employment for any reason, including retirement, other than theft of City funds or property, the employee (or in case of death, the employee's heirs or estate) shall be entitled to be paid for all accumulated but unused annual leave balance at the time of termination. For employees terminated or allowed to resign in lieu of termination for theft of City funds or property, the Appointing Authority may deduct from payment of accumulated annual leave any amount necessary to offset the cost to the City of the theft. (Amended November 17, 2010)

XI§1.6 Continuous Service. (Added October 1, 2010)

A. Former employees who are reemployed following a break in service of one or more working days, shall be considered "new" employees within the meaning of this Rule. Therefore, no annual leave shall be restored to the record and date of hire shall reflect the date they return to work. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended

effective October 1, 2010)

- B. Former employees who are reinstated by court order or Civil Service decree following a break in service of one or more working days, shall not lose prior service credits and shall not affect his or her continuous service unless otherwise stated in the court order or decree. No annual leave paid upon termination shall be restored to the record. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)
- C. Employees who are reinstated from an approved leave without pay following a break in service of one or more working days, shall not lose prior service credits and shall not affect his or her continuous service. No annual leave shall be restored to the record for the period the employee was off on approved leave without pay. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)
- D. Former employees who are appointed from a preferred reemployment list or restored to duty upon return from military service within one (1) year of termination, shall not lose prior service credits but neither shall it be counted in computing the employee's continuous service. No annual leave paid upon termination shall be restored to the record. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D effective October 1, 2010)

XI§1.7 When an employee has used all accumulated sick leave, but has annual leave accumulations available for use, upon request by the employee, he shall be permitted to use annual leave in lieu of sick leave (for sick leave purposes), subject to provisions, conditions, and limitations set forth in Rule XI§2.8. (Added October 1, 2010)

**RULE XI § 2. SICK LEAVE (Amended March 20, 1974)(Amended April 13, 1994)(Amended September 24, 2003)**

(Redesignated as Rule XI§2.1 and Rule XI§2.8 effective October 1, 2010)

XI§2.1 Leave Accrual (Amended October 1, 2010)

(Redesignated as Rule XI§2.8 effective October 1, 2010)

Effective January 1, 2011, sick leave with pay as defined by Rule 1.1.78 shall be granted to all full-time employees in the classified service at the rate of eight (8) hours per month beginning on the date of employment and shall be credited on the first day of each month. Sick leave may not be taken in advance of being credited and may not be taken in amounts less than one-quarter (1/4) hour. Unused sick leave with pay may be accumulated. On December 31 of each year, the accumulated sick leave earned by an employee shall be carried forward to the succeeding year. (Redesignated from Rule XI§2 and Rule XI§2.3 and amended effective October 1, 2010) (Amended November 17, 2010) (Amended March 16, 2011)

Employees shall earn sick leave during all periods of absences from work due to paid leave and absences from work when the Appointing Authority determines it is necessary to reduce the work hours of employees or furlough employees in order to avoid or reduce layoffs. Employees shall not be credited with leave: (Redesignated from Rule XI§8.2 and amended effective October 1, 2010) (Amended March 16, 2011)

- C. For any overtime hour;
- D. For any hour of unpaid leave, worker's compensation, or periods of suspension;
- E. For any hour in on-call status outside his regular duty hours;
- F. For any hour of travel or other activity outside his regular duty hours; or
- G. For any overtime hour of holiday.

XI§2.2 (Redesignated, in part, as Rule VI § 24 effective October 1, 2010)

Repealed April 13, 1994

Repealed July 21, 2004

Repealed July 21, 2004

Repealed October 1, 2010

Repealed October 1, 2010

XI§2.3 (Redesignated as Rule XI§2.1 effective October 1, 2010)

XI§2.4 Repealed October 1, 2010

XI§2.5 Repealed March 1, 1973

XI§2.6 Continuous Service (Amended October 1, 2010)

(Redesignated, in part, as Rule XI§1.6 effective October 1, 2010)

- A. Former employees who are reemployed following a break in service of one or more working days, shall be considered "new" employees within the meaning of this Rule. Therefore, no sick leave shall be restored to the record and date of hire shall reflect the date they return to work. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)
- B. Former employees who are reinstated by court order or Civil Service decree following a break in service of one or more working days, shall not lose prior service credits and shall not affect his or her continuous service unless otherwise stated in the court order or decree. No sick leave paid upon termination shall be restored to the record. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)
- C. Employees who are reinstated from an approved leave without pay following a break in service of one or more working days, shall not lose prior service credits and shall not affect his or her continuous service. No sick leave shall be restored to the record for the period the employee was off on approved leave without pay. (Amended June 22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)
- D. Former employees who are appointed from a preferred reemployment list or restored to duty upon return from military service within one (1) year of termination, shall not lose prior service credits but neither shall it be counted in computing the employee's continuous service. No sick leave paid upon termination shall be restored to the record. (Amended June

22, 1994) (Redesignated from Rule VI§7.1.D and amended effective October 1, 2010)

XI§2.7 Payment Upon Termination (Amend October 1, 2010)

Upon termination of employment for any reason other than theft of City funds or property, the employee (or in case of death, the employee's heirs or estate) shall be entitled to be paid one-third (1/3) of all accrued but unused sick leave.

XI§2.8 Reporting Absence and Requirements for Returning to Work (Added October 1, 2010)

- A. An employee unable to be at work for any reason is obligated to report the fact that he will not be available for work to his immediate supervisor no less than fifteen (15) minutes prior to the start of his shift. If the employee is unable to notify his immediate supervisor, the employee or someone on his behalf is obligated to contact someone in authority in his work unit, department or section of his inability to report to work. Failure to do so may result in disciplinary action. Employees taking sick leave must sign an Absence Report on the first day of their return to work, stating the amount of leave taken. (Added August 18, 1977) (Redesignated from Rule XI§2 and amended effective October 1, 2010)
- B. An employee who has taken sick leave shall file with the Appointing Authority a certificate stating the cause of his absence and the amount of time taken. If the amount of leave taken is in excess of five (5) consecutive days, the employee must provide a registered physician's certificate stating the necessity for the absence or some other acceptable proof that the employee was ill and unable to work. The employee shall make the certificate available to the Appointing Authority upon the employee's return to duty or by the tenth (10<sup>th</sup>) day of absence, whichever comes first. (Redesignated from Rule XI§2.1 and amended effective October 1, 2010)
- C. The Appointing Authority for good cause may authorize variances in these filing times, provided the employee has been made aware of this requirement prior to, or when the Appointing Authority was first notified of the absence. Failure to comply shall result in absences not being charged to

sick leave. (Redesignated from Rule XI§2.1 and amended effective October 1, 2010)

- D. When the Appointing Authority has determined that an employee has charged an absence against sick leave although no actual sickness or illness as defined in Rule I occurred, the Appointing Authority may deduct the value of absent time from the employee's accrued annual leave or pay and may, in his discretion, also take disciplinary action. (Redesignated from Rule XI§2.1 and amended effective October 1, 2010)

XI§2.9 Notification (Added October 1, 2010)

If sick leave is used in accordance with a scheduled surgery, planned medical treatment, or birth of a child the employee shall provide the Appointing Authority with thirty (30) days notification, if possible.

**RULE XI § 3. TRANSFER OF ANNUAL AND SICK LEAVE IN CASE OF TRANSFER, PROMOTION OR DEMOTION (AMENDED October 1, 2010)**

When a classified employee is transferred, promoted or demoted from a classified position in one organization unit to a classified position in another organization unit, his accrued and unused sick and annual leave shall be transferred with him. In each case of transfer, promotion or demotion of a classified employee from one organization unit to a classified position in another organization unit, the department head from whom the employee is transferred, demoted, or promoted shall certify the amount of accrued and unused sick and annual leave of the employee to the department head to whom the employee is transferred, demoted or promoted. The value of his accrued and unused annual leave shall be computed in accordance with the provisions of this Rule.

**RULE XI§ 4. CIVIL, EMERGENCY, OR SPECIAL LEAVE (Amended July 20, 1977) (Amended October 1, 2010)**

(Redesignated as RuleXI§4.1 effective October 1, 2010)

Repealed October 1, 2010

- XI§4.1 A probationary or permanent employee shall be given time off without loss of pay, annual leave, or sick leave when:

- A. Performing jury duty;
- B. Summoned or subpoenaed to appear as a witness before a court, grand jury, or other public body or commission, or to give a deposition, provided it is work related and the employee is not a plaintiff. If an employee is subpoenaed to appear or is a party in a personal matter, the employee may elect to use accrued annual leave or be allowed approved leave without pay; (Amended October 1, 2010)
- C. Performing emergency civilian duty in relation to national defense;
- D. The Appointing Authority determines the employee is prevented by an act of God, such as extreme weather conditions or natural disasters, from performing his duties; (Added October 1, 2010)
- E. Serving on a public board or commission; (Added October 1, 2010)
- F. Serving as an election official or commissioner in either a primary or general election;
- G. When voting in a primary, general or special election, provided the employee's work schedule conflicts with poll hours and provided not more than two hours of leave shall be allowed to vote in Rapides Parish and additional hours, not to exceed one day, to vote in another parish upon the employee providing a voters registrar card for another parish; (Added October 1, 2010)
- H. Taking a required examination pertinent to the employee's continued employment before a state licensing board; (Added October 1, 2010) or
- I. The Appointing Authority determines that because of local conditions or celebrations it is impracticable for employees in such locality to work. (Added October 1, 2010)

XI§4.2 An employee who was available for work and otherwise scheduled to work shall be given time off without loss of pay under the provisions

of Rule XI§4.1. (Added October 1, 2010)

- XI§4.3 The provisions under Rule XI§4.1 shall not apply to employees who are on leave without pay immediately prior to or immediately subsequent to the period of time of closure or to employees during times they were not otherwise scheduled to work due to a pre-approved leave of absence. (Added October 1, 2010)
- XI§4.4 Essential duty personnel who fail to report for essential duty when required or abandon their post without prior permission from appropriate supervisory authority shall not be eligible for pay as provided for under Rule XI§4.1 and may be subject to disciplinary action. (Added October 1, 2010)

**RULE XI § 5. LEAVE OF ABSENCE WITHOUT PAY**

The Appointing Authority may, upon the written request of the employee or with the approval of the Director at the request of the Appointing Authority, grant a probationary or permanent employee, leave of absence without pay for a period not to exceed sixty (60) calendar days in any twelve (12) month period whenever such leave is considered to be in the best interest of the service. (Amended October 1, 2010)(Amended January 18, 2012)

- XI§5.1 A written request shall be submitted thirty (30) days prior to the requested leave date, if possible. (Added October 1, 2010)
- XI§5.2 Requests for leave without pay due to illness or injury must include a statement from the attending physician indicating the approximate length of time the employee will be unable to perform his duties. Prior to returning to work from a leave without pay due to illness, the employee must provide a medical release from the attending physician stating the employee is able to perform the duties of his position. (Added October 1, 2010)
- XI§5.3 The employee shall be provided a written confirmation of approval granted by the Appointing Authority to include the start and ending dates of leave. (Added October 1, 2010)
- XI§5.4 Such leave may be granted only after all accumulated sick and annual leave has been exhausted. (Added October 1, 2010)

XI§5.5 Leave without pay due to illness or injury may be extended up to an additional sixty (60) days when determined by the Appointing Authority to be in the best interest of the City and when approved by the Director, provided that: (Added January 18, 2012)

A. A prior written request is submitted to the Appointing Authority on or before the last day of leave without pay; and

B. The employee includes with his/her written request a statement from the attending physician providing an updated medical status on the employee's ability to perform his duties.

XI§5.6 Where any employee does not return to work as of the day following the last day of leave without pay authorized herein, he shall be considered as having resigned from his position. (Added January 18, 2012)

**RULE XI § 6. REPEALED October 1, 2010**

**RULE XI § 7. HOLIDAYS (Amended September 24, 1986)  
(Amended May 11, 1994)**

Redesignated as Rule XI§7.1 effective October 1, 2010)

XI§7.1 (Redesignated as Rule XI§7.3 effective October 1, 2010)

Holidays for all employees in the City service shall be as follows:

January 1, New Year's Day  
January 19, Martin Luther King's Birthday  
Friday before Easter Sunday  
Last Monday in May, Memorial Day  
July 4, Independence Day  
First Monday in September, Labor Day  
November 11, Veteran's Day  
Fourth Thursday and Friday of November, Thanksgiving  
December 25, Christmas

XI§7.2 A. Repealed October 1, 2010

B. (Redesignated as Rule No. VI§23.2 effective October 1, 2010)

Observance of holidays other than those provide for provided in Rule XI§7.1 shall be on dates determined by the City Council. (Added October 1, 2010)

XI§7.3 If any of the holidays stated in this section falls on a Saturday, the preceding Friday shall be observed as the holiday. If any holiday falls on a Sunday, the succeeding Monday shall be observed as the holiday. (Redesignated from Rule XI§7.1 effective October 1, 2010)

Repealed November 17, 2010

If any of the holidays under this section fall within an employee's normal day off, an additional day of vacation or an additional day of pay will be paid at the option of the employee. (Added November 17, 2010)

XI§7.4 If any of the holidays under this section fall within an employee's scheduled annual leave, the employee will not be charged leave for the absence. (Added October 1, 2010)

XI§7.5 Refer to Rule VI § 23 for holiday pay. (Added October 1, 2010)

**RULE XI § 8. FUNERAL LEAVE** (Reference Rule XI, Section 2.1) (Amended 02/87)

XI§8.1 In the event of the death of an employee's spouse, child or parent / legal guardian, an employee may be granted forty (40) hours paid leave of absence from the hours the employee is scheduled to work, to be taken within one (1) week of the funeral or burial rites. (Amended October 1, 2010) (Amended March 16, 2011)

XI§8.2 (Redesignated as Rule XI§1.1 and Rule XI§2.1 effective October 1, 2010)

XI§8.3 In the event of the death of an employee's grandparent, great-grandparent, grandchild, current son-in-law, current daughter-in-law, or sibling or the parent or sibling of the employee's spouse, an employee may be granted twenty-four (24) hours paid leave of absence from the hours the employee is scheduled to work, to be taken within one (1) week of the funeral or burial rites. (Added October 1, 2010) (Amended March 16, 2011)

XI§8.4 This includes a person standing in loco parentis as a parent, son, or

daughter. For the purpose of this Rule “half and current step” relationships will be viewed as natural. (Added October 1, 2010)

XI§8.5 Documentation will be required for each request of funeral leave upon the employee returning to work. This may include a statement from the funeral home or obituary indicating the name of the deceased, location of the funeral, date of death, and date of the funeral. Failure to provide the required documentation will result in the leave being charged against accrued annual leave or leave without pay. (Added October 1, 2010)

XI§8.6 When the Appointing Authority has determined that an employee has charged an absence against funeral leave for a funeral or burial rite not covered in this section, the Appointing Authority shall deduct the value of absent time from the employee’s accrued annual leave or pay and may, in his discretion, also take disciplinary action. (Added October 1, 2010)

XI§8.7 An employee will not receive compensation for eligible bereavement leave days that fall on an employee’s scheduled day off. (Added March 16, 2011)

**RULE XI § 9                    ADMINISTRATIVE LEAVE WITH PAY (Added October 1, 2010)**

XI§9.1 An employee shall be placed on administrative leave pending an investigation when the Appointing Authority has reason to believe the employee has engaged in conduct, which, if confirmed, would warrant disciplinary action, and the employee’s continued presence at work during the investigation would be contrary to the best interests of the City.

