



**MURRAY CITY
PUBLIC SAFETY SERVICE
RULES AND REGULATIONS**

Revised 2/2024

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MURRAY CITY PUBLIC SAFETY SERVICE RULES AND REGULATIONS

SECTION 1 GENERAL PROVISIONS

1-1. **Objective.** It is the objective of these Rules to establish, in compliance with applicable general law, a system of administrative policies and procedures to govern appointment to and promotion, discipline, and continued employment within Public Safety Service according to the highest standards of public ethics. These Rules are intended to protect the Public Safety employees from adverse discriminatory action whether from political or any other improper motive and thus to secure for the City the services of honest, efficient and experienced Public Safety employees. At the same time, it is intended that the City shall have authority to correct where possible, and to remove, when necessary, employees without placing upon the City an impractical or unfair burden in discharging such public duties. The objective and intent is to establish such personnel policies and procedures as will insure to the City the maximum in honest and efficient public service by attracting to and retaining in the City's Public Safety Service the most meritorious employees available.

1-2. **Application of Rules.** These Rules shall apply to every employee in the Public Safety Service.

1-3. **Obligations.** All employees in the Public Safety Service shall perform their duties in an efficient and effective manner consistent with City and Department policies.

1-4. **Cooperation.** Every employee in the Public Safety Service shall cooperate with the City and the Personnel Advisory Board to fulfill the objectives and purpose of these Rules.

1-5. **Conditions of Employment.** No one shall be required as a condition of employment, appointment, transfer, promotion, or retention in service, to join any organization or association of employees.

1-6. **Basis for Appointment; Promotion; Transfer; Retention, Demotion, Termination.** Appointment, promotion, transfer, retention, demotion, or termination within the Public Safety Service will be made on the basis of merit and efficiency, having due regard for length of service with the City where other considerations are equal.

1-7. **Administrative Rules to be Equitable.** The administration of the classification plan and the pay plan and all administrative rules and regulations with respect to the application of service ratings, and hours of work, vacation, attendance regulation and leaves of absence for any cause for employees in the Public Safety Service, and the order and manner in which layoffs shall be affected and similar matters of personnel administration shall be fair and equitable and shall have general application as to all employees within a given class insofar as such equal application is practical, having due regard to the primary objectives of these Rules.

1-8. **Discrimination Forbidden.** No employee in the Public Safety Service or candidate for employment in the Public Safety Service shall be appointed, promoted, demoted, terminated, or

in any way favored or discriminated against on the basis of race, color, religion, sex, age (40 years of age or older), national origin, disability, sexual orientation, gender identity, pregnancy, childbirth, pregnancy-related conditions, or political or religious opinion or affiliations and no attempt shall be made to ascertain the religious or political opinions or affiliations of any employee or candidate for employment in the Public Safety Service.

1-9. Political Activity Forbidden. Public Safety employees shall be subject to certain restrictions of political activity as provided in Section 2.62.070 of the Murray City Municipal Code and Section 10-3-1108 of the Utah Code.

1-10. Grievances. Disputes arising out of the interpretation or application of these Rules governing employment conditions, and the like shall be handled by the employee through established supervisory channels.

1-11. Records – Personnel Files. The Human Resources Department shall maintain a personnel file or record for each employee in the Public Safety Service showing the employee's name, title or position held, the Department to which assigned, salary, changes in employment status, and such other information as the City may require.

1-12. Record Retention. All records relating to personnel, including employee examination records, eligible lists, correspondence, applications, and reports, may be destroyed after two years except as otherwise required by the State law. In addition, any records, permanent or temporary, may be destroyed by the Human Resources Director with the advice and consent of the Mayor, when special circumstances warrant as allowed by law.

1-13. Personnel Files. Personnel files shall be handled as provided in the Human Resources policy, “Your Personnel File.”

1-14. Notification of Address. All employees and eligible candidates, including those on leave of absence, are required to keep the Human Resources Department informed in writing as to their current contact information (which may include an email address, phone number, and home address) at all times.

1-15. Violation of Rules. Dismissal Disqualifications. Violation of any of these or other administrative rules or orders shall be grounds for disciplinary action including termination, and any employee terminated for cause may for five (5) years be ineligible for appointment to, or employment in a position in the Public Safety Service.

