AC

Agenda Item Form

Agenda Date: 03/23/04

30C

Districts Affected: N/A

Dept. Head/Contact Information: [Human Resources, Terry Bond, (915) 541-4509

Type of Agenda Item:

- ☐ Resolution
- ☐ Tax Installment Agreements
- ☐ RFP/ BID/ Best Value Procurement
- ☐ Application for Facility Use
- ☐ Interlocal Agreements
- ☐ Other _____
- ☐ Staffing Table Changes
- ☐ Tax Refunds
- ☐ Budget Transfer
- ☐ Bldg. Permits/Inspection
- ☐ Contract/Lease Agreement
- ☐ Board Appointments
- ☐ Donations
- ☐ Item Placed by Citizen
- ☒ Introduction of Ordinance
- ☐ Grant Application

Funding Source:

- ☒ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☐ Other Source: _____

Legal:

☒ Legal Review Required Attorney Assigned (please scroll down): Lupe Cuellar ☒ Approved ☐ Denied

Timeline Priority: ☐ High ☒ Medium ☐ Low # of days:_____

Why is this item necessary:

As per Civil Service Commission action on 02/12/04. It is the recommendation of the CSC to allow employees to forfeit annual leave in lieu of suspensions of no more than 10 days.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

N/A

Statutory or Citizen Concerns:

None anticipated

Departmental Concerns:

None anticipated

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CITY SECRETARY DEPARTMENT

AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 15, SUSPENSION, REDUCTION AND DISCHARGE, TO ADD SECTION 6, TO ALLOW EMPLOYEES TO FORFEIT ANNUAL LEAVE IN LIEU OF SERVING A SUSPENSION PROVIDED THAT APPEAL RIGHTS ARE WAIVED

WHEREAS, the Civil Service Commission is given the authority under Section 6.1-5(A) of the City Charter to recommend amendments to the City's Civil Service Rules; and,

WHEREAS, the City Council is the approving authority for amendments to the Civil Service Rules; therefore, the Civil Service Commission presented their recommend changes to City Council; and,

WHEREAS, both the Civil Service Commission and the City Council have determined that Civil Service Rule 15 should be amended;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction, and Discharge, is amended by adding an additional section as follows:

Section 6. Election to Forfeit Annual Leave

Permanent employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to the approval of the department head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission, and the employee shall be so advised in plain English on a suitable form upon which the election shall be made, as developed by the Human Resources Director and appended to the notice of suspension. The department head shall not unreasonably withhold approval of the employee's election.

2. Except as herein amended, all provisions of Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction, and Discharge, remain the same.

3. This amendment shall apply to all disciplinary actions taken after the date upon which it becomes effective.

PASSED AND APPROVED this 6th day of April 2004.

SIGNATURES ON FOLLOWING PAGE

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Guadalupe Cuellar
Deputy City Attorney

APPROVED AS TO CONTENT:

Terry Bond
Human Resources Director

APPROVED BY THE CIVIL SERVICE COMMISSION ON February 12, 2004.

By : Terry Bond
Secretary