

PERSONNEL MANUAL

City of Salinas

Human Resources Division

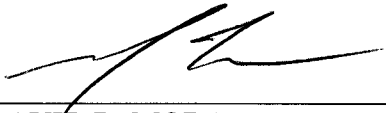
APRIL 2007



AUTHORITY STATEMENT

This revision of the City of Salinas Personnel Rules and Regulations is published in accordance with Municipal Code Section 25-49 authorizing the establishment of personnel rules and regulations for the City and Section 104 of the City of Salinas Resolution #12542 which authorizes the City Manager to establish these administrative rules and regulations clarifying said resolution and Chapter 25 of the Municipal Code.

I hereby endorse and establish this April 5, 2007 revision of the Personnel rules and Regulations of the City of Salinas. These rules exemplify the City's belief in strong labor and management cooperation to foster productive employer-employee relationships.



DAVID R. MORA
City Manager

Date: _____

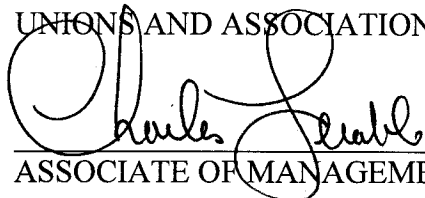
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MEET AND CONFER ACKNOWLEDGEMENT

The undersigned acknowledge they have meet and conferred from February 2003 to April 2007 on these revisions of the City of Salinas Personnel Rules and Regulations dated April 2007.

UNIONS AND ASSOCIATIONS

DATE


ASSOCIATE OF MANAGEMENT PERSONNEL

4/5/07


SERVICE EMPLOYEES INTERNATIONAL UNION,
LOCAL 817, CREW SUPERVISORS

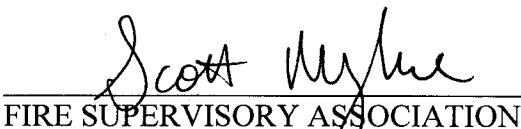
4/5/07


SERVICE EMPLOYEES INTERNATIONAL UNION,
LOCAL 817

4-5-07


SALINAS MUNICIPAL EMPLOYEES ASSOCIATION

4-5-07


FIRE SUPERVISORY ASSOCIATION

4-5-07


SALINAS FIREFIGHTERS ASSOCIATION, IAFF LOCAL 1270

2 July 2007



SALINAS POLICE OFFICERS ASSOCIATION

4-5-07


SALINAS POLICE MANAGEMENT ASSOCIATION

4-5-07

CITY OF SALINAS


DAVID R. MORA

4-5-07

City bargaining unit representatives were afforded the opportunity to meet and confer. The City of Salinas is proceeding to publish this revision under authority of Government Code Section 3504.5 (MMB).

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SECTION 1: GENERAL

1.1 Purpose

It is the purpose of these rules and regulations to implement the provisions of the City of Salinas Municipal Code, Chapter 25, Article 3 and Section 1402 of the Personnel Resolution. These rules are not intended to be an employment contract between the City and its employees and do not create property or other rights of employment which are set forth in law and labor agreements. Where there may be a conflict between sections of these Rules and Regulations and specific MOU's, the MOU's shall prevail. Approved Department rules and regulations will augment the Personnel Manual.

1.2 Positions Covered

These rules and regulations shall cover all employees in the classified service. The City Manager, City Attorney, and Department Directors shall be considered as regular employees and shall be covered by all Personnel Rules, except those which are superseded by the executive pay plan or are excluded by City Code. Temporary, part-time hourly employees, emergency, CDBG funded and special program positions are excluded from the classified service and are not covered by these rules except for specific sections such as conduct and performance reviews as designated by the City.

1.3 Authority of the City Manager

The City Manager is empowered to appoint employees as may be required to properly operate all City departments other than the City Attorney's staff, in accordance with current ordinances, resolutions and the budget, as adopted by the City Council. Further, the City Manager is empowered to publish these rules and related administrative directives so as to clarify the adopted code and resolution relating to the personnel system. The City Manager is designated by Resolution No. 6678 to serve as Employee Relations Officer. The City Manager may delegate these authorities as he deems appropriate. This includes delegation of rule making authority so Department Directors can establish and maintain appropriate departmental rules and regulations.