XI§9.2 The employee shall be given written notice of the administrative leave granted pending investigation and the reasons therefore. The employee shall also be advised that he must be readily available to return to work upon a call from the Director of Human Resources. Failure to do so will result in time off charged to the employee’s personal annual leave.

XI§9.3 Administrative leave shall be with pay and shall not exceed thirty (30) calendar days without the prior approval of the Director.

XI§9.4 The Director may allow an extension for up to an additional thirty

(30) days upon receiving a written request from the Appointing Authority providing reasons therefore.

XI§9.5 Upon completion of the investigation, the employee and the Director shall be advised of the outcome and any action and disciplinary sanctions that may be taken.

XI§9.6 Administrative leave is not a disciplinary action and is only appealable if the basis of the appeal is discrimination or a violation of these Rules.

**RULE XI § 10      HOURS OF WORK (Added October 1, 2010)**

The work week for full-time employees in the classified service shall consist of not less than thirty-five (35) regularly scheduled working hours, exclusive of lunch periods. A person employed to work on a regular schedule of less than thirty-five (35) hours per week shall be considered a part-time employee for purposes of pay administration and other purposes contemplated by these Rules. The Appointing Authority shall establish a schedule of normal working hours for its employees. Any schedule which does not constitute a forty (40) hour work week or is irregular shall be submitted to the Commission. The Commission shall approve said schedule where the schedule is in the public interest.

## RULE XII

### DISCIPLINARY ACTIONS AND SEPARATIONS

**RULE XII § 1**      **MAINTAINING STANDARDS OF SERVICE** (Amended June 22, 1994)(Amended July 26, 1994) (Amended October 1, 2010)

XII§1.1      When any employee in the classified service is unwilling to perform the duties of his position in a satisfactory manner, or has committed any act or acts to the prejudice of the service, or has failed to perform any act or acts that it was his duty to perform or otherwise has become subject to disciplinary or other corrective action, it shall be the duty of the Appointing Authority to take such action as the circumstances may warrant to maintain the standards of effective service. Such action may extend to: (Amended October 1, 2010)

- A.      removal from the service;
- B.      retirement under any provision of the law applicable;
- C.      a reduction in pay not to exceed five percent (5%) and not to reduce an employee's pay below the minimum wage or below the pay range minimum of the class; (Amended October 1, 2010)
- D.      demotion to any position of a lower class that the employee is deemed by the Appointing Authority and the Director to be competent to fill and the employee's salary adjusted in accordance with Rule VI§5.4; (Amended October 1, 2010)
- E.      suspension without pay for a period or periods not exceeding in the aggregate of sixty (60) days in any continuous period of twelve (12) months; or
- F.      written reprimand or other such less drastic measure of discipline as, in the judgment of the Appointing Authority, seems to be necessary and proper. (Amended October 1, 2010)

XII§1.2      All applications filed for admission to tests of fitness by any person who has been dismissed from the classified service or allowed to resign in lieu of termination within the previous three (3) years shall forthwith be rejected. Additionally, the Director, subject to the Rules,

may reject the application of an employee for admission to tests of fitness or refuse to test any applicant, or may cancel the eligibility of any eligible on any employment list, for any of the reasons listed under XII§1.3 of this Rule. Any such facts shall also be considered cause for removal of any employee. (Amended October 1, 2010)

XII§1.3 Disciplinary action by the Appointing Authority may be taken for any of the following reasons: (Added October 1, 2010)

- A. incompetency, inefficiency or inattention to or dereliction of duty;
- B. failing or unwilling to perform the duties of the position in a satisfactory manner;
- C. When, after the employee has been given written notice that his attendance requires improvement, an employee has three (3) or more unapproved absences during any consecutive fifty-two (52) week period. An unapproved absence occurs when an employee is absent from work without having obtained approval prior to the absence or not reporting the absence as required under Rule XI§2.8.
- D. dishonesty, intemperance, insubordination, continuous discourteous treatment of the public or a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to conduct himself properly; or any violation of the provisions of these Rules and City personnel policies, procedures, or standards;
- E. unjustified or unsubstantiated physical or emotional unfitness for the position which the employee holds;
- F. use of alcohol, unprescribed narcotics, or controlled dangerous substances while on duty or reporting to work under the influence of same; use of any kind of substance that interferes with the efficiency, physical, or mental fitness of the employee, or which precludes the employee from properly performing the functions and duties of his position;
- G. directly or indirectly campaigning, soliciting or receiving money, goods, or anything of value from any person or

- group for any political party or political purpose;
- H. any other sanctions proposed by the Commission;
  - I. unauthorized use of City equipment for personal business or pleasure;
  - J. possesses a conviction that was not expunged and/or dismissed of a felony or misdemeanor conviction within the last seven years. Rejection of application for a job appointment in the classified service shall take into consideration the seriousness of the offense, its recency, and the age of the applicant at the time of the occurrence;
  - K. falsifying applications for employment; making false claims of qualifications in securing eligibility and appointment of self or another;
  - L. using fraud, misrepresentation, suppression of the truth, or deception to secure a job appointment or promotion;
  - M. using or promising to use influence or official authority to secure appointment to or eligibility for a position in the classified service for any reason other than qualifiable merit;
  - N. inducing or attempting to induce or coerce any person holding a position in the classified service to resign, take a leave of absence from his duties, or waive any of his rights under civil service;
  - O. inducing or attempting to induce or coerce any person holding a position on the civil service commission;
  - P. unwillingness, inability or failure to achieve within the time specified and/or maintain such certifications, permits, licenses, registrations, or other credentials specified as a requirement of the job as deemed reasonable by the Commission;
  - Q. any other activity, act or failure to act which impairs the department; or

- R. any act or failure to act that the Commission accepts as sufficient to show the offender is unfit or unsuitable for employment in the classified service.

XII§1.4 Suspension Pending Criminal Proceedings (Added October 1, 2010)

- A. With prior approval of the Commission, the Appointing Authority may suspend a permanent employee, without pay, pending criminal proceedings when an indictment or bill of information has been filed against the employee for conduct that, if proved, would be cause for dismissal and the Appointing Authority cannot obtain sufficient information to initiate dismissal proceedings;
- B. The Appointing Authority's request for approval of a suspension under this Rule must explain why the conduct would be cause for dismissal, why the employee cannot be allowed to work in any capacity, and why sufficient information to initiate dismissal proceedings cannot be obtained. The request must also include documentation that an indictment or bill of information has been filed;
- C. Before approving a suspension under this Rule, the Commission must furnish the employee a copy of the Appointing Authority's request and a reasonable opportunity to respond; and
- D. A permanent employee suspended under this Rule must be given written notice before the time the suspension begins. This notice must comply with Rule XII§2 to the extent possible.

XII§1.5 Non-disciplinary removals (Added October 1, 2010)

An employee may be non-disciplinarily removed under the following circumstances:

- A. The employee is unable to perform the essential functions of his job due to illness or medical disability or personal circumstances and has exhausted all available leave options;
- B. When there is cause for dismissal, but the cause is not the employee's fault.

- C. When an employee is removed under this section of the Rule, the adverse consequences of XII§1.2 shall not apply.

**RULE XII § 2**

**PROCEDURE IN DISCIPLINARY OR REMOVAL CASES**

Repealed October 1, 2010

Repealed October 1, 2010

XII§2.1 Repealed October 1, 2010

XII§2.2 Repealed October 1, 2010

XII§2.3 Notice of Proposed Action (Added October 1, 2010)

When the Appointing Authority proposes to discipline or remove a probationary or permanent employee, the employee must be given written notice of the proposed action, the reasons therefore, facts supporting same, and a reasonable opportunity to respond.

XII§2.4 Written Notice to Employee of Discipline or Removal (Added October 1, 2010)

When an Appointing Authority decides to discipline or remove a permanent or probationary employee, the employee must be given written notice of the action being taken before the action becomes effective. The written notice must:

- A. State what action is being taken and the date and time the action will become effective;
- B. Describe in detail the conduct for which the action is being taken including, where pertinent, dates, times, places, and names of persons directly involved in or affected by such conduct (unless their identities are protected by law, in which case, identification may be made as permitted by law) and subsequent statements which reveal the conduct complained of;
- C. In a written disciplinary notice where removal is not considered, the Appointing Authority shall provide counseling for improvement of the employee's conduct; and

- D. Contain the following notification to permanent employees: “You have the right to appeal this action to the Alexandria Civil Service Commission within thirty (30) calendar days following the date of this letter. The appeal procedure is contained in Rule XIII of the Civil Service Rules, which is available from the Civil Service Department or the Human Resources Department. The appeal must be made in writing and delivered to the Director of the Civil Service Division.”

XII§2.5 Providing Written Notice (Added October 1, 2010)

Written notice is considered given to the employee:

- A. When it is tendered to the employee. In the event of an employee refusing to acknowledge receipt of such a complaint, this fact shall be stated on the letter and witnessed by another employee;
- B. When it is tendered to a person of suitable age and discretion who resides with the employee; or
- C. On the seventh calendar day after it was certified mailed with correct postage to the employee’s most recent address furnished in writing or electronically to the Human Resources Department.

XII§2.6 Employee Discussions (Added October 1, 2010)

- A. An employee discussion may be issued to attempt to improve an employee’s conduct and shall not be considered a disciplinary action under this Rule and shall not be included in any publicly accessible personnel record.
- B. An employee may respond in writing to an employee discussion and the employee’s response must be forwarded and /or attached to each copy of the letter maintained by the City.
- C. If the same or similar conduct recurs, an employee discussion can be used to support the severity of future discipline and shall be made part of any publicly accessible personnel file.

D. An employee discussion is not appealable under Rule XIII.

**RULE XII § 3      APPEALS**

Any employee in the classified service who is subjected to disciplinary action may appeal to the Commission as provided in Rule XIII§1.1 and Rule XIII§1.2. (Amended October 1, 2010)

**RULE XII § 4      LAYOFF AVOIDANCE MEASURES (Amended October 1, 2010)**

(Redesignated as Rule XII § 5 effective October 1, 2010)

XII§4.1      Types of Layoff Avoidance Measures (Added October 1, 2010)

These measures consist of the following:

- A.      withholding of across-the-board or merit increases;
- B.      reduction in work hours; and
- C.      furloughs without pay.

XII§4.2      Approval of Layoff Avoidance Measures (Added October 1, 2010)

A written plan for layoff avoidance measures shall be submitted to the Director in a reasonable time prior to the effective date of the measures. The Director shall submit the plan to the Commission for approval.

XII§4.3      Withholding of Merit Increases

When the Appointing Authority determines that it is necessary to withhold merit increases in order to avoid or reduce layoffs, his request shall certify to the Commission that the City does not have sufficient funds, the proposed effective date, and the period of time involved. Upon receiving Commission approval, the Appointing Authority shall notify affected employees.

Withholding of merit increases shall not exceed one period of twelve (12) consecutive months. In the event the withholding of merit increases exceeds a period of twelve consecutive months, the Appointing Authority shall re-certify to the Commission the reasons for and period of time the withholding shall continue.

Employees whose merit increases are withheld shall retain their eligibility for such increases for a three-year period.

XII§4.4 Reduction in Work Hours (Added October 1, 2010)

- A. When the Appointing Authority determines it is necessary to reduce the work hours of employees in order to avoid or reduce layoffs, it shall provide the Commission with the reason for the reduction, the names and jobs of any employees to be excluded, if any, and reasons for their exclusion, the number of work hours reduced for each employee, the proposed effective date and the period of time involved.
- B. Such reductions shall not exceed one period of twelve (12) consecutive months. In the event the reduction in work hours exceeds a period of twelve consecutive months, the Appointing Authority shall re-certify to the Commission the reasons for and period of time the reduced hours shall continue.
- C. The number of work hours reduced for an employee shall not exceed sixteen (16) hours (twenty-four (24) hours for 12-hour shift employees) per bi-weekly payroll period.
- D. Affected employees shall be subject to the same leave benefits as apply to regular, full-time employees. Any hours worked over the employee's reduced workweek shall be compensated with compensatory leave earned at the hour for hour rate. Hours which exceed a 40-hour workweek shall be compensated with compensatory leave earned at the time and one-half rate if required by the Fair Labor Standards Act.

