

ORDINANCE NO. 2784

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE CITY OF MESQUITE GENERAL GOVERNMENT CIVIL SERVICE RULES AND REGULATIONS BY ADOPTING A NEW SECTION 1 THEREBY ESTABLISHING POLICIES AND PROCEDURES; 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 Section 1 of the City of Mesquite General Government Civil Service Rules and Regulations was deleted October 21, 1991, Ordinance No. 2775, a new Section 1 is hereby adopted to read as follows, said Rules and Regulations in all other respects to remain in full force and effect.

SECTION 1. POLICIES AND PROCEDURES

1.1 Policy Manual

This manual sets forth the policies and procedures established to assist in the administration of the General Government Civil Service. The provisions of this manual are not intended to create contractual rights between the City of Mesquite and its employees.

1.2 Purpose of Manual

The purpose of this manual is to generally describe the personnel process and set forth policies and procedures to be followed by the City of Mesquite in the administration of its personnel program. No manual can anticipate all circumstances that may arise. Actions taken where this manual is silent are the prerogative of the City Manager.

1.3 Manual Revisions

This manual may be revised at the discretion of the City Council who may unilaterally change any of the policies and provisions set forth herein by adoption of ordinance.

1.4 Objectives

The objectives of this manual are as follows:

1. To promote and increase productivity, efficiency, responsiveness to the public, and economy in the City.

2. To provide equal opportunity for qualified persons to enter and progress in the City Service in a manner based on qualifications and fitness as determined through objective evaluation techniques.
3. To maintain recruitment, advancement, and tenure practices which enhance the attractiveness of a City career.
4. To establish a framework which will allow retention of employees based on performance and separation of employees whose inadequate performance cannot be corrected.
5. To foster high morale.
6. To protect employees against coercion for partisan political purposes and prohibit them from using their positions with the City for the purpose of interfering with or affecting the results of an election or nomination for office.

1.5 Personnel Director

There shall be a Personnel Director, appointed by the City Manager, who shall administer the personnel system in compliance with applicable policies and procedures. The Personnel Director shall have the required training and experience as described in the City's job description.

1.6 Hours Scheduled to Work

The terms full time and part-time refer to the scheduling of hours anticipated to be worked by the employee.

1.7 Unclassified Appointment

The unclassified service shall be comprised of the following positions which, by City Charter, are restricted from utilizing the City's Trial Board appeal process: Officers, employees, members of Boards, or other persons who are appointed by the City Council; Directors of Departments or organizational equivalents; Assistant City Managers, Administrative Assistants, and Administrative Aides; seasonal employees; temporary employees.

1.8 Classified Appointment

All positions not designated as unclassified. Members of the classified service may appeal to the City's Trial Board for a review of personnel actions as set forth in the City's disciplinary policy.

1.9 Employment Categories

- a. Regular Appointment
 - employee who has completed the initial probationary period.
 - works not less than forty (40) hours per work week.
 - eligible to receive full benefits as specified in the General Government Civil Service Policy.

- b. Regular Probationary Appointment
 - employee who has not completed the initial probationary period.
 - meets all other requirements of a Regular Appointment.

- c. Temporary Appointment
 - an at will appointment for unspecified period of time.
 - may receive limited benefits based on the number of hours worked.

- d. Seasonal Appointment
 - an at will appointment for specified period of time performing duties of a seasonal nature.
 - may receive limited benefits based on the number of hours worked.

- e. Contract Appointment
 - hired under a written contract to provide a specified service.
 - not paid through the City's payroll system.
 - complies with Fair Labor Standards Act's definition of contract appointee.

1.10 Political Activity

Except as otherwise provided by law, employees will refrain from using their positions for or against any candidate for public office. Employees shall not directly or indirectly coerce, attempt to coerce, command or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, or person for political purposes. No employee may seek or hold an appointive or elective City office. No employee may seek or hold an office of public trust, or partisan office in any jurisdiction, where such service would constitute a conflict of interest with City employment, with or without remuneration. If an employee decides to seek or assume such office then

that person shall resign from City service or will be dismissed for failure to do so.

1.11 Age Requirement

The minimum age for a regular appointment shall be eighteen (18). All other appointments shall be in compliance with applicable state and federal child labor regulations.


1.12 Scope

The policies contained in this manual apply to General Government Civil Service employees. Commissioned members of the Fire and Police Departments are governed by State of Texas Fire and Police Civil Service provisions as contained in the Texas Local Government Code. Policies contained in this manual which are not in conflict with the Fire and Police Civil Service Act shall also be controlling and applicable to all commissioned employees of the Fire and Police departments.


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 adequate policies and procedures, 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, Texas, on the 16th day of December, 1991.


Cathye Ray
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED:


B.J. Smith
City Attorney