1.4 Administration

These rules shall be administered by the Human Resources Officer under the direction of the City Manager and in conformity with the City's Ordinance and Resolution establishing a personnel system. Subject to the approval of the City Manager, the Human Resources Officer shall:

- A. Administer the provisions of the Personnel Ordinance and Resolution, and all personnel rules not reserved to the Council or City Manager.
- B. Prepare and recommend to the City Manager:

1. Revisions and amendments to the Personnel Ordinance, Resolution and Rules.
 2. A position classification plan including class specifications and revisions of the plan.
 3. A compensation plan and revisions thereof, based on the classification plan.
- C. Administer the personnel recruitment and in-service training programs for all City personnel.

1.5 **Adoption and Amendment of Rules**

- A. The Human Resources Officer is responsible for the maintenance of the Personnel Rules and Regulations, in consultation with the Department Directors, the City Manager, and the representatives of the various City employee organizations, when appropriate.
- B. Additions or revisions to the rules shall become effective when approved by the City Manager.

1.6 **Selection Process**

- A. The City selection process shall operate under merit principles, and shall conform with Section 302 of the Personnel Resolution. Every attempt will be made to ensure the use of selection procedures that are valid. Records or other information will be maintained which will disclose the impact that tests and other selection procedures have upon employment opportunities of persons by identifiable race, sex, or ethnic group in order to determine compliance with section 302.
- B. The City may choose to utilize alternative selection processes in order to eliminate adverse impact as part of an equal employment opportunity program.
- C. All personnel employed by the City of Salinas will be chosen, retained and advanced according to the City's merit system. It is the policy of the City of Salinas that it shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, color and religious creed, sex (including pregnancy) age, marital status, sexual orientation, national origin, disability or any other classification protected by applicable discrimination laws in the operation of public employment. A requirement may exist for U.S. citizenship in accordance with the State and Federal Law.
- D. Announcements of recruitment for position vacancies will be posted in City facilities and advertised to the public. All persons who meet the minimum qualifications for the position may apply. All applications will be impartially reviewed, and those individuals determined to be the best qualified will be invited to participate in an examination process as determined by the Human Resources Officer. An eligibility list will be prepared and certified to the City Manager

and/or the Department Director concerned. Candidates will be chosen to fill the position(s), provided that they can successfully complete the required physical examination and relevant background investigation.

- E. First consideration for promotions to non-management, non-public safety positions will be given to qualified City employees in accordance with the promotion policy outlined in Section 5.3.

1.7 **Equal Employment Opportunity**

The City of Salinas is governed by the policy of equal employment opportunity, which is found in Section 25-51 of the Municipal Code and Section 102 of Resolution 12542 (N.C.S.).

The City's Equal Employment Opportunity Plan will be followed in applying these personnel rules.

SECTION 2: DEFINITIONS

2.1 Acting Pay

A ten percent premium pay to an employee assigned to carry out the duties of a vacant position.

2.2 Equal Employment

A planned, ongoing program to accomplish the concept and goal of equal employment and opportunity.

2.3 Appeal

An application for review of an alleged grievance or disciplinary action submitted or initiated by an employee to duly constituted higher authority.

2.4 Applicant

An individual who has completed and submitted an application for employment with the City.

2.5 Appointing Authority

The City Manager or the Department Director, whose authority to appoint or to remove employees is stated in the City Code for all employees in the classified service.

2.6 Appointment

The filling of a position by the City Manager or a Department Director. Appointments include several types: regular, regular part-time, temporary, part-time hourly, emergency, special. Each of these categories is explained in Section 303 of Personnel Resolution 12542.

2.7 Candidate

An applicant for a position that is invited to participate in the examination process.

2.8 Certification

The submission of names of eligible candidates by the Human Resources Officer to a Department Director.

2.9 **Classification Series**

A number of classifications which are substantially similar as to the types of work involved, and differ only in rank as determined by the importance of the duties, degree of responsibility involved, and amount of training and experience required. Such classifications constitute a series.

2.10 **Class Specification**

The written description of a class, containing a title, statement of duties, authority and responsibilities, and the minimum qualifications for the class.