XII§4.5 Furlough Without Pay (Added October 1, 2010)

When the Appointing Authority determines it is necessary to furlough employees without pay to avoid or reduce layoffs, it shall include reasons for the furloughs, the names and class of those employees to be excluded, if any, and the reason for their exclusion, the total number of work hours or days for each employee, the dates and period of time involved and the organizational unit affected. It shall specify if employees will be recalled from furlough at the same time. If

employees will be recalled at different times, the recall schedule must be specified and justified.

An employee shall not be furloughed for more than 240 work hours in any twelve (12) consecutive month period without prior approval of the Commission. In the event the furlough exceeds 240 work hours in any twelve consecutive months, the Appointing Authority shall re-certify to the Commission the reasons for and period of time the furlough shall continue.

XII§4.6 Required Annual Leave During Closures (Added October 1, 2010)

This measure does not require submission of a plan or prior approval of the Director or Commission. A department may require employees to use up to a maximum of ten (10) days of annual leave per calendar year, when the efficiency of operations dictate a temporary closure. Employees who have exhausted all annual leave shall be placed on leave without pay, for no more than ten (10) days per calendar year.

XII§4.7 Written Notification to Employees of Avoidance Measures (Added October 1, 2010)

In every case of hours reduction under Rule XII§4, the Appointing Authority shall furnish to the employee involved a written notice of the reasons therefore, with a copy forwarded to the Director. The written notice shall also inform the employee:

- A. of his right of appeal to the Commission within thirty (30) calendar days of the date of the avoidance measure to be taken;
  - 1. In the case of a reduction of work hours, if the reduction is in excess of the equivalent of ten (10) working days in a period of twelve (12) calendar months;
  - 2. In the case of a furlough without pay, if the furlough exceeds one bi-weekly pay period or an equivalent number of hours in a period of twelve (12) calendar months; or
  - 3. if the employee alleges the reduction resulted from discrimination due to race, color, national origin,

gender, sexual orientation, religion, age, disability, politics or other specific cause.

- B. of the address and phone number of the Civil Service Department; and
- C. of the fact that forms to assist in the filing of an appeal may be obtained from the Civil Service Department.

**RULE XII § 5**

**ORDER IN MAKING LAYOFFS**

XII§5.1 Whenever a position in the classified service is abolished or needs to be vacated because of stoppage of work from lack of funds or other cause, the employee in the class involved in the affected department having the lowest average performance evaluation for the last three (3) years of his service immediately preceding the proposed layoff date or for the entire period of less than three (3) years shall be laid off. In the absence of a performance evaluation, or in case of equal performance evaluation, the inverse order of seniority in the class involved shall be the factor determining the order of layoff. The Appointing Authority shall give written notice to the Director of every proposed layoff a reasonable time before the effective date thereof, but no less than forty-five (45) days prior to the effective date of the layoff, and the Director shall make such orders relating thereto as he considers necessary to secure compliance with the Rules. The written notice shall include the names and titles of any and all probationary and regular employees proposed for layoff in inverse order. No layoff shall be effected until the Director has approved the names submitted for layoff. The name of every regular employee so laid off shall be placed on the appropriate preferred reemployment list. All such names will be ranked by seniority within the class and shall remain on the preferred reemployment list and be governed by the provisions of Rule VII§10.2. (Redesignated from Rule XII § 4 and amended effective October 1, 2010)

When employees in a designated class in an organizational unit are to be laid off, the order of layoff shall be determined in the following order of succession: (Added October 1, 2010)

- A. Those holding appointments on an emergency, temporary, or provisional basis; (Amended October 1, 2010)
- B. Those who have not completed their working test period who

were certified from original entrance employment lists;  
(Amended October 1, 2010)

- C. Repealed October 1, 2010
- D. Regular employees in the manner specified by Rule XII§5.1.  
(Amended October 1, 2010)

XII§5.2 Seniority of regular employees in the class involved in the organizational unit affected by a contemplated layoff shall be computed as follows: (Added October 1, 2010)

- A. by the total length of continuous employment under a permanent appointment with the City; and
- B. by the total length of continuous employment under a permanent appointment plus the total length of prior interrupted service under a permanent appointment occasioned by a layoff, providing the break in service from the layoff is not greater than thirty-six (36) months;

XII§5.3 When two or more regular employees have like seniority, the Appointing Authority shall have the discretion in determining which employee or employees shall be laid off first. (Added October 1, 2010)

XII§5.4 Should a regular employee be scheduled for layoff as a result of having the lowest ranking on the order-of-layoff list for the class in which a layoff is contemplated but has an equal average performance rating and more seniority or a higher average performance rating than an employee in a lower class of the same kind of work in the organizational unit, he shall be demoted to the lower class and an employee in the lower class shall be demoted or laid off in accordance with this Rule. (Added October 1, 2010)

XII§5.5 Upon receipt of the formal notice of an impending layoff but before the layoff is affected, the Director may approve the transfer of employees to vacant positions which are not affected by the layoff in order to vacate positions to be abolished. The following provisions regarding the transfer of employees potentially affected by the layoff shall apply: (Added October 1, 2010)

- A. Should a probationary or regular employee be scheduled for

layoff in one department while a provisional employee holds a position of the same class in another department, the Director shall arrange a transfer of the probationary or regular employee to the position held by the provisional.

- B. An employee on an order-of-layoff list who is not scheduled for layoff or demotion may be voluntarily transferred to an equal or lower position which is not affected by the layoff and which the Appointing Authority and the Director deem the employee is qualified to fill.
- C. An employee on an order-of-layoff list who is scheduled for layoff or demotion may be voluntarily transferred or demoted to another position in the same class which is not affected by the layoff or to a position in an equal or lower class which is not affected by the layoff and which the Appointing Authority and the Director deem the employee is competent to fill, provided that:
  - 1. the employee has the highest average service rating and seniority of all employees on the same order-of-layoff list or an order-of-layoff list for another class who are also scheduled for layoff or demotion and who could also be considered for transfer into the position; and
  - 2. when there are multiple vacant positions available, the highest level position shall be offered first and shall be offered to the highest ranking employee eligible under this section.
- D. Nothing in this section shall preclude the transfer of an employee under Rule VIII § 5.

XII§5.6 When the Appointing Authority concludes that a certain individual is essential to the efficient operation of the organizational unit because of special skills or abilities and it wishes to retain the individual in preference to a person of greater seniority, the Appointing Authority must submit a written request to the Director for permission to do so. The request must provide in detail the specific skills and abilities possessed by the individual and the reasons why such individual is essential to the effective operation of the organizational unit. If the Director approves the request, the individual may be retained in spite

of a lack of seniority. (Added October 1, 2010)

XII§5.7 Freeze on Appointments to Layoff-Affected Areas (Added October 1, 2010)

Beginning the date the Commission approves the layoff plan, no appointments shall be made in the affected department to job titles or positions abolished in the layoff. This freeze on appointments shall end upon the establishment of the Department Preferred Reemployment List.

XII§5.8 An exit interview will be conducted by the Civil Service Department with affected employees prior to layoff to inform the employees of their re-employment rights. (Added October 1, 2010)

**RULE XII § 6                    RESIGNATION (Added October 1, 2010)**

XII§6.1 An employee will be considered as having resigned from employment with the City when:

- A. the employee provides written or oral notice of resignation;
- B. the employee fails to report to work for five (5) consecutive working days without properly notifying the immediate supervisor or Appointing Authority, excluding a catastrophe; or
- C. the employee fails to report to work at the end of a leave of absence without pay.

XII§6.2 An employee's written or oral notice becomes effective on the date and time specified by the employee. An oral resignation must be documented by the person receiving it. An employee may not withdraw or modify the resignation after the Appointing Authority accepts it unless the Appointing Authority agrees. An employee may resign after receiving notice that the authority is proposing dismissal, but the proposed dismissal will be documented as a "resignation in lieu of termination". A resignation claimed to have been obtained by duress or fraud may be treated by the Commission as a notice of discharge, provided the employee notifies the Commission in writing that such resignation was not voluntary and the employee files an appeal with the Director in accordance with Rule XIII§1.5. The burden of proof of such fraud or duress shall be on the

employee.

**RULE XII § 7**

**TERMINATION FOR CONVICTION OF A FELONY (Added  
October 1, 2010)**

The employee-employer relationship existing between an employee in the City's classified service may be terminated or such employee may be removed from his position of employment with the City upon conviction, during his employment, of a felony as defined by the laws of this state and by the laws of the United States. Within ten (10) days after a conviction is final and all appellant review of the original trial court proceedings is exhausted, the Appointing Authority may terminate any classified employee who is convicted of a felony and is holding a position of employment with the City. For the purposes of Rule XII of the City of Alexandria Civil Service Rules, final conviction of a felony may be a cause for termination of an employee from the classified service of the City.

## **RULE XIII**

### **APPEALS, HEARINGS AND INVESTIGATIONS**

#### **RULE XIII § 1      APPEALS**

XIII§1.1 Appeals by Employees to the Commission (Amended October 1, 2010)

Regular employees in the classified service who believe they have been subjected to disciplinary actions by the Appointing Authority involving dismissal, suspension, reduction in pay or demotion or have been denied any right under the provisions of the Charter or these Rules, without just cause shall have the right to seek a hearing before the Commission to evaluate the Appointing Authority's actions and to determine whether the Appointing Authority had just cause and acted in good faith in taking the action. The burden of proof on appeal, as to the facts, shall be on the Appointing Authority.

XIII§1.2 Appeal of Working Test or Probationary Employees. (Amended October 1, 2010)

A regular employee who is removed while serving a working test period following promotion and who is denied reinstatement in his former position, as provided in Rule VII§10.5, may appeal to the Commission.

XIII§1.3 Appeal of Applicants (Amended October 1, 2010)

(Redesignated to Rule XIII§2.4.B effective October 1, 2010)

Persons who have applied for or have been examined for the classified service and who allege they have been discrimination against due to race, color, national origin, gender, sexual orientation, religion, age, disability, politics, lack of just cause, favoritism, or arbitrary reasons or other valid reasons unrelated to merit-employment considerations shall have a right to appeal to the Commission. (Added October 1, 2010)

XIII§1.4 (Redesignated as Rule XIII§ 3 effective October 1, 2010)

- A. (Redesignated as Rule XIII§3.B.1 effective October 1, 2010)
- B. (Redesignated as Rule XIII§3.B.3 and Rule XIII§3.B.2 effective October 1, 2010)
- C. (Redesignated as Rule XIII§3.E effective October 1, 2010)

XIII§1.5 Requirements for Filing Appeals (Amended May 8, 1996) (Amended May 19, 2004) (Amended July 21, 2004) (Amended October 1, 2010)

- A. Persons appealing to the Commission shall do so in writing by filing a Petition of Appeal, which will be available in the Civil Service Department. (Added October 1, 2010)

Although the employee need not use this form to begin his appeal, an employee's petition for an appeal must be in writing and contain all of the following information: (Added October 1, 2010)

1. A description of the adverse employment decision or adverse employment action;
2. The name and job title of the individual, department head or supervisor responsible for the adverse decision or action;
3. The date the employee received notice of or otherwise learned of the adverse decision or action;
4. The effective date of the action;
5. The reason(s) why the employee believes the adverse decision or action was unjustified;
6. The remedy or relief the employee would like the Commission to provide;
7. The employee's current address, job title, and phone number where he may be reached during non-working hours; and

8. The name, address, and telephone number of the employee's attorney, if an attorney will represent the employee in his appeal.
- B. The Petition of Appeal must be signed by the employee or his attorney. By his signature, the person signing the Petition of Appeal will be attesting that the petition is being filed for a good and legitimate purpose and the statement of facts are true and correct. (Added October 1, 2010)
- C. Appeals to the Commission must be filed with and received by the Civil Service Department during established department working hours and within thirty (30) calendar days of the effective date of the action complained against or thirty (30) calendar days from the date the appellant first learned of the adverse action, whichever occurs last. Saturdays, Sundays, holidays, and non-working days shall not serve to extend the thirty-day limitation. Following the expiration of this thirty (30) calendar day period for filing and receipt of appeals, no appeal shall be amended or supplemented in such a way as to change the fundamental issues involved in the original appeal. (Added October 1, 2010)
- D. Within sixty (60) calendar days after receipt of the appeal, the Commission shall initiate a hearing. The Commission may continue the hearing from time to time for good cause and reason. (Added October 1, 2010)
- Notwithstanding the aforesaid, any failure by the Commission to schedule and/or commence an appeal hearing within sixty (60) calendar days as required herein shall not prejudice and/or affect the rights of the employee and/or the Appointing Authority with regard to the disciplinary action taken and the appeal. (Amended October 1, 2010)
- E. Except as otherwise specifically provided in the Rules, the burden of proof on appeal, as to the facts, shall be on the Appointing Authority or other official against whom action the appeal is taken. Refer to Rule XIII§2.4. (Added October 1, 2010)
- F. When discrimination is alleged to be a basis for appeal,

specific facts supporting the allegation of discrimination must be provided in detail by the appealing party. The specific facts required will vary, depending on the nature of the appeal; however, the facts must be presented in sufficient detail to enable the Appointing Authority to prepare a defense. A supposition of discrimination is not sufficient. The types of facts which must be included are: (Added October 1, 2010)

1. the date, time, and place the discriminatory action took place;
2. the name(s) of person(s) or department(s) alleged to have taken the discriminatory action;
3. a description of how the appellant's action, conduct, or performance was the same as that of other persons who were treated differently;
4. the names of other persons treated differently, if known, and the dates the different treatment occurred; and
5. a description of events, including the dates and circumstances thereof, which led appellant to believe that the adverse decision was based on his religious or political beliefs, gender, sexual orientation, race, or other non-merit factor.