1-16. Service. Whenever in these Rules, service of any document is required, said service will be made as provided for service of summons by the Utah Rules of Civil Procedure, except when the return of service shows the person to be served cannot by due diligence be found, service shall be made by mailing a copy of the document to be served by certified mail, addressed to the party at the party's last known address as disclosed by the City's records. Where any party is represented by an attorney, service of any paper, pleading or notice provided for in these Rules may be made upon such party by serving the party's attorney.

1-17. Time. Time shall commence to run for reviews or appeals from the date the order

appealed from is served on the employee and in the event, service is made by mail, at the expiration of five (5) calendar days from the date of deposit in the post office. Time within which to act as provided in these Rules shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, in which case such days are also excluded.

1-18. Separability of Rules. If any rule is for any reason held to be invalid, such decision shall not affect the remaining Rules.

1-19. Health. All employees in the Public Safety Service shall meet the minimum physical, mental, and health requirements necessary for the efficient and effective discharge of the duties of the employment then held. Each employee in Public Safety Service as determined by the employee's Department Head and Human Resources Director annually and at such other time as the Department Head may reasonably require, shall submit to a health or physical examination by the physician or a health professional approved by the Human Resources Director. The physician and/or health professional shall certify the results of such an examination and shall file a copy of the certification with the Human Resources Director.

1-20. Appeal of Medical Determination. If any employee in the Public Safety Service is dissatisfied with any determination or certificate made by the City-approved physician, as provided in these Rules, that employee may, within fifteen (15) calendar days after notice of such determination or certification, appeal to the Personnel Advisory Board in writing, as outlined in Section 11.

1-21. Injury on Job. Each employee in the Public Safety Service who shall become injured in line of duty or course of employment shall retain Public Safety Service status for two (2) years after such injury unless a City-approved physician certifies that the employee is able to return to work before that time and refuses to do so, in which case the employee shall forfeit Public Safety Service status.

1-22. Leaves of Absence. Leaves of absence without pay may be granted by the employee's Department Head as provided in the Employee Handbook.

1-23. Minor Amendments to Rules. Minor amendments to these Rules may be made when the change will not have a regulatory effect. Generally, minor amendments are initiated and approved by the Human Resources Director and do not require the Committee's review. The Human Resources Director is authorized to make minor changes to correct errors or to make minor updates such as, by way of illustration only, changes in ordinance or policy numberings, correcting obvious inconsistencies, errors in spelling, numbering, etc.

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SECTION 2 RECRUITMENT OF PERSONNEL

2-1. Recruitment – Publicizing Examinations. Employment in the Public Safety Service shall be by application and compliance with the requirements set forth in these Rules. The Human Resources Department shall publicize each examination for appointment to the Public Safety Service. Each examination shall be publicized for a minimum of seven (7) business days.

2-2. Content of Examination Announcements. Each examination announcement shall specify the position title, the nature of the work to be performed, the pay rate or range for the position, the minimum or desirable qualifications, the closing date for the filing of applications, and the place and manner of filing applications. The Human Resources Department may, in addition, add such other information as deemed advisable.

2-3. Notice of Examination. The Human Resources Department will notify by email or in person each accepted candidate five (5) business days in advance of the examination. The notice shall set forth the date, time and place at which the examination will be held. Failure of any candidate to be present for and take any examination may be grounds to exclude the candidate from further participation in the current selection process.

2-4. Application Forms. Applications for examination shall be made online at the website on the job announcement. All applications must be completed by the candidate. Candidates who desire to apply for veteran preference credit must submit proof of honorable discharge (DD Form 214). Applications shall be fully and completely filled out according to the instructions. Incomplete applications may be rejected. Any false statement in the application shall be grounds for rejection of the application and may be grounds for discharge after employment if discovered after selection.

2-5. Photographs and Fingerprints. Candidates considered for appointment may have their photographs and fingerprints taken.

2-6. Rejected Applications. Consistent with law, merit principles, and efficiency in the Public Safety Service, the Human Resources Department may reject an application when one or more of the following criteria apply.