2.11 **Classify**

The act of grouping positions in classes with regard to

- A. Duties and responsibilities
- B. Requirements of education, certification, registration, knowledge, experience, and ability and the relationship to other classifications.
- C. Policies and procedures for administering the plan.

2.12 **Classification Plan**

The official or approved system of grouping positions into appropriate classes and class series consisting of:

- A. An index to the class specification.
- B. The class specifications.
- C. Rules for administering the classification plan.

2.13 **Classified Service**

All positions in the service of the City as defined in the Personnel Resolution. Excludes City Manager, City Attorney, temporary, part-time hourly, emergency, and special positions.

2.14 **Compensation Plan**

The official schedule of pay assigning one or more rates of pay to each classification. The Plan includes all forms of compensation and employee benefits. The compensation plan reflects the pay and benefits established by Memorandum of Understanding or agreements with the City Council.

2.15 **Demotion**

The movement of an employee from a position in one class to a position in another class having a lower salary range or to a lower step in the employee's current salary range. A voluntary demotion is a demotion initiated or agreed to by an employee. An involuntary demotion is a demotion initiated by an appointing authority not agreed to by an employee that may be as a result of disciplinary action.

2.16 **Discharge**

Separation from City employment; for cause in the case of a regular or regular part-time employee or without cause for a probationary regular or unclassified employee.

2.17 **Domestic Partner Benefits**

The City of Salinas will provide domestic partner benefits as provided for under State and Federal law.

2.18 **Holiday**

The period between 12 midnight at the beginning and 12 midnight at the end of the day on which a holiday falls, or the same period on the day designated to serve in lieu of the holiday, when the latter falls on a Saturday or Sunday. Specific holidays are listed in the appropriate MOU.

2.19 **Immediate Family**

Includes wife, husband, son, daughter, mother, father, brother, sister, or grandparents of employee, and relatives of the same degree through marriage.

2.20 **Layoff**

Separation from the service because of a shortage of funds or materials, reorganization, abolishment of position, or for reasons outside the employee's control.

2.21 **Leave of Absence**

Permission to be absent from duty for a specified period of time and for a specified purpose, with the right to return at the expiration of the approved period of leave.

2.22 **Overtime**

Hours worked in excess of 40 hours per seven day work week period. Fire and police safety employees work period is defined in accordance with Federal Law and City Administrative Memoranda.

2.23 **Personnel Action**

An action taken with reference to appointment, compensation, promotion, transfer, layoff, discharge, or any other action affecting status of employment.

2.24 **Personnel File or Personnel Record**

That record maintained by the Human Resources Officer relating to the employment history of an individual employee.

2.25 **Human Resources Officer**

The individual appointed by the City Manager and to whom is delegated the responsibility of administering the Personnel Ordinance, Resolutions and such related duties as may be prescribed by the City Manager or the Deputy City Manager.

2.26 **Personnel Ordinance**

The Ordinance adopted by the City Council, establishing a system of personnel administration known as Chapter 25 of the Municipal Code.

2.27 **Probationary Period**

A fixed period of time during which an employee is required to demonstrate, by actual performance of duties, his/her fitness for the position to which he/she has been appointed. During the original probationary period, the employee may be separated without cause or right of appeal. During the promotional probationary period the employee may be demoted without cause or right to appeal.

2.28 **Promotion**

The movement of an employee from a position in one class to a vacant position in another class with a higher salary range.

2.29 **Re-appointment**

The return of an employee who previously held regular status in the classified service and who resigned in good standing, was laid off, or was separated for non-disciplinary reasons per Resolution Section 305.

2.30 **Reclassification**

A change in designation of an individual position by raising it to a higher class, reducing it to a lower class, or by moving it to another class at the same salary level on the basis of significant changes in the type, degree of difficulty, or responsibility of the work performed in such position. The incumbent of such reclassified position may be reclassified without testing, based on a gradual change in the duties and responsibilities of the position.

2.31 **Regular Employee**

An employee in the classified service or covered by these rules who occupies a budgeted position. Probationary employees are defined as regular employees

2.32 **Separation**

The severing of the employment relationship.