Persons alleging discrimination as a basis for appeal shall bear the burden of proof of their allegations. (Added October 1, 2010)

- G. Appellants shall have the right to be represented by counsel. Such counsel must be duly licensed to practice law in the State of Louisiana. (Added October 1, 2010)

XIII§1.6 (Redesignated as Rule XIII§3.B.3 effective October 1, 2010)

XIII§1.7 Repealed October 1, 2010

**RULE XIII § 2      HEARINGS**

**XIII§2.1    Power to Administer Oaths, Take Testimony, and Demand Production of Records**

The Commission, each member of the Commission, the Director, its attorney and any referee of the Commission shall have the power to administer oaths, subpoena witnesses, and compel the production of books, records, files, and papers pertinent to any investigation or hearing authorized by the Commission pursuant to the Law and Rules. (Amended October 1, 2010)

When the Commission hears an appeal, and in the absence of a court reporter, the Commission Chairman will administer an oath to the witnesses who will then be examined by the parties. In certain cases, it may be necessary for testimony to be taken outside the presence of the Commission or on a day other than the day set for the hearing. In such cases, the Commission may appoint or designate a person with the power to administer oaths, such as a court reporter, to take and transcribe the necessary testimony. The parties to the appeal will be entitled to question the witness in front of the person designated to take the testimony. (Added October 1, 2010)

Any employee required to testify shall not be subjected to any disciplinary action by the Appointing Authority because he so testifies. (Added October 1, 2010)

**XIII§2.2    Refusal to Appear or Testify; Providing False Testimony (Amended October 1, 2010)**

A.    Any employee in the classified service who refuses or fails to appear before the Commission, its Director, or its attorney in response to a subpoena or a request under the provisions of Rule XIII§2.1, or having appeared refuses to testify or answer any question pertinent to the matters under consideration or who knowingly gives false testimony or who knowingly solicits, condones, or accepts without refutation, false or misleading testimony given by a witness in his behalf at a hearing, or who fails to produce any books, papers, photographs, or other items pertinent to the hearing may be found by the Commission to be guilty of contempt in accordance with these Rules and, in addition to that which is provided for in these Rules, may be found by the Commission

to have forfeited his position and may be found by the Commission not to be eligible thereafter for appointment to any position in the classified service for a period not to exceed ten years or be subject to a suspension from his position. (Amended October 1, 2010)

- B. In the case of refusal by any person to willfully fail to appear in response to a subpoena or to an order issued under the provisions of Rule XIII§2.1 hereof, or to willfully fail to answer any question or produce any books, papers, photographs, or other items pertinent to any hearing before the Commission, the Director, or its attorney, or to knowingly give false testimony or to knowingly solicit, condone, or accept, without refutation, false or misleading testimony given by any witness in his behalf at any such hearing, the Commission may authorize its attorney to seek an order from a court of requisite jurisdiction compelling such person to appear before the Commission, its members, its Director, or its attorney and to produce records, or be there to give testimony pertaining to the matter under consideration or in question. The Commission may also authorize its attorney to pursue contempt proceedings against any person who fails to comply with the order of the Court and these Rules. (Added October 1, 2010)
  
- C. If the Appointing Authority or the appellant fail to appear at the place, and on the day and at the hour fixed for such hearing, the Commission may, in its discretion, decide the issue involved on the basis of the evidence introduced and may render a decision by default against any party failing to appear. (Redesignated from Rule XIII§3 effective October 1, 2010)

XIII§2.3 Deadlines for Hearings (Added October 1, 2010)

- A. The Commission shall provide the employee and the Appointing Authority with advance written notice of the scheduling of a hearing on an appeal. This notice shall be sent at least fifteen (15) days before the date fixed for the hearing and shall include the date, time, and location of the hearing. If such written notice is placed in the United States mail, postage prepaid, and addressed to the employee at his last known address, notice shall be deemed to have been given.

(Redesignated from Rule XIII § 3 and amended effective October 1, 2010)

- B. The employee and the Appointing Authority shall provide the Commission with a list of witnesses that they may call at the hearing at least seven (7) calendar days in advance of the date of the hearing. Parties shall not be entitled to call any witnesses to testify at the hearing that are not included on the witness list except upon approval of the Commission and for good cause shown. The provisions of this subsection shall not apply to rebuttal witnesses.
- C. The employee and the Appointing Authority shall provide the Commission with copies of all documents and evidence that may be introduced at the hearing at least seven (7) calendar days in advance of the date of the hearing. Parties shall not be entitled to place into evidence at the hearing any documents that are not submitted to the Commission in accordance with the provisions of this subsection except upon approval of the Commission and for good cause shown. The provisions of this subsection shall not apply to documents or statements to be used for impeachment purposes.

XIII§2.4 Hearing Proceedings (Added October 1, 2010)

- A. All hearings shall be open to the public.
- B. At all appeal hearings the Appointing Authority shall have the burden of proof and shall proceed first to present its case in support of the actions taken by it against the employee. After the Appointing Authority has completed the presentation of its case, the employee shall be permitted to present his case. The Appointing Authority shall be entitled to present testimony and documentation to rebut the employee's allegations and evidence following the completion of the employee's presentation of his case. (Redesignated from Rule XIII§1.3 and amended effective October 1, 2010)

Notwithstanding the aforesaid, in all cases in which the employee has asserted that the Appointing Authority has discriminated against him in imposing the disciplinary action taken, the employee shall have the burden of proof and shall proceed first to present his case. In such cases, the party alleging discrimination must prove that he is in a protected class based on race, color, religion, national origin, age,

disability, gender, sexual orientation, or political affiliation and prove that he suffered an adverse employment action. The burden will then shift to the City which must articulate a legitimate non-discriminatory reason for its decision or action.

If the City carries this burden, the burden will shift back to the appellant who must prove that the reason given by the City for its action or decision is untrue and that the real reason was intent to discriminate.

- C. All persons to be called as witnesses by the employee and the Appointing Authority shall be sworn in and placed under the rule of sequestration prior to the commencement of the first hearing on the employee's appeal. Witnesses placed under the rule of sequestration shall be banned from the hearing room during the course of the hearing except when testifying before the Commission themselves. Witnesses placed under this rule of sequestration shall further be prohibited from discussing the facts and circumstances of the case with any persons or parties other than the attorneys for the employee and/or the Appointing Authority. After a witness has completed his testimony at a hearing and has been released by the parties, he shall be released from the rule of sequestration, except that he shall be prohibited from discussing the case with any other witness until the conclusion of the appeal before the Commission.
- D. Affidavits and other exparte statements shall not be received into evidence without the consent of all parties, except to refresh memory or to discredit a witness.
- E. Parties and witnesses shall be subject to cross-examination as in civil trials before the courts and the Commission, each member of the Commission, or its attorney may examine and cross-examine any witness.
- F. The Commission may require that the parties stipulate all undisputed facts.
- G. The Commission may limit corroborative evidence.
- H. The Commission may set the total time to be allowed for oral argument, according to the circumstances of each case, and may limit oral argument to one or more issues.

- I. The Commission may take notice of the provisions of the Act, the Rules, the classification plan, and the pay plan without the necessity of an offer in evidence.
  
- J. At the time or commencement of any hearing or other matter considered or decided by the Alexandria Civil Service Commission under Rule XIII, a Commissioner shall recuse him/herself from the proceeding or matter under the following circumstances: (Added June 20, 2012)
  - 1. when the Commissioner is related by marriage or blood in the second degree or higher to any party or employee having an interest in the matter before the Civil Service Commission;
  - 2. when the Civil Service Commissioner would personally benefit in any way from a decision in the matter before the Civil Service Commission; or
  - 3. when the Civil Service Commissioner is biased, prejudiced, or otherwise interested in the cause or outcome or biased or prejudiced toward or against the party or the parties' attorneys or any witness to such an extent the Civil Service Commissioner would be unable to conduct a fair and impartial hearing.
  
- K. At the time or commencement of any hearing or other matter considered or decided by the Alexandria Civil Service Commission under Rule XIII, a Civil Service Commissioner may recuse him/herself from the proceeding or matter under the following circumstance: (Added June 20, 2012)
  - 1. when the Commissioner currently employs an attorney personally representing the Commissioner, and the attorney employed by the Commissioner is handling a matter before the Civil Service Commission, and in this case the employment shall be disclosed to each party in the cause.
  
- L. When a written motion is presented to recuse a Commissioner, the Commissioner shall either recuse himself or refer the motion to the other Commissioners present.

(Added June 20, 2012)

- M. If the Motion for Recusal is referred to the other Commissioners present, the inquiry shall be an objective one. The Commissioners deciding the Motion for Recusal shall not ask whether the Commissioner is subjectively biased, but whether the average Commissioner in his position is likely to be neutral, or whether there is an unconstitutional potential for bias. (Added June 20, 2012)
- N. In the event of a tie vote by the Commissioners present who are referred a Motion for Recusal, the Commissioner that is the subject of the Motion for Recusal shall remain at the hearing or other matter considered or decided by the Alexandria Civil Service Commission and shall render his vote in the roll call at the conclusion of the hearing or other matter before the Alexandria Civil Service Commission. (Added June 20, 2012)

XIII§2.5 The Commission shall decide appeals on the basis of relevant facts produced and presented by the employee and the Appointing Authority at the appeal hearing, including sworn testimony and documentary evidence. (Added October 1, 2010)

XIII§2.6 The policy of the Commission with regard to disciplinary appeals shall be as follows: (Added October 1, 2010)

- A. In reviewing the disciplinary actions, the Commission shall have the duty and authority to determine whether the Appointing Authority acted with just cause and within its Rules, procedures, and policies in taking disciplinary action for infractions allegedly committed by an employee, and, if so, whether the discipline imposed is commensurate with the infraction.
- B. The Commission shall act to modify or set aside disciplinary action taken by the Appointing Authority only when it finds that the Appointing Authority has acted unreasonably. The fact that the Commission finds the Appointing Authority could or should have pursued a different course of action against such employee shall not be sufficient grounds to modify or set aside disciplinary action taken by the Appointing Authority.

- C. For purposes of this Rule, “just cause” shall be defined as a rational basis for the disciplinary action taken by the Appointing Authority, based upon the information available to the Appointing Authority at the time such discipline was imposed. Just cause shall be deemed to have been established when the Appointing Authority produces evidence demonstrating the employee’s commission of the alleged infractions and demonstrating that the commission of such infractions bear a real and substantial relationship to the efficient operation of the affected department of the City government.

**RULE XIII § 3      COMMISSION DECISIONS (Amended October 1, 2010)**

(Redesignated as Rule XIII§2.3.A effective October 1, 2010)

- A. The Commission shall rule upon appeals within a reasonable period of time after completion of hearings in this matter. Failure of the Commission to act within a reasonable period of time shall constitute an affirmation of the action taken by the Appointing Authority. (Added October 1, 2010)
- B. In accordance with the policies set forth in Rule XIII§2.6, the Commission shall take one of the following actions in rendering decisions on appeals: (Redesignated from Rule XIII§1.4 and amended effective October 1, 2010)
  - 1. Determine that the action of the Appointing Authority was taken for just cause and affirm the action (Redesignated from Rule XIII§1.4.A and amended effective October 1, 2010);
  - 2. Modify the disciplinary action taken by the Appointing Authority and impose a greater or lesser disciplinary action as deemed appropriate under the circumstances and can direct a suspension without pay for a given period, which in no event shall exceed six (6) months (Redesignated from Rule XIII§1.4.B and amended effective October 1, 2010);
  - 3. Set aside the action of the Appointing Authority and order it to reinstate the employee and restore all salary, benefits and rights lost as a result of the action

(Redesignated from Rule XIII§1.4.B and amended effective October 1, 2010);

4. The interim of time during which the employee is absent prior to reinstatement will always be deducted from total service unless back wages are paid or unless otherwise decided by the Commission (Redesignated from Rule XIII§1.4.B and amended effective October 1, 2010); or
  5. Any and all actions equitable and just under these Rules. (Added October 1, 2010)
- C. A tie vote shall be construed as a failure of the party bearing the burden of proof as required by these Rules. In such a case, the party failing to satisfy the burden of proof in a convincing manner necessarily fails to support its/his contentions. (Redesignated from Rule II§1.6 and amended effective October 1, 2010)
- D. Within seven (7) calendar days, excluding holidays, after the Commission has rendered a decision on an appeal pursuant to Rule XIII§3, the Director shall mail by certified mail return receipt requested and regular mail a notice of the Commission's decision to the employee/appellant and to the Appointing Authority, through their counsels of record if they are represented by counsel, stating the final action of the Commission on the appellant's appeal. The notice shall be in the following form: (Added October 1, 2010)
- “You are hereby notified that after hearing the appeal of (appellant's name), bearing Appeal No. (assigned number), the Alexandria Civil Service Commission of the City of Alexandria voted (give the vote) to (Commission's decision). You have thirty (30) calendar days from the date of your receipt of this notice in which to file a suit appealing the Commission's decision in the 9<sup>th</sup> Judicial District Court in Rapides Parish. Members of the Commission and employees of the Civil Service Department are not allowed to give legal advice. If you need legal advice, please contact an attorney.”
- E. Appeal of Commission Decision (Redesignated from XIII§1.4.C and amended effective October 1, 2010)

The employee and/or the Appointing Authority shall have the right to appeal the Commission's decision to the 9<sup>th</sup> Judicial District Court for the Parish of Rapides, Louisiana. The procedure for appealing a ruling of the Commission to the court is as follows:

1. The party wishing to appeal the Commission's decision shall proceed by filing a petition with the 9<sup>th</sup> Judicial District Court seeking a review of the decision of the Commission and stating the reasons in support thereof. Such petition must be filed no later than thirty (30) calendar days from the date of receipt of notice of the Commission's decision.
2. The party appealing the ruling, whether such party is the employee or the Appointing Authority, shall appear as the plaintiff in the petition, and the other party shall be named as the defendant. The defendant shall be served with the appeal petition and citation as required by law.
3. The Commission shall not be a party to any appeal, and if it is named as a party in the appeal, it shall be summarily dismissed upon motion of the employee, the Appointing Authority, or the court on its own motion.
4. After a petition for review of the Commission's ruling has been filed, any party in the action may request that the record of the proceedings be filed with the Court. All requests shall be made in writing to the Director and shall include the caption and docket number of the suit. Within thirty (30) days after receipt of the written request, the Director shall forward a certified copy of all documents on file with the Commission to the Court. The Director shall notify all parties of the filing of the record.
5. Any party may request in writing, a duplicate copy of the Commission's tape recording of the proceedings. Within thirty (30) days after receipt of the written request, the Director shall provide the requesting party

with a duplicate tape recording of the hearing.