If the candidate:

- a. does not possess the minimum qualifications as required for the position as indicated on the face of the application;
- b. is not a citizen of the United States, or in active process of becoming a citizen;
- c. is not at least 18 years of age at the date of application if applying for the position of Fire Fighter or of at least the age of 21 years at the date of application if applying for the position of Police Officer;
- d. is not of good moral character;

- e. has been convicted of an offense of dishonesty, unlawful sexual conduct, physical violence, or the unlawful use, sale or possession for the sale of a controlled substance;
- f. is unable to comply with the physical requirement hereinafter set forth;
- g. is not able to speak fluently and write legibly the English language;
- h. is not of unimpeachable loyalty to the United States of America;
- i. has willfully made any false statements of any material facts or has attempted to practice any deception or fraud in the application;
- j. has been terminated for cause or resigned in lieu of termination for cause from public safety service; or
- k. has a record of employment that has been unsatisfactory in any position, public or private, for any cause, which would impair the safe, efficient, and effective operation of City service.

Whenever an application is rejected, notice of such rejection with a statement of the reason shall be emailed or mailed to the candidate. Defective applications may be returned to the candidate with notice to amend the same.

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SECTION 3 SELECTION OF PERSONNEL

3-1. **Objective.** The procedure for selection for appointment shall be impartial, of a practical nature and shall relate to those matters which fairly test the relative merit, fitness and ability of the persons examined to discharge the duties and responsibilities of the position to which they seek appointment. Any examination, in which the Hiring Authority and Human Resources Director deem it desirable to do so, may include qualifying tests and may set minimum qualifying standards. No question in any examination shall relate to political or religious opinion or affiliations.

3-2. **Examinations – Ex-officio Chief Examiner.** To effectuate the provisions of the Rules the Human Resources Director may also serve as Chief Examiner in examination procedures provided for in these Rules.

3-3. **Types of Tests.** As the Human Resources Director may determine, examinations may consist of written, oral, performance, or physical tests, any combination thereof, or any other method that will fairly test the qualification of candidates. Examinations may include tests of physical qualifications and health, including, in the case of persons seeking a position in the Police Department, a psychological test. All candidates must pass such physical and health examinations as prescribed for the position sought. Physical and health examinations shall be based upon the health standards and requirements adopted by the City as set forth in Schedule C.

3-4. **Written Tests.** A written test or tests may be used to measure the knowledge, ability, judgment, emotional stability, aptitude, and/or alertness of candidates insofar as such traits are related to ability to perform the work in a position or series of related positions. This part shall include a written demonstration designed to show the familiarity of the candidates with knowledge of the position to which they seek appointment.

3-5. **Oral Tests.** An oral test may be used to evaluate the personal fitness, the experience and training, the knowledge, capacity and judgment of candidates and ability of the candidate to deal with others and to interact with the public. In considering personal fitness, it shall be appropriate to evaluate pertinent personality traits, but the evaluation shall be done on a basis which is as objective as possible.

3-6. **Performance Test.** Performance tests may be given to obtain from candidates samples of the kind of work involved in the position to which appointment is sought and to rate the work results and the speed and accuracy of performance.

3-7. **Physical Test.** A physical test may be given and may consist of competitive exercises or events designed to measure agility, strength, coordination, or fitness insofar as such traits are related to ability to perform the work. This test(s) is in addition to the medical examination by a City-approved physician.

3-8. **Experience and Training.** Competitive evaluation may be made of the relevance, level, recency, progression, and quality of experience and education offered by candidates. This may be done in an oral or an unassembled manner. Reports of superiors, former employers and educational

institutions may be considered in this process.

3-9. Medical Examination. An examination by a competent examining physician may be required of any candidate before and/or immediately after certification for appointment. The Human Resources Director, with the advice and consent of the Hiring Authority, may establish different physical or medical standards for differing types of work. Failure of a candidate to achieve the minimum prescribed standard as determined by the examining physician will result in disqualification for appointment to the specific position.

3-10. Conduct of Tests, Examiners and Compensation. The Human Resources Director may contract with any responsible organization or individual for preparation and scoring of tests. In the absence of such a contract, the Human Resources Director shall be responsible for the performance of such duties. The Human Resources Director shall arrange for the use of buildings and equipment for the conduct of tests and shall render or secure such assistance as shall be required in connection with the tests, including the selection, appointment, and use of boards of special examiners when deemed desirable in any phase of the testing process. Special examiners may be paid their reasonable expenses and/or a daily fee at a rate approved by the Mayor.