2.33 **Special Assignment Pay**

A premium pay authorized when an employee temporarily is assigned the duties of another class or is temporarily assigned a significant increase in responsibilities.

2.34 **Status**

The description of an employee's present appointment, such as temporary, regular, regular part-time, temporary, part-time hourly, emergency, special as defined in the Personnel Resolution Section 302.

2.35 **Suspension**

The temporary separation of an employee from his or her duties without pay for disciplinary purposes.

2.36 **Temporary Employee**

Defined in Personnel Resolution, Section 303.

2.37 **Transfer**

The movement of an employee from one position to another position in the same classification as defined in the Personnel Resolution Section 306.

2.38 **Vacancy**

A duly authorized position in the classified service which is not occupied and for which funds have been budgeted and are available.

2.39 **Work Day**

The scheduled number of hours an employee is required to work per day.

2.40 **Work Period**

That period of hours worked as specified by Federal Law. The normal workweek of 40 hours work in a 7 day work period. Police and fire safety work periods are covered in the appropriate Administrative Memoranda.

2.41 **“Y” Rate**

An interim salary rate equal to the employee’s current salary exceeding the salary range assigned as applied in accordance with Personnel Resolution Section 505.

SECTION 3: CLASSIFICATION PLAN

3.1 Purpose

The classification plan provides a complete inventory of all positions in the City service and a description and specification for each class of employment. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities.

3.2 Composition of Classification Plan

The classification plan shall consist of:

- A. Grouping of positions which are approximately equal in difficulty and responsibility, consisting of the same general qualifications and which can be equally compensated with the same range of pay for similar working conditions. Classes shall be arranged in series whenever possible.
- B. Written specifications for each class of positions which will be indexed and placed in a document entitled City of Salinas Classification Plan.
- C. Rules and procedures for administering the Plan including extracts of these rules.

3.3 Preparation of Classification Plan

- A. The Human Resources Officer shall obtain from the department(s) concerned a draft job description and shall record the duties and responsibilities of all regular positions in the city service. After consultation with the Department Directors, employee representatives and others concerned, the Human Resources Officer shall recommend to the City Manager a classification plan for such positions.
- B. The classification plan shall be reflected in written job descriptions for each class including a total summary of the work, a list of typical duties, and a statement of the qualification standards required for filling vacancies.

3.4 Content of Specifications

Each class specification shall include the title, a description of the duties and responsibilities of work, and a statement of the qualifications required of the person who is to perform the work.

3.5 Assignment of Positions to Class

Upon adoption of the classification plan, the Human Resources Officer will assign or allocate each position in the City service to a classification established under the plan.

3.6 Use of Class Title

Class title shall be the official title of every position allocated to the class for the purpose of personnel actions and shall be used on all payrolls, budget estimates, official records, and reports relating to the position. The Department Director may authorize the use of any other working title for purposes of internal administration or in contacts with the public.

3.7 Interpretation and Significance

Class specifications are descriptive and not restrictive. They are not to be construed as restricting the duties or responsibilities of any position, nor as limiting or modifying the power of any Department Director to assign, direct and control the work of employees under supervision. The use of a particular example or illustration as to duties shall not be held to exclude contents not mentioned that are of similar kind or quality, nor shall any specific omission necessarily mean that such factor is not included. However, any planned significant changes in organization and work methods or assignments which might affect the duties of employees should be reported to the Human Resources Officer so he/she can consult with employee representatives regarding the impact of the changes prior to their implementation.

3.8 Modifications to Classification Plan

Modifications to existing classes may be made necessary by gradual changes in job duties over a period of time. The classification plan will be kept current to reflect additions, deletions, or modifications of classes.

- A. Minor modifications to classifications, including additions or deletions may be made by the Human Resources Officer, when approved by the City Manager.
- B. Major modifications to classifications which have fiscal impact, shall be processed by referral from the Human Resources Officer to the City Manager with recommendations to be presented to the City Council. Such changes will be presented to Council in resolution form rescinding and replacing the prior resolution.