6. The Court shall be limited to its review of the findings of the Commission to testimony, documents, and exhibits placed into evidence at the hearing before the Commission, as well as the written findings of the Commission. The Court shall not permit the introduction of new evidence on appeal of the Commission's findings.
7. The Court's ruling on appeal shall be limited to a determination of whether the Commission's factual findings were clearly wrong or manifestly erroneous. Further the District Court cannot modify the Commission's decision unless it is arbitrary, capricious or characterized by an abuse of discretion.
8. The Commission shall have no legal interest in the outcome of an appeal. The Commission shall have no duty or responsibility to support or defend its decision and ruling on an appeal.

**RULE XIII § 4      INVESTIGATIONS (Amended October 1, 2010)**

To enable the Commission to enforce the provisions of the Civil Service Law and the Rules, the Commission may investigate conduct asserted to be in violation thereof. (Added October 1, 2010)

When after a public investigative hearing, a classified employee is found to have violated the Civil Service Law or the Rules, the Commission may order him suspended, demoted, discharged, or otherwise disciplined. (Added October 1, 2010)

**XIII§4.1    Request for Investigation (Added October 1, 2010)**

- A. Any person who suspects that there has been a violation of the Civil Service Law or Rules may file a request for investigation with the Director.
- B. A request for investigation must be in writing and may not be combined with any other matter filed with the Director. It should be clearly identified as a request for investigation; provide the name, mailing address, and daytime telephone

number of the person filing the request; and describe the conduct to be investigated in as much detail as is available to the person filing the request.

- C. A request for investigation shall not be a public record and shall remain confidential until such time the matter warrants a Commission hearing.

#### XIII§4.2 Investigations By the Director (Amended October 1, 2010)

- A. The Director may, on his own initiative, investigate any suspected violation of the Civil Service Law or Rules and shall conduct any investigation as ordered by the Commission.
- B. Upon receipt of a request for investigation, the Director or his designee shall conduct such investigation as he deems warranted based on the information contained in the request for investigation.
- C. Following an investigation, the Director may request the Appointing Authority to take corrective action, and/or provide special reports, or may file a formal complaint to the Commission under Rule No. XIII§4.3.
- D. Corrective action by the Appointing Authority may include, but not limited to, rescinding an action and associated compensation, and the effecting of back pay and benefits to an employee.
- E. Corrective action by the Appointing Authority which reduces an employee's pay, lowers an employee's pay grade, results in loss of permanent status, or nullifies an appointment, shall not become effective until the employee has been given notice of the reason for action, and a reasonable opportunity to respond.

#### XIII§4.3 Formal Complaints (Added October 1, 2010)

- A. Any person who asserts that there has been a violation of the Civil Service Law or Rules may file formal complaints with the Commission.
- B. Formal complaints shall be clearly identified as such, may not be combined with any other matter filed with the Director or

the Commission and must:

1. be in writing;
  2. contain the name, mailing address, and daytime telephone number of the person filing the charges, hereinafter the complainant, and of his attorney, if any;
  3. contain the name and mailing address of each person who is charged with committing a violation, hereinafter a respondent;
  4. identify which provisions of the Civil Service Law and/or Rule was violated;
  5. describe, in sufficient detail to enable the respondent to prepare a defense, the conduct that violated the Civil Service Law and/or Rule;
  6. describe, in detail, the facts which led the complainant to conclude that a violation occurred;
  7. state what action the complainant wants the Commission to take as a result of the investigation; and
  8. describe what evidence the complainant has to prove the charges.
- C. When formal complaints are filed by someone other than the Director, the Director shall be given an opportunity to join as a complainant.
- D. Formal complaints shall not be a public record and shall remain confidential until such time the matter warrants a Commission hearing.

**XIII§4.4 Commission Action on Formal Complaints (Added October 1, 2010)**

- A. Each filing which purports formal complaints shall be deliberated by the Commission in executive session. Thereafter, in its sole discretion, the Commission may take any action as it deems appropriate, including any of the

following:

1. decline to investigate the matter and render a summary disposition in accordance with Rule XIII §4.11;
  2. order the Director or an independent investigator to conduct an investigation and to submit a report thereon; and/or
  3. order a public hearing on some or all of the charges.
- B. Written notice of the Commission's action shall be given to the complainant.

**XIII§4.5 Docketing of Public Investigations (Added October 1, 2010)**

Upon the Commission ordering a public hearing, the complaint shall be docketed and the case shall become a public record. Copies of the complaint and the Commission's order shall be mailed to each complainant, each respondent, and the Appointing Authority. Notice to counsel of record shall constitute notice to the party he represents.

**XIII§4.6 Notice to Parties (Added October 1, 2010)**

- A. The parties to a public investigation are the complainant(s) and the respondent(s). A respondent's department head may be made a party upon the department's written request.
- B. Notice shall be given to all counsel of record and to all unrepresented parties. Notice to counsel of record shall constitute notice to the party he represents.

**XIII§4.7 Consolidation of Public Investigations (Added October 1, 2010)**

Two or more public investigations involving common issues of law or fact or two or more public investigations involving the same parties may be consolidated for hearing.

**XIII§4.8 Notice of Hearings (Added October 1, 2010)**

Written notice of the time and place for a public hearing shall be mailed to the parties at least thirty (30) days before the date of the hearing. With the consent of the parties, this notice and delay may be

waived.

XIII§4.9 Commission Action After Hearing (Added October 1, 2010)

If the Commission determines that the complaint is valid, it is empowered to suspend or demote said employee, reduce his salary or wages, or take other disciplinary action that is proper and advisable, up to and including termination. (Redesignated, in part, from Rule XIV§1.9 and amended effective October 1, 2010)

XIII§4.10 Continuance of Hearings (Added October 1, 2010)

A public hearing may be continued by the Commission on its own motion or by the Commission, its Chairman or the Director:

- A. for good cause shown;
- B. by consent of all parties; or
- C. if it is not reached for hearing.

XIII§4.11 Summary Disposition (Added October 1, 2010)

- A. At any point of the complaint process, the Commission, on its own motion or on motion of a party, may summarily dispose of the matter under Rule No. XIII§4.14.B, Rule XIII§4.15.A, or on any of the following grounds:
  - 1. that the alleged misconduct, even if proved, would not constitute a violation of the Civil Service Law or the Rules;
  - 2. that the alleged misconduct has not been described in sufficient detail to enable the respondent to prepare a defense;
  - 3. that the facts asserted to support the conclusion that a violation occurred, even if proved, do not support the conclusion;
  - 4. that the matter in the complaint has become moot;
  - 5. that the complainant has already been afforded an opportunity to prove the same charges in an appeal hearing or in another public investigative hearing; or

6. that the complainant has failed to bear his burden of proof.
- B. A party may move for summary disposition orally at the public hearing or in writing any time before the Commission renders its final decision in the case.
- C. When the Commission summarily disposes of a complaint, it shall render a decision in accordance with Rule XIII§4.17.

XIII§4.12 Withdrawal of Complaint (Added October 1, 2010)

- A. With the approval of the Commission, the complaint may be withdrawn upon the complainant's written request filed before the date of the public hearing or upon the complainant's oral request made at the hearing.
- B. With the approval of the Commission, the parties may settle a complaint and the settlement shall constitute a final disposition.

XIII§4.13 Amendment of Complaint (Added October 1, 2010)

- A. The complaint may be amended or supplemented by the Director or another party upon written motion of the complainant and approval of the Commission.
- B. The respondent shall be notified of any amended or supplemental complaint to be investigated and shall be given a reasonable opportunity to prepare his defense against the amended complaint.

XIII§4.14 Procedure for Hearings (Added October 1, 2010)

- A. The burden of proof, as to the facts, shall be on the complainant.
- B. The Commission may require the complainant to give his sworn testimony before hearing any witnesses and, if the Commission finds from such testimony that there is no just or legal ground to support the charges, it may decline to hear or consider any other evidence and dismiss the investigation.

- C. If the investigation is not dismissed under subsection (B), the Commission shall allow the complainant to present such evidence as is relevant to the charges.
- D. The charges against a respondent shall not be accepted as prima facie true. Evidence shall not be received from the complainant to supplement or enlarge the charges except as approved under Rule XIII§4.13. The respondent may rebut any proof offered by the complainant in support of the charges.
- E. The provisions of Rule Nos. XIII§1.5.G and XIII§2.4 are hereby applicable to public hearings, except where they may be in conflict, whereby this section shall dictate.

XIII§4.15 Failure of Parties to Appear at Hearing (Added October 1, 2010)

- A. If the complainant, without having been granted a continuance, is neither present nor represented at the place and time fixed for a public investigative hearing, the Commission may order the investigation dismissed.
- B. If a respondent, without having been granted a continuance, is neither present nor represented at the place and time fixed for a public investigative hearing, he may be deemed to have waived his appearance and testimony may be taken in his absence with the same effect as if he were present.

XIII§4.16 Attorney Fees (Added October 1, 2010)

When a complainant does not bear his burden of proving the charge(s) and the Commission finds there is no reasonable basis for the complaint, the Commission may order him to pay reasonable attorney's fees in an amount not to exceed \$1,500 per respondent.

XIII§4.17 Decisions (Added October 1, 2010)

After concluding a public investigative hearing, the Commission shall render findings of fact and a decision, which will be reduced to writing. The Commission's decision shall be final on the day that it is rendered and within seven (7) calendar days, the Director shall mail a copy of the decision to the parties.

**RULE XIII § 5      WHISTLEBLOWER PROTECTION (Added October 1, 2010)**

**XIII§5.1    Reprisal Prohibited**

The Appointing Authority or any designee of the Appointing Authority shall not engage in reprisal against an employee for disclosing a violation or suspected violation of any of the following:

- A.     a state or federal law;
- B.     a lawful regulation or rule promulgated by the City or other subdivision of the State of Louisiana; or
- C.     the Civil Service Law or Rules adopted by the Alexandria Civil Service Commission through its rule-making process as provided under Act 390.

**XIII§5.2    Reprisal Prohibited**

An employee who discloses, or who is known by the Appointing Authority to have indicated an intent to disclose, violations or suspected violations are protected by this Rule, unless the employee knew the disclosure was false. This protection extends to an employee who participates in, or who was known by the Appointing Authority to have indicated an intent to participate in, a court proceeding or an investigation, hearing, or inquiry conducted by a public body.

**XIII§5.3    Forms of Reprisal**

Reprisal includes actions such as discharge or disciplinary actions, threats of discipline, denial of permanent status to probationary employees, negative performance evaluations or comments therein, or arbitrary and capricious changes in the conditions of employment.

**XIII§5.4    Right of Appeal**

Any employee who alleges that he has suffered reprisals prohibited under this section of the Rules including, but not limited to discharge or other disciplinary actions, threats of discipline, denial of permanent status to probationary employees, negative performance evaluations or comments therein, or arbitrary and capricious changes in the

conditions of employment shall have the right of appeal to the Commission, adhering to Rule No. XIII§1.

**XIII§5.5 Burden of Proof**

An appellant who files an appeal based on allegations of reprisal as prohibited under this section of the Rules shall bear the burden of proof either through first or indirect evidence.

**XIII§5.6 Making False Disclosures**

A determination by the Commission that an employee has knowingly made or intended to make a false disclosure shall be grounds for dismissal of appeal and may be grounds for further disciplinary action by the Appointing Authority.