3-11. Disqualifying Offenses. At the discretion of the Human Resources Director or Chief Examiner, candidates may be disqualified and rejected for any of the following reasons:

- a. Possession in the examination room of any paper, book or memorandum cell phone or electronic device, or of anything else which might be of use or assistance in the examination, other than as permitted by the Human Resources Director or Chief Examiner. Such articles shall be surrendered to the examiner in charge before the beginning of the examination.
- b. Willfully copying, looking over the work of another candidate, or attempting to do so, or permitting any candidate to copy or look over any examination sheets or material in possession of a candidate.
- c. Willfully attempting to indicate identity on any examination paper, except as instructed to do so by the examiner in charge.
- d. Tardiness in reporting for the examination, unless admitted by the examiner in charge for good reason.

3-12. Qualifying Grades and Rating Tests. The final score of a candidate shall be based upon all tests and evaluations in the examination. Failure in one or more parts of the examination may be grounds for declaring candidates as failing in the entire examination, or as disqualified for subsequent parts of an examination. The Human Resources Director and Hiring Authority shall establish a minimum qualifying score.

3-13. Notification of Results. Each candidate taking an examination shall be given written notice emailed to the email address as shown on the application, of the results, final rating, and if successful, the relative position of the candidate on the eligible list. All candidates shall have the

right to inspect their own test papers after notification of results. An error in grading or rating shall be corrected if called to the attention of the Human Resources Director within ten (10) calendar days after the mailing of notices of results of examination. Correction shall not, however, affect any certification or appointment which is made any time prior to the discovery of the error.

3-14. Promotional Test. As the needs of the Public Safety Service require, promotional tests may be conducted from time to time, and may include, in addition to the types of tests listed in this Section 3, evaluations of performance for the City and accomplishments in special training courses. Candidates for promotion or appointment to a position of higher rank shall be employees in the Public Safety Service and must possess the minimum employment qualifications, if any, set forth in the classification plan.

3-15. Eligible Lists – Description. As soon as possible after the conclusion of an examination, the Human Resources Director shall prepare an eligible list consisting of the names of persons successfully passing the examination and ranking high enough to be included on the eligible list. Names shall be arranged in order of final ratings received, from the highest score down to the lowest qualifying score. The final rating shall be determined by the total of the scores received by each candidate for each part of the examination, based upon the relative value assigned to each part of the examination before it was given. Whenever identical final ratings are received, names shall be arranged in the order of the scores on the part or parts of the examination which were assigned the heaviest relative values, or when parts of the examination are given equal value, priority of application filing date shall determine the highest standing on the list.

3-16. Veterans' Preference Ranking on Eligible Lists. The City shall apply the veterans' preference to each veteran or veteran's spouse who is preference eligible based on official documents certifying eligibility and according to the following procedures and requirements.

- a. The names of all persons who have obtained final passing grades in all factors of the examination, shall be placed on the register in the order of their final rating, starting with the highest.
- b. The Human Resources Director shall add to the score of a veteran who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any position with the City:
 - i. Five (5) points to the total possible score, if a veteran;
 - ii. Ten (10) points to the total possible score, if a disabled veteran or a purple heart recipient; or
 - iii. in the case of a preference eligible spouse, widow or widower, the same points to which the qualifying veteran would have been entitled.
- c. A veteran who applies for a position that does not require an examination, or examination results are stated other than numerically, shall be given preference in interviewing and hiring for the position.

3-17. Verifying Veterans' Preference. Preference for veterans shall be allowed to persons who submit a copy of their discharge form (DD214) prior to the application deadline date.

3-18. Firefighter Certification Preference. A candidate is entitled to preference points as follows:

- a. One (1) preference point for evidence of an NFPA 1001, Firefighter I Certificate from a program which has been certified by the Utah Firefighters Certification Board, OR
- b. Two (2) preference points for evidence of an NFPA 1001, Firefighter II Certificate from a program which has been certified by the Utah Firefighters Certification Board, or
- c. Three (3) preference points for evidence of a current certification and completion of a recruit candidate academy program.

3-18.1 Paramedic Preference. A candidate who holds a current paramedic certificate issued by the Utah State Bureau of Emergency Medical Services is entitled to five (5) preference points.

3-18.2 Fire Cadet Preference. A candidate who:

- a. is currently working as a City Fire Department Cadet, and has been serving for at least one (1) year, or
- b. is not currently working as a City Fire Department Cadet but who has been employed as a cadet with the City Fire Department within the last year and is in good standing and has served for at least one (1) year, shall be entitled to one (1) preference point.

3-18.3 Hazardous Materials Technician Preference. A candidate who has a current certification as a Hazardous Materials Technician given from an accredited agency, shall be entitled to one (1) preference point.