3.9 Reclassification

- A. When Department Directors believe that positions under their jurisdiction may be improperly classified, or that the duties and responsibilities have changed, they may request a classification study of the position. Such requests shall be directed in writing to the Human Resources Officer and shall include justification in support of the request. Employees may submit a written request for study of their position through the Department Director or the City Manager. However, if it is found that the intent of the classification study request is to bypass the normal procedures applying to promotions or demotions, no reclassification recommendation will be made. Individuals or groups of employees within the same classification within the same division who believe they are regularly

assigned work beyond the scope of their classification, or the Union representative on their behalf, may submit written requests for classification review of their positions to the Human Resources Office during the month of December. Members of classifications which have been studied the past year or are scheduled for study within a year may not submit reclassification requests.

The reclassification request must specifically identify the duties and responsibilities which the employee(s) believe are not within their present classification(s). Experience in grade is an insufficient basis to warrant a reclassification.

During the month of January, the Human Resources Office will forward reclassification requests to the affected department heads for his/her review and approval for study.

If a request is approved, the department head will, no later than February 1, ask the Human Resources Officer to conduct a classification review. If a request is denied, the department head and Human Resources Officer will meet with the employee and his/her representative to review the decision if so requested.

Human Resources staff will conduct classification studies of approved requests for no more than six (6) individual positions and one (1) group. If a total of more than seven (7) requests are filed, the first seven submitted to the Human Resources Officer and approved by the department head will be studied. The City Manager will be advised of the disposition of the requests and will approve prior to recommendation to the City Council. A copy of the request will be provided to the employee and the Union prior to recommendation to the City Council. Any changes shall be effective upon approval by the City Council.

- B. The classification of the employee will normally be changed along with the reclassification of his or her position, if the request is approved by the Department Director and Human Resources Officer. These actions are normally reviewed no more than twice a year during the budget process and mid-year budget review, and require approval by City Council.
- C. A reclassification is not simply a change in title and/or salary. It reflects a change in the duties and responsibilities of the position and must conform to an existing class or will require a new class specification.
- D. Reclassification is generally necessitated through organization modification. Generally, reclassification will result from:
 - 1. Significantly changed duties and responsibilities, necessitating a modification of the pay range and title of the position.
 - 2. Reorganization of a department, or division of a department, whereby the requirement for the particular classification no longer exists.

- E. Reclassified employees are not required to serve a probationary period.
- F. Reclassified employees will be assigned to a step in the new classification pay range using the rules of promotion or demotion. For staff members who compensation adjustment results in Step 1 of a new range, they are entitled to an evaluation and possible increase to Step 2 at the six month evaluation period. These adjustments do not adjust step advancement for employees upon reaching their anniversary date. For example, as a result of the classification change in February, an employee is at Step 2, and should that individual be eligible for an annual performance appraisal in March of the same year, that person can be moved to Step 3 of the new range upon satisfactory performance appraisal. This guideline applies even in the case of individuals who moved to Step 1 provided their anniversary date falls prior to the six-month first anniversary adjustment. Specifically, for those in Step 1, the adjustment in compensation comes either after six months or upon the anniversary date, whichever comes first.

3.10 **Effect of Downward Reclassification on the Employee**

Upon the reclassification of a position from one class to a lower class and with the approval of the City Manager, the affected employee may be "Y" rated. "Y" rating is a procedure by which an employee remains at this/her current rate of pay until such time as the rate established for the new lower paid classification reaches the employee's salary.

SECTION 4: EMPLOYMENT POLICIES, APPLICATIONS, EXAMINATION, AND APPOINTMENTS

4.1 Employment Policies

- A. **Objective:** The underlying objective of the City's employment policy is to serve the whole community by reaching and considering all segments of the population through a positive recruitment program, and by recruitment of personnel who are capable of making a distinct contribution to the effective operation of the City government.
- B. **No Discrimination:** The City of Salinas is an equal opportunity employer. There shall be no discrimination in favor of or against any person seeking employment with the City of Salinas. Specifically, there shall be no discrimination because of a person's political or religious affiliation or belief, non-affiliation or non-belief, race, color, age, sex, sexual orientation, national origin, disability, marital, or military status (past or present).
- C. **Career Development:** It shall be the policy of the City to provide entry level positions leading to progressive career Employment in local government by providing for in-service training, off-duty academic opportunities, broadened work experience, development of occupational talents and general preparation for advancement.