## **RULE XIV**

### **POLITICAL ACTIVITIES**

#### **RULE XIV § 1      PROHIBITED POLITICAL ACTIVITIES (Amended October 1, 2010)**

- XIV§1.1 Repealed October 1, 2010
- XIV§1.2 No person shall be appointed or promoted to, or demoted or dismissed from, any position in the City classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his political opinions or affiliations. (Amended October 1, 2010)
- XIV§1.3 No person in the classified service shall, directly or indirectly, pay, give, render, or offer any contribution, assessment, subscription, or donation to any political party offering candidates for elected government office at any time and no person shall solicit any such contribution, assessment, subscription, or donation to any political party from any employee in the classified service or member of the Commission at any time. This prohibition shall include attendance at fund-raising activities where the classified employee is provided “free” admission. (Amended October 1, 2010)
- XIV§1.4 Repealed October 1, 2010
- XIV§1.5 No person shall, directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in a position in the classified service of the City. (Amended October 1, 2010)
- XIV§1.6 No Appointing Authority, or agent or deputy thereof, or supervisor of any employee, shall, directly or indirectly, demote, suspend, discharge, or otherwise discipline or threaten to demote, suspend, discharge, or otherwise discipline any person in the classified civil service of the City for the purpose of influencing his vote, support, or other political activity in any election; and the Appointing Authority, or agent or deputy thereof, shall not use his official authority or influence, by threats, promises, or other means, directly or indirectly, to punish or coerce the political action of any employee in the

classified service of the City. (Amended October 1, 2010)

- XIV§1.7 No employee in the classified service of the City, and no member of the City Civil Service Commission shall be a member of any national, state, or local committee of a political party offering candidates for political office, or an officer or member of a committee of any factional, or political club or organization offering candidates for elected government office, or become a candidate for nomination or election to any public office, at any time. (Redesignated, in part, as XIV§1.12 effective October 1, 2010)
- XIV§1.8 No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified service of the City.
- XIV§1.9 (Redesignated to Rule XIII § 4 effective October 1, 2010)
- XIV§1.10 No employee of the classified service or member of the Commission shall, directly or indirectly, attempt to influence the vote of fellow employees, the public, or other voter with respect to an individual's candidacy for elected government office, but may express personal opinions of candidates in private conversation. (Added October 1, 2010)
- XIV§1.11 No person may directly or indirectly, attempt to influence the vote of any employee in the classified service or member of the Commission by any means, either in support or opposition to an individual's candidacy for elected government office, during the working hours of said employee or hours of service of said member. (Added October 1, 2010)
- XIV§1.12 No employee in the classified service shall make any political speech or public political statement on behalf of any candidate, faction, or party, as a part of any political campaign, for the nomination or election of public officers, or shall take any part in the management or affairs of any political faction or party or in any political campaign, except to exercise his right as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls in any election, and to cast his vote for whom he pleases. (Redesignated from Rule XIV§1.7 effective October 1, 2010)
- XIV§1.13 No person employed in the classified service or member of the Commission shall directly or indirectly solicit or accept money,

goods, services or any other thing of value in support of or opposition to an individual's candidacy for elected government office, at any time. (Added October 1, 2010)

XIV§1.14 No person may promise employment, a pay raise, promotion, or other benefit of employment in the classified service to any other person in an attempt, directly or indirectly, to induce support of or opposition to an individual's candidacy for elected government office. (Added October 1, 2010)

XIV§1.15 A classified employee must avoid the actual support of a candidate, party, or faction and avoid the appearance of giving such support. (Added October 1, 2010)

XIV§1.16 In cases where an employee is personally served with a lawful subpoena or order by a court of competent jurisdiction or officer of the court, he or she shall testify as to facts, not opinions, unless otherwise ordered by the court, pertinent to the employee's specialized job-related knowledge and to records routinely maintained by the employee for the City of Alexandria. (Added October 1, 2010)

**RULE XIV § 2      CLASSIFIED SPOUSE OF POLITICAL CANDIDATE (Added October 1, 2010)**

When the spouse of a classified employee is a candidate for election to a public office, the employee's participation is limited as follows:

- A. An employee who is the spouse of a candidate may:
  - 1. Appear in a photograph with the spouse who is a candidate for elected office;
  - 2. Serve as a host or hostess in the employee's home when the spouse who is a candidate for election has a party at their home in support of the spouse's candidacy, but the employee may not take an active part in soliciting campaign contributions;
  - 3. Attend a fundraiser or other political or social event with the spouse, and support the campaign, short of soliciting contributions, while in attendance of the fundraiser or social event; and

4. Allow community funds to be used to support the campaign.

B. An employee who is the spouse of a candidate may not:

1. Place a bumper sticker supporting the spouse on the vehicle that the employee usually drives;
2. Wear, use, display or distribute fliers, handbills, tee shirts, hats, stickers, pins, fans, water bottles, or any other material supporting the spouse, unless the employee is with the spouse at a political or social event;
3. Solicit contributions, whether the employee is with the spouse or not;
4. Personally sell anything, including food, at any function that supports the spouse's campaign;
5. Participate in any activity supporting the spouse's campaign while at work or on duty.

**RULE XIV § 3      TO WHOM PROHIBITIONS APPLY (Added October 1, 2010)**

XIV§3.1      The prohibitions of Rule XIV apply to all current classified City employees, including those on approved leave with or without pay.

XIV§3.2      A classified employee serving in an unclassified position as authorized by the Commission is also restricted from the political activities of Rule XIV.

**RULE XIV § 4      REPORT OF VIOLATIONS (Added October 1, 2010)**

It shall be the duty of any employee, city official, or citizen to report promptly any violation of the provisions of this Rule to the Director, whose duty it shall be to adhere to the provisions of Rule XIII§4.1.

**RULE XIV § 5      COMMISSION ACTION (Added October 1, 2010)**

The Commission shall adhere to the provisions of Rule XIII§4.4.

**RULE XIV § 6**

**QUESTIONS (Added October 1, 2010)**

Should an employee have questions pertaining to the Rule governing political activity or require clarification, he is to contact the Director for clarification and answers.

## **RULE XV**

### **STATE RULES TO GOVERN**

#### **RULE XV § 1**

Any points not covered in these Rules, that should arise, will be governed by the Rules and Regulations of the Louisiana State Department of Civil Service if they are covered therein.

**RULE XVI**

**NEPOTISM**

(Adopted 12/19/90)

**RULE XVI § 1**      **PURPOSE** (Amended December 16, 2015)

Repealed October 1, 2010

No applicant or employee may be appointed, transferred, promoted, reassigned or demoted or otherwise employed in a position if such action results in their having supervisory responsibilities for an immediate family member.

Supervisory responsibilities for purposes of this rule only means scheduling, assigning resources, training, evaluating performance, approving time and attendance, assigning work and assuring productivity, or having substantial input into these decisions.

Immediate family for purposes of this rule only means relationship by blood, marriage, adoption including the following: spouse, siblings, children, parents, grandparents, aunts, uncles, nieces, nephews, first cousins, guardians, wards, step, half and in-law relations of those listed.

Repealed December 16, 2015

Repealed December 16, 2015

Repealed December 16, 2015

**RULE XVI § 2**      **RESPONSIBILITIES** (Added October 1, 2010)

A.      Applicant Responsibility

The applicant must truthfully complete the Nepotism Request form and return it with his completed application. During the recruitment process and at the time an offer for employment is made for a position, it is the applicant's responsibility to apprise Civil Service of any life changes or household change that may impact his previous response to the Nepotism Request form.

B. Employee's Responsibility

Employees who marry, establish a close personal relationship, or move into the household of another employee may continue employment as long as it does not result in the situations outlined in XVI § 1. The employee must immediately report to his department head any life change or change in residence that is or may be in direct conflict with this Rule.

C. Department Head's Responsibility

Upon learning of a conflict or potential conflict with this Rule, the department head will report the matter to the Human Resources Director.

D. Human Resources Director's Responsibility

Upon notification of a conflict of this Rule, the Human Resources Director will have the affected employee(s) complete an employment application and forward same to the Civil Service Director to place the employee on the appropriate employment list for vacancies within the City's service.

If attempts to find a suitable position within the City are unsuccessful, the choice of who shall terminate from City employment rests with the affected employees.

E. Consequences of Failure To Report

1. An applicant's failure to report will result in his name being removed from the appropriate eligibility list, and, if selected, may be terminated from employment.
2. An employee's failure to report will result in a disciplinary action and the Appointing Authority shall rectify the situation at the earliest practical time.

**RULE XVI § 3      STATUS OF EXISTING EMPLOYEES (Added October 1, 2010)  
(Amended December 16, 2015)**

Effective upon adoption of this Rule, all relatives presently working in the above-listed situations will be "grandfathered" into the system in

their current position, in their current department, in their current division. However, the Appointing Authority shall make every effort to rectify at the earliest practical time any relationships in conflict with Rule XVI.

## **RULE NO. XVII**

### **PERFORMANCE EVALUATIONS**

**(Added July 18, 2001)(Amended February 27, 2002)**

#### **RULE XVII § 1      ESTABLISHMENT OF EVALUATION SYSTEM**

An employee in the classified service who has completed his six-month probationary period as of May 1<sup>st</sup>, 2002 shall receive an across-the-board salary increase granted by the Appointing Authority and the City Council. Each subsequent year hereafter, an employee shall be evaluated by a form adopted by the Commission that is a statement or description of observable conditions that define levels for each major task or duty area.

#### **RULE XVII § 2      REQUIRED COMPONENTS (Amended January 16, 2008)**

Each department shall utilize a performance evaluation system approved by the Commission, which shall consist of the following components:

- A. a performance planning form;
- B. a performance evaluation form;
- C. a five-level rating system; and
- D. training materials approved by the Director.

#### **RULE XVII § 3      RATING SUPERVISOR AND REVIEWER**

XVII§3.1 A supervisory person designated by the department or division head shall perform the rating. This rating supervisor or evaluator shall be in the best position to observe and document the employee's performance. A reviewer shall be a department head except where he is the rating supervisor. Then the division head shall become the reviewer.

- A. If an employee has worked for more than one supervisor in the department since the last evaluation, the department head shall determine who shall be the evaluator. If none of the supervisors have adequate knowledge of the employee's

overall performance, the department head shall obtain information from each supervisor and evaluate the employee. (Added January 16, 2008)

- B. If an employee worked for more than one department since the last evaluation, the department for which the employee currently works shall be responsible for evaluating the employee's performance. The evaluator may obtain pertinent performance information from the employee's former supervisor for consideration in completing the evaluation. (Added January 16, 2008)

XVII§3.2 All rating supervisors and reviewers must complete an approved training session on performance evaluation systems and must supervise the employee being evaluated for a period not less than six (6) months, with the exception of employees in their working test period.

**RULE XVII § 4      PERFORMANCE FACTORS TO BE RATED** (Amended January 16, 2008)

XVII§4.1 Each employee shall be rated on the following performance factors: Quantity of Work; Quality of Work; Work and Safety Habits; Personal Relationships; and Adaptability.

XVII§4.2 Additionally, supervisory employees shall be rated on their supervisory ability.

**RULE XVII § 5      RATINGS** (Amended January 16, 2008)

The standards of performance shall be five (5) levels:

- A. Outstanding: All work performance is consistently above standards for the position. A substantial part of the work performance exceeds supervisory and management expectations most of the time.
- B. Very Good: A substantial part of the work is well above the standards of performance required for the position and all parts of the performance are at least competent.
- C. Competent: This is the overall rating assigned when employee's work performance is consistently up to or

somewhat above the standards of performance required for the position. This is the performance expected from a trained and qualified employee.

- D. Improvement Needed: This rating indicates that a significant part of the work performance is below the standards of performance for the position and there is a reasonable expectation that the employee will bring his/her performance up to acceptable standards.
- E. Unsatisfactory: This rating is given when a substantial part of the work performance is inadequate and inferior to the standard of performance required for the position.

**RULE XVII § 6      PERFORMANCE PLANNING SESSION**

XVII§6.1 Four months prior to the employee's anniversary date, the rating supervisor shall hold a meeting with the employee to discuss the factors that will be covered in the performance evaluation, as well as the performance that will be expected of the employee. The performance planning form will be signed by both the rating supervisor and the employee to document the meeting. (Amended January 16, 2008)

XVII§6.2 Thereafter, performance planning sessions shall be conducted no later than thirty (30) days after:

- A. the appointment of a probationary employee;
- B. the movement of an employee into a new job classification;
- C. a change in the job description; and/or
- D. a new rating supervisor.

**RULE XVII § 7      RATING PROCESS** (Amended January 16, 2008)

XVII§7.1 An annual performance evaluation shall be performed on the anniversary date of each employee and shall be completed and returned to the Human Resources Department no later than fifteen (15) days after the anniversary date.

XVII§7.2 The rating supervisor shall complete the performance evaluation form,

providing supporting statements and documentation for any overall rating of “Unsatisfactory”. The reviewer shall sign the form after the rating supervisor has completed it and before the ratings are discussed with the employee. If the reviewer concurs with the “Unsatisfactory” rating, the employee may be considered for demotion or termination and the proper disciplinary or termination paperwork completed and signed prior to discussing the ratings with the employee.

XVII§7.3 The rating supervisor shall discuss the ratings with the employee. The employee and the rating supervisor shall sign the form and a copy given to the employee.

**RULE XVII § 8      RE-RATING** (Amended January 16, 2008)

Employees receiving an “Improvement Needed” or “Unsatisfactory” overall rating shall be re-rated in three (3) months from the date of the last review. If the employee is again rated “Unsatisfactory”, the department head shall recommend the employee be demoted or terminated and start the appropriate proceeding.

**RULE XVII § 9      WHEN RATINGS OR RE-RATINGS BECOME OFFICIAL**

The rating or re-rating shall become official when a copy of a signed rating sheet has been given to the employee. No signed rating sheets shall be altered or changed.

**RULE XVII § 10      EMPLOYEE’S REFUSAL TO SIGN**

An employee cannot prevent a rating or re-rating from becoming official by refusing to sign the performance planning session or evaluation form. If an employee refuses to sign, the rating supervisor shall note on the form that the employee refused to sign and the date.

**RULE XVII § 11      EFFECTS OF RATINGS** (Amended January 16, 2008)

XVII§11.1 An employee receiving an overall “Competent” rating or higher becomes eligible for promotion or salary increases. Additionally, the employee is entitled to a salary increase as provided in Rule No. VI§7.4. (Amended October 1, 2010)

XVII§11.2 An employee receiving an overall “Improvement Needed” or “Unsatisfactory” rating becomes ineligible for promotion or salary increases until he receives an overall “Competent” rating.

**RULE XVII § 12      RECORDS OF SYSTEM**

Originals of the completed performance evaluation form and re-ratings shall be retained in each employee's personnel file in the Human Resources Department. Records of the ratings and re-ratings are not accessible to the public.

**RULE XVII § 13      REVIEW OF RATINGS**

If a permanent employee is dissatisfied after reviewing his performance evaluation rating, he may:

- A. Present a written request to the division head for a review of his rating within fifteen (15) calendar days from the date on his performance evaluation form. This request must list the specific factor rating(s) that are in dispute and an explanation as to why he feels a higher rating was earned. The employee should attach supporting documentation, if available.
- B. The division head shall review the employee's request, along with any supporting documentation. The division head may render a decision based on the information provided or may schedule a meeting at which the employee, the rating supervisor, and any other persons the division head deems appropriate may be heard.
- C. No later than fifteen (15) calendar days after receiving the employee's request, the division head shall give the employee a written notice of his decision regarding the rating.
- D. The division head may designate another person to conduct the review, as long as the person did not participate in the rating.
- E. Failure by the division head or his designee to comply with this section of the Rule, absent compelling reasons, shall be considered as no rating for the employee and Section 15 of this Rule shall apply.