3-18.4 Swift Water Rescue Technician Preference. A candidate who has a current certification as a Swift Water Rescue Technician given from an accredited agency, shall be entitled to one (1) preference point.

3-18.5 Maximum Preference Points Earned By Firefighter Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Sections 3-18, 3-18.1, 3-18.2, 3-18.3, and 3-18.4 shall not exceed ten (10).

3-19. Police Officer Certification Preference. Prior to any job announcement, the Human Resources Director and the Police Chief shall determine if preference points will be given. If preference points are given, they shall be according to any, a combination, or all of the following options:

- a. Ten (10) points for applicants who, at the closing date, are working as a Police Officer, Deputy Sheriff, or State Trooper, or
- b. Five (5) points for applicants with a State of Utah approved P.O.S.T. Peace Officer (Category I) Certification, or currently enrolled in P.O.S.T and will be certifiable within six (6) months of the closing date, or
- c. Two and a half (2½) points for applicants who, at the closing date, are working as a Correctional Officer, Reserve Police Officer, Military Police Officer, Court Bailiff, Community Service Officer, Telephonic Officer or Parole Officer.

3-20. Maximum Preference Points Earned by Police Officer Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Section 3-19, shall not exceed ten (10).

3-21. Preference Points. All preference points awarded pursuant to the provision of Sections 3-18, 3-18.1, 3-18.2, or 3-19 shall be added to the candidate's final score only if the candidate has a cumulative passing score at the end of the testing procedure.

3-22. Life of Eligible Lists. Eligible lists shall become effective upon certification by the Human Resources Director that the list was legally prepared and represents the relative ratings of the names appearing thereon. Eligible lists shall remain in effect one year unless canceled sooner by the Human Resources Director and may be extended by the Human Resources Director for an additional one-year period.

Eligible lists for entry level positions may be designated as "open/on-going", in which case a qualified candidate's rank/position on the list can change each time other qualified candidates are added or removed. Ongoing lists do not have an expiration date.

3-23. Vacation of Eligible Lists. The Human Resources Director may, at any time when in his/her opinion the public good will be served thereby, vacate any eligible list or lists, and thereafter no candidate on any list so vacated shall be appointed unless such candidate makes a new application, is examined, and qualifies as if such candidate had not been on the list so vacated.

3-24. Disqualification and Removal from List. Names of candidates may be removed from an eligible list by the Human Resources Director for any of the following:

- a. Conviction of a felony or a misdemeanor involving moral turpitude, or general misconduct.
- b. Proof to the satisfaction of the Human Resources Director of fraud or false statements in the application, or of fraudulent or improper conduct in connection with an examination.
- c. Probationary appointment to a position for which the eligible list was established.
- d. The request, or death, of the candidate.

- e. Failure to appear or to arrange for an interview with the Hiring Authority within a reasonable designated time after notification of certification.
- f. Refusing an appointment without a reason satisfactory to the Human Resources Director.
- g. Refusing certification without the consent of the Human Resources Director.

3-25. Request by Hiring Authority for Cancellation of Certification. Upon receipt of names certified from the eligible list and a determination by the Hiring Authority, through interviews, testing, or background investigation of a certified candidate, that a particular certified candidate is, in the judgment of the Hiring Authority, not capable of properly performing the duties of the position to which appointment is being sought, the Hiring Authority shall submit a letter to the Human Resources Director detailing the reasons for such determination and request that the certification of said candidate be cancelled. Upon review and concurrence of the Human Resources Director, the letter will be filed with the corresponding position register. The candidate in question has no right to appeal this action.

3-26. Notification of Removal from List. If, for any reason provided for herein, a candidate's name is removed from an eligible list, notice of such removal shall be given in writing by the Human Resources Director to the individual candidate, setting forth the reasons for such removal. Such notice shall be sent by email or by United States mail and shall be post marked no later than five (5) business days following removal from the eligible list.

3-27. Waiver of Certification. Upon written request by a candidate and as approved by the Human Resources Director, the name of that candidate may be maintained on the eligible list for such period, not to exceed one (1) year, as the Human Resources Director may determine, during which period the Human Resources Director will pass over and not certify such candidate to the Hiring Authority for appointment. The written request shall include a clear statement of the reasons therefore. Upon similar request made within three (3) business days after such certification, the Human Resources Director has discretion to cancel and revoke the certification of such candidate and restore the name to the list to be maintained there as provided herein. The Human Resources Director's approval for the maintenance of such name without certification may be revoked at any time if the good of the service requires such action. Notice of revocation shall be promptly given to the candidates. The candidate may at any time cancel or withdraw a request under this subsection.

