

ORDINANCE NO. 2775

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE CITY OF MESQUITE GENERAL GOVERNMENT CIVIL SERVICE RULES AND REGULATIONS BY DELETING THE PRESENT SECTIONS 1, 2, 15, AND 16.1 AND ADOPTING NEW SECTIONS 2 AND 3 THEREBY ESTABLISHING PERSONNEL RECORDS TO EFFICIENTLY ADMINISTER THE PERSONNEL PROGRAM AND ORGANIZATION OF PERSONNEL BOARD; 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 Sections 1, 2, 15 and 16.1 of the City of Mesquite General Government Civil Service Rules and Regulations are deleted and new Sections 2 and 3 are hereby adopted to read as follows, said Rules and Regulations in all other respects to remain in full force and effect.

SECTION 2. EMPLOYEE RECORDS

2.1 Employee Records

The Personnel Director shall develop and maintain a system of records necessary to efficiently administer the personnel program. The Personnel Director is responsible for ensuring the accuracy and integrity of the City's personnel records.

2.2 Official Personnel File

The Personnel Department shall maintain the official personnel file for all employees. It is the responsibility of supervisors to ensure that all necessary documentation is forwarded to the Personnel Department for inclusion in the employee's file. The Personnel Director is responsible for ensuring documents of an evaluative or negative nature clearly indicate employee is aware of the document prior to placement in the employee's personnel file. The Personnel Director shall determine the appropriateness of placement of documents in an employee's personnel file.

2.3 Employee Privacy

The Personnel Director shall establish procedures necessary to preserve the privacy of employee information as required by applicable state and federal legislation. Access to privileged or confidential employee records shall be based on the need to know as determined by the Personnel Director.

The Texas Open Records Act permits an employee or official of a governmental body to dictate whether the public shall have access to the employee's home address and telephone number by submitting a written notice to the Personnel Director. No employee's home address and telephone number may be disclosed to the public without approval by the Personnel Department.

2.4 Personnel File Review

Upon proper request, the Personnel Department will, during normal office hours, allow access to information contained in personnel files which is not prohibited from disclosure by the Texas Open Records Act. All files will be reviewed in the presence of a personnel employee. No document may be removed, entered, or copied without prior permission of the Personnel Department.

2.5 Duplication of Records

Requests for copies of employee records will be handled in accordance with the Texas Open Records Act.

2.6 Currency of Records

Employees shall notify the Personnel Department, on the appropriate forms, of any change in the following: home address, home phone number, beneficiary status, name, social security number, drivers license number or type of license, and tax withholding.

2.7 Confidentiality of Records

Except in cases where information contained in personnel files is required to be disclosed under the Texas Open Records Act, or unless otherwise provided by law or this manual, personnel records and employee's files will be considered confidential. All documents and information submitted during the employment process and during employment are the property of the City of Mesquite.

SECTION 3. PERSONNEL BOARD

3.1 Personnel Board

There shall be a personnel board consisting of three (3) members appointed by the City Council in accordance with provisions of the City Charter and these policies.

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3.2 Trial Board

Members of the personnel board shall sit as a trial board to hear general government employee appeals from suspension, demotion, and termination.

3.3 Civil Service Rules

Members of the personnel board review and comment, as appropriate, on changes to this manual.

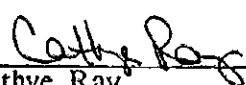
3.4 Board Administrator

The City's Personnel Director shall serve as administrator and coordinator for the board. The Personnel Director will provide all necessary assistance to the board not in conflict with these policies.

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.

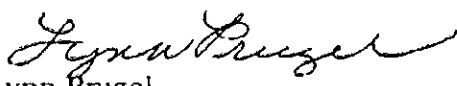
SECTION 3. The fact that the present ordinances of the City of Mesquite do not provide an adequate policy concerning employee records and the personnel board, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take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

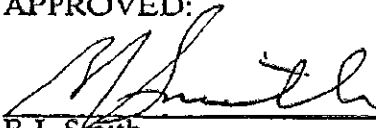
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, on the 21st day of October, 1991.



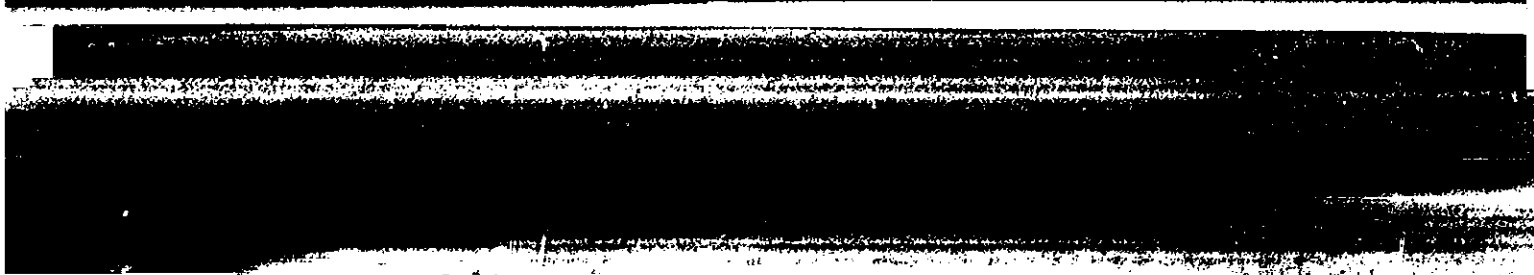
Cathye Ray
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED:


B.J. Smith
City Attorney



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