

ORDINANCE NO. 2725

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE CITY OF MESQUITE GENERAL GOVERNMENT CIVIL SERVICE RULES AND REGULATIONS BY DELETING THE PRESENT SECTION 8.3 AND ADOPTING A NEW SECTION 8.3 THEREBY ESTABLISHING A LAYOFF POLICY; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the present Section 8.3 of the City of Mesquite General Government Civil Service Rules and Regulations is deleted and a new Section 8.3 is hereby adopted to read as follows, said Rules and Regulations in all other respects to remain in full force and effect.

8.3 Layoff Policy

Definition

A layoff is a nondisciplinary reduction in the number of authorized positions.

Basis

The City reserves the right to determine the number and type of personnel required to maintain the functions of the organization. The following are illustrative but not all inclusive of the basis for a layoff:

1. A discontinuation of or reduction in demand for service.
2. A change in level or source of funding.
3. Technological developments which reduce staffing requirements.
4. To accomplish economic or staffing efficiency.
5. Privatization of services/contracting out.
6. Requirements of state and/or federal laws.

Retention Criteria

The initial consideration shall be to maintain the level of service necessary to operate the City. Thereafter the following factors shall apply in determination of which employees shall be subject to layoff:

1. Degree of organizational impact as evidenced by employee's knowledge, skills and abilities, productivity and job performance.
2. Employee's length of service: in the position; department; with the City.

Notice of Layoff

Employees subject to layoff will be given two weeks notice.

Recall and Severance Pay

The City makes no provision for recall or severance pay for the classified service.

Benefits

A layoff is considered a nondisciplinary termination. Employee's will receive all termination benefits, for which they are eligible, as provided by policy.

Reemployment

Employees subject to layoff may make application with the Personnel Department, through the normal employment process, for consideration for current vacancies. Employees who have been subject to layoff will be required to meet all of the qualifications for the position for which they are applying.

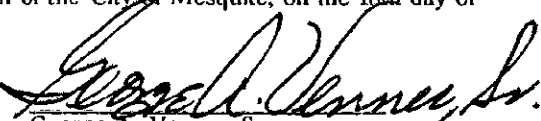
Fire and Police State Civil Service

Employees covered under Fire and Police State Civil Service are governed by the provisions of Chapter 143 of the Local Government Code.

SECTION 2. That should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3. The fact that the present ordinances of the City of Mesquite do not provide an adequate policy concerning layoff of City employees, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

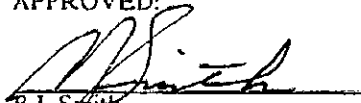
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, on the 18th day of February, 1991.

  
George A. Venner, Sr.  
Mayor

ATTEST:

  
Lynn Prugel  
City Secretary

APPROVED:

  
B.J. Smith  
City Attorney