**RULE XVII § 14      APPEAL OF RATINGS**

A permanent employee after being reviewed by the division head or

his designee may appeal to the Commission within thirty (30) days after receiving written notification from the division head. Rule XIII regarding appeals, hearings, and investigations shall be adhered to.

**RULE XVII § 15**

**EFFECTS OF ABSENCE OF RATING OR RE-RATING**

An employee who is not rated or re-rated in accordance with this Rule shall be considered as having a “Competent” rating.

**RULE XVIII**

**RESPONSIBILITIES AND DUTIES  
OF CIVIL SERVICE DEPARTMENT**

**(Added October 17, 2001)**

**Repealed October 1, 2010**

**RULE XIX**  
**RECORDS**  
**(Added October 1, 2010)**

**RULE XIX § 1**      **PAYROLL AND ATTENDANCE RECORDS** (Added October 1, 2010)

The Appointing Authority shall install and maintain a system of payroll records such that each employee of the classified service is identified by name, class title, pay range, and actual hourly rate of pay.

- A. Payment to individuals employed in the classified service is to be made according to the rates certified by the Director and upon signed statement by the Appointing Authority, or his delegated representative, of the hours worked and hours of leave taken which are eligible for pay by the employee.
- B. Any change in the employment status of any employee in the classified service shall be immediately reported to the Director on the Personnel Status Change form or any other form prescribed and subject to certification by the Director.
- C. In any case of employment of a person in violation of the provisions of the Act or the Rules adopted there under, the Director shall notify the officer responsible for payroll, who shall not issue an order for the payment of, and no officer shall pay any compensation to the person, upon the penalty of personal liability for the sum or sums paid contrary to the order of the Director.
- D. No person shall subsequently be removed from a payroll except in accordance with the Rules.
- E. The Director's approval on forms relating to personnel transactions shall constitute certification within the meaning of this Rule.

**RULE XIX § 2**

**EMPLOYMENT LIST REQUISITION AND REPORT OF APPOINTMENT (Added October 1, 2010)**

The Director shall prescribe a form for use by the Appointing Authority in reporting the intent to fill a vacancy, for certifying the eligibles for appointment, and for reporting the appointment and starting pay of a person.

- A. The Director shall attest to the proper allocation of the subject position on the form or allocate the position if it is a new one.
- B. The Appointing Authority shall report which person was appointed and the rate at which he was hired on the form. In cases of above-minimum rate hiring, the Director shall be notified by and indicate approval or lack thereof on the form.
- C. No person may be placed on the payroll of the classified service without having been certified and appointed in the manner prescribed in this section.

**RULE XIX § 3**

**LEAVE RECORDS (Added October 1, 2010)**

The Appointing Authority shall install and maintain a system of recording leave earned, credited, accumulated and/or taken, which shall identify each employee in the classified service, his title, and annual leave earned, used, and unused; sick leave earned, used and unused; and any other form of leave, with or without pay.

The Director shall prescribe the forms and procedures by which the Appointing Authority shall transmit to the Department of Civil Service notice of the leave taken by or granted to classified employees.

**RULE XIX § 4**

**EXAMINATION OF RECORDS (Added October 1, 2010)**

The Appointing Authority shall make available to the Director for inspection any and all records of payroll, leave, classification and pay, discipline, grievances, performance evaluations, and any other matter involving employment in the classified service. The Appointing Authority, officials, and other personnel responsible for the creation, maintenance, and approval of the aforementioned

documents shall cooperate with the Director in such examination.

**RULE XIX § 5      RECORDS OF THE CIVIL SERVICE DEPARTMENT (Added October 1, 2010)**

XIX§5.1 All applicants for employment subject to the Rules adopted there under, as well as the Appointing Authority, and other offices or agencies, shall prepare, forward, copy or otherwise submit to the Director all documents necessary to initiate and maintain files attesting to the lawfulness of appointment, promotion, payment, and all other personnel actions and status changes, according to established procedure upon request.

XIX§5.2 Except as specifically provided in this Rule, the records of the Department of Civil Service shall be public records and shall be open to public inspection during office hours observed by the Department. For reasons of public policy, the following records shall be held confidential:

- A. Examinations, examination materials, tests, and the results of tests, performance, and similar materials relating to examinations, except as provided in Rule VII § 8.
- B. Confidential reports, applications for employment, and investigations on the character, personality, and history of employees or applicants in the City service;
- C. Medical report; and
- D. Any other reports, materials, or documents designated as confidential in these Rules.

XIX§5.3 An interested party that has a particularized interest in the appointment of an employee to a classified position may submit a written request to the Commission. Upon demonstrating a legitimate purpose for the request, the Commission will instruct the Director to make available to the party information concerning the results of the tests.

**RULE XX**

**ADDENDUMS TO THE RULES  
(Added October 1, 2010)**

**XX§ 1           ADDENDUMS (Added October 1, 2010)**

Located in this section of the Rules are the following documents:

- A.     Pay Plan adopted by the Commission; and
- B.     Classification Plan adopted by the Commission.

**City of Alexandria, Louisiana  
Pay Plan  
Grades and Salary Ranges  
Adopted on June 18, 2008  
Prepared by the Archer Company**

Grade	Annual Salary Range		
	Minimum	Midpoint	Maximum
10	\$16,497	\$19,796	\$24,746
11	\$17,671	\$21,205	\$26,507
12	\$18,845	\$22,614	\$28,268
13	\$20,020	\$24,024	\$30,030
14	\$21,194	\$25,433	\$31,791
15	\$22,368	\$26,842	\$33,552
16	\$23,543	\$28,251	\$35,315
17	\$24,717	\$29,660	\$37,076
18	\$25,891	\$31,069	\$38,837
19	\$27,065	\$32,478	\$40,598
20	\$28,239	\$33,887	\$42,359
21	\$29,413	\$35,296	\$44,120
22	\$30,588	\$36,705	\$45,882
23	\$31,762	\$38,114	\$47,643
24	\$32,936	\$39,523	\$49,404
25	\$34,110	\$40,932	\$51,165
26	\$35,285	\$42,342	\$52,928
27	\$36,459	\$43,751	\$54,689
28	\$38,220	\$45,864	\$57,330
29	\$40,568	\$48,682	\$60,852
30	\$42,918	\$51,501	\$64,377
31	\$45,266	\$54,319	\$67,899
32	\$47,614	\$57,137	\$71,421
33	\$49,963	\$59,955	\$74,945
34	\$52,311	\$62,773	\$78,467
35	\$54,659	\$65,591	\$81,989
36	\$57,008	\$68,409	\$85,512
37	\$59,357	\$71,228	\$89,036
38	\$61,705	\$74,046	\$92,558
39	\$64,053	\$76,864	\$96,080
40	\$66,402	\$79,682	\$99,603

**City of Alexandria, Louisiana**  
**Classification Plan**  
**Job Classification List – Alphabetical Order**  
**Adopted on June 18, 2008**  
**Prepared by the Archer Company**  
**(Revised November 2014)**

<b>Code</b>	<b>Title</b>	<b>FLSA</b>	<b>Grade</b>	<b>Minimum</b>	<b>Market</b>	<b>Maximum</b>
490230	Accountant	N	24	\$32,936	\$39,523	\$49,404
490108	Accounting Manager	E	32	\$47,614	\$57,137	\$71,421
490339	Accounting Technician	N	18	\$25,891	\$31,069	\$38,837
490614	Administrative Assistant	N	19	\$27,065	\$32,478	\$40,598
490618	Administrative Secretary	N	17	\$24,717	\$29,660	\$37,076
490856	Animal Control Officer	N	19	\$27,065	\$32,478	\$40,598
490107	Assistant City Engineer	E	35	\$54,659	\$65,591	\$81,989
490233	Assistant Director, Civil Service	E	29	\$40,568	\$48,682	\$60,852
490208	Assistant Director, Community Services	E	27	\$36,459	\$43,751	\$54,689
490225	Assistant Director, Finance	E	36	\$57,008	\$68,409	\$85,512
490138	Assistant Director, Human Resources	E	29	\$40,568	\$48,682	\$60,852
490229	Assistant Director, Planning	E	36	\$57,008	\$68,409	\$85,512
490228	Assistant Director, Public Works E	36	\$57,008	\$68,409	\$85,512	
490226	Assistant Director, Utilities	E	36	\$57,008	\$68,409	\$85,512
490158	Assistant Director, Zoo	E	29	\$40,568	\$48,682	\$60,852
490134	Assistant Manager, Purchasing	E	27	\$36,459	\$43,751	\$54,689
490151	Assistant Manager, Transit	E	27	\$36,459	\$43,751	\$54,689
490202	Assistant Superintendent, Electric Distribution	E	29	\$40,568	\$48,682	\$60,852
490247	Assistant Superintendent, Electric Production	E	29	\$40,568	\$48,682	\$60,852
490207	Assistant Superintendent, Gas	E	28	\$38,220	\$45,864	\$57,330
490220	Assistant Superintendent, Motor Pool	E	28	\$38,220	\$45,864	\$57,330
490901	Assistant Superintendent, Wastewater	E	28	\$38,220	\$45,864	\$57,330
490204	Assistant Superintendent, Water	E	28	\$38,220	\$45,864	\$57,330
490002	Budget & Management Analyst	E	26	\$35,285	\$42,342	\$52,928
490348	Building Inspector	N	24	\$32,936	\$39,523	\$49,404
490830	Building Maintenance Specialist	N	20	\$28,239	\$33,887	\$42,359
490126	Business Office Manager	E	29	\$40,568	\$48,682	\$60,852
490363	Buyer	N	18	\$25,891	\$31,069	\$38,837
490238	Buyer, Senior	N	21	\$29,413	\$35,296	\$44,120
490371	CAD Operator I	N	18	\$25,891	\$31,069	\$38,837
490370	CAD Operator II	N	19	\$27,065	\$32,478	\$40,598
490748	Carpenter	N	19	\$27,065	\$32,478	\$40,598
490324	Catholic Protection Technician	N	19	\$27,065	\$32,478	\$40,598
490160	Certified Planner	E	29	\$40,568	\$48,682	\$60,852
490350	Chief Inspector	E	28	\$38,220	\$45,864	\$57,330
490110	City Engineer	E	39	\$64,053	\$76,864	\$96,080
490626	Clerical Specialist	N	14	\$21,194	\$25,433	\$31,791
490337	Code Enforcement Officer	N	19	\$27,065	\$32,478	\$40,598
490902	Code Enforcement Officer, Senior	N	21	\$29,413	\$35,296	\$44,120
490503	Community Center Attendant	N	14	\$21,194	\$25,433	\$31,791
490909	Community Center Coordinator	N	23	\$31,762	\$38,114	\$47,643
490116	Community Development Administrator	E	33	\$49,963	\$59,955	\$74,945
490203	Community Outreach Coordinator	E	24	\$32,936	\$39,523	\$49,404
490355	Compensation Analyst	E	26	\$35,285	\$42,342	\$52,928

Code	Title	FLSA	Grade	Minimum	Market	Maximum
490357	Computer Operator I	N	15	\$22,368	\$26,842	\$33,552
490651	Computer Operator II	N	17	\$24,717	\$29,660	\$37,076
490342	Construction Inspector	N	24	\$32,936	\$39,523	\$49,404
490857	Crew Leader, Animal Control	N	20	\$28,239	\$33,887	\$42,359
490141	Crew Leader, Code Enforcement	N	20	\$28,239	\$33,887	\$42,359
490330	Crew Leader, Parks Maintenance	N	20	\$28,239	\$33,887	\$42,359
490146	Crew Leader, Streets Maintenance	N	20	\$28,239	\$33,887	\$42,359
490148	Crew Leader, Traffic Signs	N	20	\$28,239	\$33,887	\$42,359
490133	Crew Leader, Customer Field Services	N	20	\$28,239	\$33,887	\$42,359
490908	Crew Supervisor, Cathodic Protection	N	24	\$32,936	\$39,523	\$49,404
490921	Crew Supervisor, Code Enforcement	N	22	\$30,588	\$36,705	\$45,882
490171	Crew Supervisor, Electric Distribution	N	24	\$32,936	\$39,523	\$49,404
490170	Crew Supervisor, Gas Distribution	N	23	\$31,762	\$38,114	\$47,643
490142	Crew Supervisor, Sanitation	N	23	\$31,762	\$38,114	\$47,643
490145	Crew Supervisor, Streets Maintenance	N	23	\$31,762	\$38,114	\$47,643
490163	Crew Supervisor, Utility Services	N	23	\$31,762	\$38,114	\$47,643
490167	Crew Supervisor, Water	N	23	\$31,762	\$38,114	\$47,643
490166	Crew Supervisor, Wastewater Collection	N	23	\$31,762	\$38,114	\$47,643
490149	Custodial Worker	N	11	\$17,671	\$21,205	\$26,507
490642	Customer Accounts Representative	N	16	\$23,543	\$28,251	\$35,315
490644	Customer Accounts Team Leader	N	18	\$25,891	\$31,069	\$38,837
490124	Customer Services Manager	E	31	\$45,266	\$54,319	\$67,899
490646	Customer Services Representative	N	14	\$21,194	\$25,433	\$31,791
490218	Customer Services Supervisor	E	27	\$36,459	\$43,751	\$54,689
490242	Database Manager	E	29	\$40,568	\$48,682	\$60,852
490122	Director of Civil Service	E	38	\$61,705	\$74,046	\$92,558
490922	Electric Distribution Service Planner	N	26	\$35,285	\$42,342	\$52,928
490917	Electric Distribution System Technician	N	26	\$35,285	\$42,342	\$52,928
490718	Electric Line Worker	N	21	\$29,413	\$35,296	\$44,120
490712	Electric Line Worker, Senior	N	23	\$31,762	\$38,114	\$47,643
490715	Electric Meter Technician	N	18	\$25,891	\$31,069	\$38,837
490707	Electric Plant Operator I	N	17	\$24,717	\$29,660	\$37,076
490705	Electric Plant Operator II	N	20	\$28,239	\$33,887	\$42,359
490701	Electric Plant Shift Supervisor	N	24	\$32,936	\$39,523	\$49,404
490713	Electric Service Worker	N	23	\$31,762	\$38,114	\$47,643
490708	Electric Substation Supervisor	N	26	\$35,285	\$42,342	\$52,928
490769	Electric Substation Technician I	N	21	\$29,413	\$35,296	\$44,120
490764	Electric Substation Technician II N	24	\$32,936	\$39,523	\$49,404	
490358	Electrical Inspector	N	24	\$32,936	\$39,523	\$49,404
490711	Electrician	N	20	\$28,239	\$33,887	\$42,359
490915	Electronic & Instrumentation Technician, Electric Production	N	25	\$34,110	\$40,932	\$51,165
490916	Electronic & Instrumentation Technician, Gas, Wastewater / Water	N	25	\$34,110	\$40,932	\$51,165
490216	Engineering Supervisor	E	29	\$40,568	\$48,682	\$60,852
490347	Engineering Technician I	N	18	\$25,891	\$31,069	\$38,837
490316	Engineering Technician II	N	20	\$28,239	\$33,887	\$42,359
490341	Engineering Technician III	N	22	\$30,588	\$36,705	\$45,882
490244	Engineer-in-Training	E	25	\$34,110	\$40,932	\$51,165
490175	Environmental Compliance Manager	E	36	\$57,008	\$68,409	\$85,512
490239	Environmental Lab Supervisor	E	28	\$38,220	\$45,864	\$57,330
490369	Environmental Technician I	N	24	\$32,936	\$39,523	\$49,404
490378	Environmental Technician II	N	25	\$34,110	\$40,932	\$51,165
490819	Equipment Operator I	N	15	\$22,368	\$26,842	\$33,552
490746	Equipment Operator II	N	17	\$24,717	\$29,660	\$37,076
490738	Equipment Operator III	N	19	\$27,065	\$32,478	\$40,598
490356	Examination Analyst	E	26	\$35,285	\$42,342	\$52,928
490752	Fleet Collision Repair Technician	N	19	\$27,065	\$32,478	\$40,598