3-28. Eligibles Designation of Service Or Minimum Wage. A candidate whose name is on an eligible list for two (2) or more classes or positions of employment may designate, in writing filed with the Human Resources Director, the class, Department or position of service in which the candidate is willing to accept appointment and shall not be certified for appointment except in accordance therewith. A candidate may similarly designate the minimum compensation he/she will accept, and no certification for appointment to a position with a lesser compensation than that designated shall be made.

3-29. **Appeals.** Any action in connection with the announcement, holding or scoring of examinations, the preparation or cancellation of eligible lists, rejection of application, removal from eligible list, and the making of appointments from such lists, is subject to review by the Personnel Advisory Board as provided by Section 11.

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SECTION 4 APPOINTMENT TO THE SERVICE

4-1. **Manner of Filling Vacancies.** Except as herein otherwise provided, all vacancies in the Public Safety Service shall be filled by re-employment or appointment from candidates certified by the Human Resources Director from an appropriate eligible list, if available.

4-2. **Certification of Eligibles for Appointment.** If the Hiring Authority desires to fill one or more vacancies existing in the Public Safety Service, the Hiring Authority shall notify the Human Resources Director who shall promptly furnish to the Hiring Authority the names of the candidates certified by the Human Resources Director as eligible for appointment to the vacancy.

4-3. **Order of Certification.** Names shall be certified by the Human Resources Director to the Hiring Authority in the following order:

- a. Names of persons who have been placed on a Department re-employment list for the class and who are available for re-employment. Persons on re-employment lists shall maintain their status for two (2) years.
- b. Names of persons on a competitive eligible list for the position.

4-4. **Number of Names Certified.** If a position is to be filled, the Human Resources Director shall, as soon as possible, certify to the Hiring Authority the names of:

- a. Twenty (20) persons, if the position to be filled is entry level; or
- b. Seven (7) persons, if the position to be filled is other than entry level.

Persons certified as above shall have the highest standing in the eligible list but a lesser number may be certified if the required number is not on the eligible list. If more than one position is available in the same Department, the Human Resources Director shall also certify to the Hiring Authority one additional name for each additional position to be filled. All persons not appointed shall be restored to their relative positions on the eligible list. All persons who have been on the eligible list for two (2) years without appointment shall be removed from the list and may be returned to it only upon regular examination.

4-5. **Procedure When Insufficient Names are Certified.** If fewer names than the number required by the above procedure are certified by the Human Resources Director, the Hiring Authority may fill the vacancies from the short list or may return the short list and request the Human Resources Director to proceed to recruit new candidates, prepare a new eligible list, and to certify a full list of names as required herein.

4-6. **Appointment.** After interview and any investigation deemed necessary, the Hiring Authority may make appointments from among those certified and shall immediately notify the Human Resources Director of the candidate or candidates appointed.

If a candidate fails to present himself/herself for interview or duty at the time and place directed, he/she shall be deemed to have declined the appointment.

The Hiring Authority may appoint any eligible candidate from the names certified by the Human Resources Director regardless of the relative ranking on the eligible list.

4-6.1. Fire Department Prior Service Credit. A newly appointed firefighter or paramedic may be given time in grade credit for similar previous firefighter or paramedic service at the rate of one year credit for each year of qualified service, up to a maximum of five (5) years. Time in grade credit exceeding five (5) years may be approved by the Mayor. This credit shall be determined by the Hiring Authority in consultation with the Human Resources Director and will become effective on the newly appointed employee's date of hire.

4-6.2. Police Department Prior Service Credit. Effective July 1, 2023. In order to attract and hire experienced police officers, the new employee may be given time in grade credit for previous civilian law enforcement service, at the rate of 1 year credit for each year of prior qualified service, up to a maximum of 5 years. Time in grade credit exceeding five (5) years may be approved by the Mayor. The maximum credit amount shall be determined by the Hiring Authority in consultation with the Human Resources Director and will become effective on the new employee's date of hire.

4-7. Part-Time Employees. Employees in positions of employment of a recurring seasonal nature shall be employed for the season only and shall have no right to re-employment in succeeding seasons. The examination for such positions shall be as practical as possible and may consist only of an interview and physical examination.