4.2 Certification Procedures

- A. Whenever a Department Director desires to fill a position, he or she will submit a Hiring Request form to the Human Resources Division. After a review and approval of the request, the Human Resources Division shall certify the names of qualified candidates on a current eligibility list to the department for consideration along with names of other eligibles available in accordance with Section 5.2 of these rules.
- B. Certification will normally be accomplished by placing candidate scores alphabetically into bands to differentiate their relative performance. Other certification procedures may be used at the discretion of the Human Resources Officer for entry level positions. The status considered in filling the vacant position will be as outlined in Section 5 of these regulations, thus encouraging the City's policy on equal employment and career development. If, in the opinion of the Department Director and Human Resources Officer, qualified candidates are not available, the Human Resources Division will proceed to conduct a recruitment program to establish a new eligibility list.

4.3 Announcements

The Human Resources Division will prepare recruitment announcements containing a job summary of experience and education desired and other essential information about the

position. Public notice of vacancies shall be posted in a conspicuous place in the applicable City buildings and positive steps shall be taken to assure that all segments of the community receive adequate information. Outside recruitment sources shall be selected by the Human Resources Division according to the level of job, difficulty in recruiting, applicable labor market and Personnel rules.

4.4 **Applications**

All persons applying for positions in the classified service, or for temporary, or part time hourly jobs, will be required to complete an employment application and any required supplemental application provided by the Human Resources Division.

4.5 **Applicant Testing**

- A. **Types of Examinations.** Examinations held to establish a list of eligible candidates for any class shall consist of one or more of the following parts, as determined by the Human Resources Officer. The Human Resources Officer shall be responsible for administering unbiased, job-related examination procedures to determine the relative fitness of applicants, and shall determine the relative weights of the components of the testing procedure.
1. **Written Tests.** Written tests shall be designed to measure the various knowledge, skills, and abilities necessary to perform the particular job. All tests will be job-related.
 2. **Oral Examinations.** Oral examinations shall include a personal interview with candidates for those classes where the ability to deal with others or to meet the public, or other personal and technical qualifications is best measured through the interview process.
 3. **Performance Tests.** Performance tests shall include tests to determine the abilities and manual skills of candidates to perform the specific tasks required by the position.
 4. **Physical Capability Tests.** Physical capability tests shall consist of tests, appropriate for the position applied for, of bodily condition and coordination, muscular strength, agility, stamina and physical fitness of candidates.
 5. **Other Tests.** Other types of selection devices may be used. These may include, but are not limited to application appraisals, supplementary applications, appraisals of promotability, and assessment centers.
- B. **Training and Experience.** For certain positions, applicants may be required to indicate possession of necessary training and/or experience. This information shall be supplied by the applicant in his or her application form or by providing supplementary data when required.

C. Scoring of Tests. Sound measurement techniques and procedures shall be used in scoring the results of these tests and in determining the relative ranking of the candidates. Candidates may be required to attain a minimum score by which eligibility may be achieved shall be established by the Human Resources Officer. The Human Resources Officer will consider a variety of factors in setting the minimum passing score including relative performance of the candidates and difficulty of the test.

4.6 Notification of Applicants

Each person who takes an examination shall be notified that he/she has been placed on the eligibility list or of his/her failure to obtain a place on the list. It is City policy not to release scores to candidates, however placement on the appropriate "band" will be provided. Banding shall be 70-79 is C band, 80-89 is B band and 90-100 is A band. In order to provide the Department a choice in their selection, the next band will be certified if only one candidate is in the higher band.

4.7 List Duration

Eligibility lists shall normally remain in effect for one year, but may be extended for up to an additional year with the extension in increments of less than one year as requested by the Department Director, or abolished based on the needs of the City as determined by the Human Resources Officer.

4.8 Pre-hiring Policies and Procedures

Prospective employees shall be cleared for employment pursuant to Administrative Memorandum 87-5 or its revisions.

4.9 Types of Appointments

Candidates may be employed in categories outlined in Section 303 of the Personnel Resolution.

4.10 Employment of Relatives

The following policies shall govern the employment of family members of any official or employee of the City. Consistent with these rules, the Public Safety Departments will follow their established internal policies for purposes of employment of relatives.