Code	Title	FLSA	Grade	Minimum	Market	Maximum
490751	Fleet Maintenance Technician	N	19	\$27,065	\$32,478	\$40,598
490750	Fleet Maintenance Technician, Senior	N	20	\$28,239	\$33,887	\$42,359
490834	Fleet Service Technician	N	16	\$23,543	\$28,251	\$35,315
490308	Gas General Supervisor	E	26	\$35,285	\$42,342	\$52,928
490360	Gas Inspector	N	24	\$32,936	\$39,523	\$49,404
490721	Gas Service Technician	N	19	\$27,065	\$32,478	\$40,598
490322	Gas System Technician	N	21	\$29,413	\$35,296	\$44,120
490918	GIS Manager	E	29	\$40,568	\$48,682	\$60,852
490349	Housing Inspector	N	22	\$30,588	\$36,705	\$45,882
490336	Housing Manager	N	25	\$34,110	\$40,932	\$51,165
490914	Industrial Electrician, Electric Production	N	25	\$34,110	\$40,932	\$51,165
490905	Industrial Painter	N	19	\$27,065	\$32,478	\$40,598
490227	Information Systems Analyst	N	26	\$35,285	\$42,342	\$52,928
490123	Information Systems Manager	E	32	\$47,614	\$57,137	\$71,421
490317	Inventory Coordinator	N	21	\$29,413	\$35,296	\$44,120
490144	Kennel Technician	N	13	\$20,020	\$24,024	\$30,030
490245	Landscape Architect	E	30	\$42,918	\$51,501	\$64,377
490823	Lead Custodial Worker	N	15	\$22,368	\$26,842	\$33,552
490162	Lead Engineering Technician	N	24	\$32,936	\$39,523	\$49,404
490325	Leak Survey Technician	N	19	\$27,065	\$32,478	\$40,598
490137	Legal Secretary	N	18	\$25,891	\$31,069	\$38,837
490236	Licensed Land Surveyor	E	30	\$42,918	\$51,501	\$64,377
490131	Mail Clerk	N	11	\$17,671	\$21,205	\$26,507
490706	Maintenance Mechanic I	N	20	\$28,239	\$33,887	\$42,359
490704	Maintenance Mechanic II	N	21	\$29,413	\$35,296	\$44,120
490820	Maintenance Worker	N	13	\$20,020	\$24,024	\$30,030
490147	Maintenance Worker, Senior	N	15	\$22,368	\$26,842	\$33,552
490345	Mechanical Inspector	N	24	\$32,936	\$39,523	\$49,404
490859	Mechanical Systems Technician	N	22	\$30,588	\$36,705	\$45,882
490647	Meter Reader	N	14	\$21,194	\$25,433	\$31,791
490374	Meter Technician	N	18	\$25,891	\$31,069	\$38,837
490903	Multi-Trades Inspector	N	26	\$35,285	\$42,342	\$52,928
490619	Office Assistant	N	12	\$18,845	\$22,614	\$28,268
490742	Painter	N	18	\$25,891	\$31,069	\$38,837
490356	PC / Network Technician	N	21	\$29,413	\$35,296	\$44,120
490161	Permit Technician	N	16	\$23,543	\$28,251	\$35,315
490354	Personnel Analyst	E	25	\$34,110	\$40,932	\$51,165
490379	Personnel Technician	N	21	\$29,413	\$35,296	\$44,120
490722	Pipe Layer	N	17	\$24,717	\$29,660	\$37,076
490726	Pipeline Welder	N	20	\$28,239	\$33,887	\$42,359
490160	Planner	E	25	\$34,110	\$40,932	\$51,165
490911	Plans Reviewer	E	27	\$36,459	\$43,751	\$54,689
490302	Plant Maintenance Supervisor	N	25	\$34,110	\$40,932	\$51,165
490749	Plumber	N	19	\$27,065	\$32,478	\$40,598
490328	Plumbing Inspector	N	24	\$32,936	\$39,523	\$49,404
490735	Print Shop Coordinator	N	22	\$30,588	\$36,705	\$45,882
490739	Print Shop Technician	N	20	\$28,239	\$33,887	\$42,359
490219	Professional Engineer	E	34	\$52,311	\$62,773	\$78,467
490210	Program Manager	E	25	\$34,110	\$40,932	\$51,165
490109	Purchasing Manager	E	31	\$45,266	\$54,319	\$67,899
490135	Purchasing Technician	N	16	\$23,543	\$28,251	\$35,315
490206	Recreation Center Supervisor	N	21	\$29,413	\$35,296	\$44,120
490827	Refuse Collector	N	13	\$20,020	\$24,024	\$30,030
490213	Right-of-Way Agent	E	28	\$38,220	\$45,864	\$57,330
490217	Risk Manager	E	28	\$38,220	\$45,864	\$57,330
490365	SCADA Operator – Electric Distribution	N	20	\$28,239	\$33,887	\$42,359
490366	SCADA Operator – Gas	N	20	\$28,239	\$33,887	\$42,359
490849	Security Officer	N	12	\$18,845	\$22,614	\$28,268

<b>Code</b>	<b>Title</b>	<b>FLSA</b>	<b>Grade</b>	<b>Minimum</b>	<b>Market</b>	<b>Maximum</b>
490821	Sign and Markings Specialist	N	18	\$25,891	\$31,069	\$38,837
490741	Sign Artist	N	21	\$29,413	\$35,296	\$44,120
490201	Special Events Coordinator	E	25	\$34,110	\$40,932	\$51,165
490841	Stock Clerk	N	14	\$21,194	\$25,433	\$31,791
490855	Superintendent, Animal Control	E	30	\$42,918	\$51,501	\$64,377
490234	Superintendent, Building Maintenance	E	31	\$45,266	\$54,319	\$67,899
490119	Superintendent, Code Enforcement	E	30	\$42,918	\$51,501	\$64,377
490907	Superintendent, Construction Development & Assistant CBO	E	33	\$49,963	\$59,955	\$74,945
490102	Superintendent, Electric Distribution	E	34	\$52,311	\$62,773	\$78,467
490101	Superintendent, Electric Production	E	34	\$52,311	\$62,773	\$78,467
490232	Superintendent, Environmental Service	E	33	\$49,963	\$59,955	\$74,945
490118	Superintendent, Fleet Maintenance	E	31	\$45,266	\$54,319	\$67,899
490104	Superintendent, Gas	E	33	\$49,963	\$59,955	\$74,945
490117	Superintendent, Parks and Recreation	E	31	\$45,266	\$54,319	\$67,899
490111	Superintendent, Sanitation	E	31	\$45,266	\$54,319	\$67,899
490125	Superintendent, Streets	E	33	\$49,963	\$59,955	\$74,945
490736	Superintendent, Traffic Signals & Signs	E	31	\$45,266	\$54,319	\$67,899
490127	Superintendent, Utilities Services	E	32	\$47,614	\$57,137	\$71,421
490105	Superintendent, Wastewater	E	33	\$49,963	\$59,955	\$74,945
490103	Superintendent, Water	E	33	\$49,963	\$59,955	\$74,945
490153	Supervisor, Building Maintenance	N	24	\$32,936	\$39,523	\$49,404
490136	Supervisor, Central Warehouse	N	23	\$31,762	\$38,114	\$47,643
490150	Supervisor, Custodial	N	22	\$30,588	\$36,705	\$45,882
490132	Supervisor, Customer Field Services	N	25	\$34,110	\$40,932	\$51,165
490303	Supervisor, Electric Distribution	N	27	\$36,459	\$43,751	\$54,689
490301	Supervisor, Electric Production	N	26	\$35,285	\$42,342	\$52,928
490139	Supervisor, Fleet Maintenance	N	23	\$31,762	\$38,114	\$47,643
490904	Supervisor, Meter & Services	N	24	\$32,936	\$39,523	\$49,404
490919	Supervisor, Streets	N	25	\$34,110	\$40,932	\$51,165
490164	Supervisor, Wastewater Collection	N	27	\$36,459	\$43,751	\$54,689
490165	Supervisor, Wastewater Treatment	N	27	\$36,459	\$43,751	\$54,689
490168	Supervisor, Water Distribution	N	27	\$36,459	\$43,751	\$54,689
490169	Supervisor, Water Production	N	27	\$36,459	\$43,751	\$54,689
490154	Supervisor, Zoo Facilities Maintenance	N	24	\$32,936	\$39,523	\$49,404
490346	Survey Instrument Operator	N	18	\$25,891	\$31,069	\$38,837
490343	Survey Party Chief	N	23	\$31,762	\$38,114	\$47,643
490161	Survey Technician	N	15	\$22,368	\$26,842	\$33,552
490822	Trades Worker	N	16	\$23,543	\$28,251	\$35,315
490310	Traffic Signal Technician	N	23	\$31,762	\$38,114	\$47,643
490223	Transit Analyst	N	24	\$32,936	\$39,523	\$49,404
490113	Transit Manager	E	32	\$47,614	\$57,137	\$71,421
490837	Transit Operator	N	17	\$24,717	\$29,660	\$37,076
490140	Transit Shift Supervisor	N	22	\$30,588	\$36,705	\$45,882
490763	Utility Service Worker	N	15	\$22,368	\$26,842	\$33,552
490157	Veterinarian	E	34	\$52,311	\$62,773	\$78,467
490156	Veterinarian Technician	N	16	\$23,543	\$28,251	\$35,315
490368	Wastewater Treatment/SCADA Operator	N	22	\$30,588	\$36,705	\$45,882
490333	Wastewater Plant Operator*	N	19	\$27,065	\$32,478	\$40,598
490334	Water Production Operator**	N	19	\$27,065	\$32,478	\$40,598
490753	Welder	N	20	\$28,239	\$33,887	\$42,359
490205	Youth Programs Coordinator	E	24	\$32,936	\$39,523	\$49,404
490240	Zoning Enforcement Analyst	E	24	\$32,936	\$39,523	\$49,404
490222	Zoo Curator, Education	N	26	\$35,285	\$42,342	\$52,928

<b>Code</b>	<b>Title</b>	<b>FLSA</b>	<b>Grade</b>	<b>Minimum</b>	<b>Market</b>	<b>Maximum</b>
490846	Zoo Curator, General	N	26	\$35,285	\$42,342	\$52,928
490845	Zoo Curator, Health	N	26	\$35,285	\$42,342	\$52,928
490115	Zoo Director	E	34	\$52,311	\$62,773	\$78,467
490159	Zoo Education Associate	N	21	\$29,413	\$35,296	\$44,120
490848	Zoo Keeper I	N	15	\$22,368	\$26,842	\$33,552
490860	Zoo Keeper II	N	17	\$24,717	\$29,660	\$37,076
490155	Zoo Keeper III	N	21	\$29,413	\$35,296	\$44,120
490847	Zoo Media Specialist	N	25	\$34,110	\$40,932	\$51,165

\*The pay progression for the WasteWater Production Operator is  $\frac{1}{4}$  of the amount between the apprentice pay progression minimum of 13.01/hr. to the apprentice pay progression completion rate of 19.00/hr. based on the required 4 certifications within the seven-year apprenticeship period (Rule VI§26).

\*\*The pay progression for the Water Production Operator is  $\frac{1}{8}$  of the amount between the apprentice pay progression minimum of 13.01/hr. to the apprentice pay progression completion rate of 19.00/hr. based on the required 8 certifications within the seven-year apprenticeship period (Rule VI§26).