4-8. Appointments to Vacancies. In addition to the methods for filling vacancies in the Public Safety Service prescribed in the foregoing provisions of this Section 4, the Hiring Authority may, based on medical or psychological grounds, fill a vacancy with an existing member of the Public Safety Service if such member is otherwise qualified for that vacancy.

4-9 . Rehiring Personnel. A person rehired for a position in Public Safety Service shall serve a six (6) month probationary period in the grade of Firefighter I, Paramedic or Police Officer I. To be eligible for rehire:

- a. the date of application for rehire must be within twelve (12) months of the date of resignation,
- b. the date of rehire must be within twenty-four (24) months from date of resignation, and
- c. the candidate must have met all applicable State certifications and/or met POST bypass testing requirements.

4-9.1. Computation of Seniority. For purposes of computation of seniority, rehired personnel shall be given credit for all time previously served but not given any credit for the time that the person spent away from the City.

4-9.2 **Seniority Status.** Seniority status shall only be granted after successful completion of the six (6) month probationary period.

4-9.3. **Consideration For Master Police Officer or Engineer.** After twelve (12) months reemployment the employee may be considered for the position of Master Police Officer or Engineer, as applicable, based on Department need and eligibility criteria. Refer to Murray City Pay Administrative Policy for details.

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SECTION 5 PROBATIONARY PERIOD

5-1. **Objective.** The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the probationary employee's work, to secure the most effective adjustment of the probationary employee to the position, and to determine, at the discretion of the Hiring Authority, if the probationary employee should be retained and placed in the Public Safety Service as an employee. All original and promotional appointments shall be tentative and subject to an at-will probation period of twelve (12) months, and successful completion of police officer standards and training, or paramedic and/or recruit academy (as applicable), whichever is later, but not to exceed eighteen (18) months.

5-2. **Release of Probationer.** At any time during the probationary period the Hiring Authority may recommend to the Human Resources Director and the Mayor the termination of a probationary employee, if in the Hiring Authority's opinion:

- a. the work and training test period indicates that the probationary employee is unable or unwilling to perform the duties of the position satisfactorily or that the probationary employee does not merit continuance in the Public Safety Service, or
- b. the probationary employee falls below the minimum requirements for the position as set forth in Schedules A, B, and C, or as set forth in the statement of limits, qualifications, and requirements under which the probationary employee's application was accepted.

The recommendation for removal and the reasons shall be in writing and filed with the Human Resources Director and removal of the probationary employee shall be effective upon approval by the Mayor. There is no appeal of the release of a probationary employee.

5-3. **Probation Period Reports.** During the sixth month of probationary appointment, the Hiring Authority shall evaluate the performance of the probationary employee and based on such evaluation and the record of the Hiring Authority, the probationary employee shall either be terminated as provided or be considered eligible for continued probationary employment. During the twelfth month of probationary appointment, the probationary employee's performance shall again be evaluated by the Hiring Authority and the probationary employee shall be either terminated or appointed to employee status with associated pay increase in accordance with the pay policy of the City. If the Hiring Authority determines that an extended probationary period is warranted, the probationary period may be extended, not to exceed six (6) months, to provide additional training and evaluation. No later than at the conclusion of the extended probation period, the probationary employee's performance shall again be evaluated by the Hiring Authority and the probationary employee shall be either terminated or appointed to employee status.

5-4. **Leave During Probation Period.** Time spent on any leave of absence shall not be considered as part of any probationary period.

5-5. Regular Appointment Following Probation Period. Upon recommendation of the Hiring Authority and approval by the Mayor, a probationary employee shall become a regular status employee of the Public Safety Service in the position for which the employee is certified and has completed probation, and the Human Resources Director shall so notify the Hiring Authority, the Mayor, and the employee.

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SECTION 6 PERFORMANCE RATINGS

6-1. **Purpose of Performance Ratings.** The Human Resources Director shall establish and make effective a system of performance ratings designed to give a fair evaluation of the employee's work performance. Performance ratings shall be prepared and recorded for all probationary and regular status employees at regular intervals, not to exceed twelve (12) months. Performance ratings and length of service shall, together with other criteria, be considered in determining salary increases and in making promotions, reassignments, reclassifications, demotions, and terminations. Each employee shall be furnished a copy of his/her performance rating. All employees' ratings shall be reviewed by the affected employee.