- A. Family members of the City Manager, Deputy City Manager, City Attorney, Department Directors and City Council members are not eligible for employment by the City in any paid position. This provision does not prohibit a family member from performing unpaid volunteer duties for the City.
- B. Family members of City employees or appointed officials (other than those in 4.10A above) may be employed with the following restrictions:

1. Family members may work within the same department, but not within the same division or in any relationship that involves either direct or indirect supervision on a permanent or temporary basis. In the line of duty whereas supervision of relatives is necessary on a case by case basis will not be considered a violation of this section. Temporary supervision excludes an occasional supervisory relationship of one (1) day or less that is not on a frequent basis. Frequent is defined as not more than once per quarter. This subsection shall not apply to temporary/ seasonal part-time employees unless a supervisory relationship will be created by the employment.
2. Family members may not work in positions, even in different departments, where they could conceivably collaborate to embezzle City funds.
3. Family members of appointed officials may not be employed in a department within the sphere of influence of the advisory body of which the appointed official is a member. Family members of appointed officials who are in the City's employment on the effective date of the adoption of these Rules shall not be affected by this provision, limited to their present relationships, during the term of the appointed official. Further, family members of appointed officials shall not be affected by this provision during any subsequent re-appointment of the appointed official, so long as:
 - a) the appointed official was serving in the position at the time these Rules were adopted and effective, and
 - b) the appointment is to the same advisory body and only continues the service of the appointed official from the effective date of these Rules. This subparagraph 3 does not apply to temporary/seasonal part-time employees. It is the intent of this provision that family members of appointed officials may be employed in such temporary/seasonal positions.
4. The provisions of this Section shall not affect personnel who are in the City's employment on the effective date of the adoption of these Rules, limited to their present relationship. Any change in position of one of these employees must be approved by the City Manager or designee prior to appointment as a precaution against potential conflict.

C. For purposes of this Section, "family member" shall include spouse, significant other (individuals who have or have had a continuing relationship of a romantic or intimate nature), domestic partner, former spouse, grandparent, grandchild, parent, child, adopted child, brother, sister, aunt, uncle, first cousin, niece, and nephew, and all of the above include in-law and step relationships.

SECTION 5: PROMOTIONS, TRANSFERS, DEMOTIONS AND RE-EMPLOYMENT WITHIN THE CLASSIFIED SERVICE

5.1 Filling Vacant Positions

All vacancies in the classified service shall be filled in accordance with these regulations. Whenever a Department Director desires to fill a vacant position, he or she shall notify the Human Resources Division, which shall certify to the Department Director the names of qualified candidates who have been examined in accordance with Section 4.2 of these regulations. All regular appointments require the approval of the City Manager.

5.2 Consideration in Filling Vacant Positions

Department Directors and the Human Resources Division will consider two priorities in filling vacant positions. Laid-off employees shall be considered first priority. All other employees and eligibles shall be considered equally as a second priority. That is, transfers shall be interviewed, but the Department Director has options to choose among transfers, re-employment requests and appointment eligibles.

- A. Laid-off Employees. Employees with regular status who had a satisfactory employment record, who have been recommended for re-employment, and who were separated from the City service through no fault of their own, shall have first priority for hiring for a period of not more than two years following the date of layoff.

The following categories will be considered equal in filling a vacant position

- B. Transfers. Employees may request transfer from their classification in one department to the same classification or similar if approved by the Human Resources Officer, in another department. (Pers. Resolution Section 306.) Employees requesting transfer will be interviewed by the department with the vacancy. Transfers require the approval of both Department Directors.
- C. Re-appointment. Employees who held regular status in the classified service, and resigned in good standing, may request reappointment within one year from the time they resigned, if they have been recommended by the affected Department Director for reappointment.
- D. List Eligibles. Includes those candidates whose names are on entry and/or promotional eligibility lists.

5.3 Promotional Policy

Vacant positions in the classified service above the lowest rank in any classification series shall be filled as far as practicable by the promotion of employees in the classified service. In each case the Human Resources Officer shall determine whether an open competitive examination or a promotional examination will best serve the interests of the service in attracting well qualified candidates.