

ORDINANCE NO. 2860

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE CITY OF MESQUITE GENERAL GOVERNMENT CIVIL SERVICE RULES AND REGULATIONS BY ADOPTING SECTION 19.2 THEREBY ESTABLISHING EMPLOYEE REFERENCES; 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 City of Mesquite General Government Civil Service Rules and Regulations are hereby amended by adding Section 19.2 entitled "Employee References" to read as follows, in all other respects Section 19 to remain in full force and effect:

SECTION 19.2 EMPLOYEE REFERENCES

1. General Policy

It is the policy of the City of Mesquite to respond factually and accurately to properly submitted requests for employment information.

2. Employment Information

All written or phone requests for employment information or verification for current, retired, or terminated employees, received by a department, supervisor or employee, shall be referred to the Personnel Department.

a. By Phone: Responses to phone requests will be limited to information which is job-relevant and verifiable by proper documentation contained in the employee's official Personnel Department file. This would include the following: dates of employment; positions held; salary grade minimum and maximum at separation; reason for separation as stated on the Separation Request Form.

b. In Writing with Signed Release: Upon receipt of a properly written release the following information may be provided: all of the information covered under 19.2(2)a and, if requested and available in file, overall rating on most recent performance appraisal; actual salary; documented disciplinary actions; last known address and phone number unless employee elected to restrict release of that information during employment; any other requested job related information deemed appropriate by the Personnel Director.

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- c. **Refusal to Furnish:** The Personnel Director may decline to furnish employment information if: (1) request is in a manner or form which does not adequately protect the City from possible litigation; (2) The information requested is subject to a written non-disclosure agreement.

3. **Personal References**

Personal references may be provided by an employee so long as references are not on City Stationery, not signed with the individual's title or position, and do not contradict information documented in the employee's Personnel Department file.

4. **Recordkeeping**

A copy of all written requests for information, authorization to release, and information provided will be maintained by the Personnel Department.


5. **Eligibility for Rehire**

The City does not make a determination upon termination regarding an employee's eligibility for rehire. All prior employees are eligible to submit an application through the normal application process (Reference Section 4.4 Former Employees.)


SECTION 2. That it is the intent of the City Council that the provisions hereof be deemed severable and in the event any such provision shall be declared unconstitutional or invalid for any reason such unconstitutionality or invalidity shall not affect those provisions left standing.

SECTION 3. The fact that present ordinances of the City fail to provide for employee references, creates an urgency and emergency in the interest of the public health, safety, and welfare, and makes necessary that this ordinance take effect immediately from and after its date of passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of February, 1993.


Cathye Ray
Mayor

ATTEST:


Lynn Brugel
City Secretary

APPROVED:


B.J. Smith
City Attorney