6-2. **Performance Rating.** Employees shall be rated by their immediate supervisor(s) on individual forms. If a given employee has received training under a supervisor who is not the immediate supervisor at the time of evaluation, it is recommended that such training supervisor be included in the rating process of said employee.

6-2.1. **Division Head Review.** The head of each division within the Police Department shall review the performance ratings of the personnel within their respective divisions.

6-2.2. **Commanding Officer Review.** The commanding officers of each division in the Fire Department shall review the performance ratings of the personnel assigned to them.

6-2.3. **Department Head Signature.** The Department Head or designee will sign each completed evaluation form and may include comments or recommendations concerning any of the performance ratings.

6-3. **Basis for Merit.** Persons in the Public Safety Service shall be fairly and impartially rated based upon actual observation and careful, objective analysis, according to performance criteria. Employee strengths and areas needing improvement should be noted in addition to the development of specific goals to be completed within the next year.

Revised 2/2024

SECTION 7 CHANGES IN EMPLOYMENT STATUS

7-1. Assignment within the Public Safety Service. An employee may be assigned for any reason by the Department Head at any time from one position to another position in the same or comparable class by giving notice of assignment to the employee and the Human Resources Director. Assignment shall not be used to effectuate a promotion or demotion, each of which may be accomplished only as provided in these Rules. No employee shall be assigned to a position for which the employee fails to meet the required employment standards.

An employee who is temporarily assigned to perform the function of a position of higher grade need not meet the minimum requirements of the position if the employee does not serve longer than six (6) months.

An employee shall receive a temporary pay adjustment if the employee is acting in the higher position for 30 consecutive calendar days. The employee's pay will be moved to the next higher position that reflects at least a 5% pay increase, never to exceed step 12. The pay adjustment shall be effective and retroactive back to the date the employee started working out of classification. Once the employee is no longer acting in the higher position, the temporary pay adjustment will no longer apply.

7-2. Promotion. See Section 8.

7-3. Demotion. The Department Head may reduce the salary of an employee for cause within the range provided in the compensation plan or demote the employee. Such cause may be based upon facts justifying disciplinary action, violation of City policies, insufficient performance, or on facts which indicate that such action is in the best interest of the City. A written statement of the reasons for such action shall be furnished to the employee and a copy filed with the Human Resources Director. No demotion shall be used as a disciplinary action unless the employee demoted is eligible for employment in a lower class, and the demotion may not occur if such action would necessitate laying off any employee in the lower class. Any employee who is demoted may appeal as provided in Section 11.

7-4. Suspension. For disciplinary purposes, the Department Head may suspend an employee for cause without pay and for such length of time as the Department Head considers appropriate.

7-4.1. Suspension Non-Appealable. Suspension orders not exceeding sixteen (16) working hours for non-exempt public safety personnel or twenty-four (24) working hours for non-exempt shift firefighters are not appealable per Section 11.

7-4.2. Suspension Appealable. A suspension order which exceeds sixteen (16) working hours for non-exempt public safety personnel or twenty-four (24) working hours for non-exempt shift firefighters may be appealed as provided in Section 11.

7-4.3. Written Statement. The Department Head shall provide the Human Resources Director with a written statement specifically setting forth reasons for the suspension and, upon request, a copy of that statement shall be furnished to the suspended employee.

7-4.4. Employee Pay if Appealable Suspension Overturned. If the Personnel Advisory Board overturns the suspension order subject to 7-4.2. on appeal, the employee shall be paid for the time off the job as if the suspension order had not occurred.

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SECTION 8 PROMOTIONS

8-1. Basis of Promotions. Promotions in the Public Safety Service shall be on the basis of merit, seniority in service and standing obtained by competitive examination as herein provided.

Eligibility for promotion will be determined as described in Schedules A and B and where applicable, vacancies will be filled by promotion from the next lower in rank. All positions in the Public Safety Service not enumerated in Schedules A and B as positions for promotions shall be positions of original appointment.

Employees who are promoted shall be paid at the next available step of the higher position that reflects at least a 5% pay increase. The increase may not exceed step 12 .

Employees who bid on and are selected for a position of a lower grade shall move to the same percent of midpoint in the lower grade with the appropriate decrease in compensation. Employees who bid on and are selected for positions of the same grade shall stay at the same percent of midpoint within that grade.

The promoted or transferred employee shall complete a six (6) month probationary period, to include a performance evaluation.

8-2. Types of Promotions. Promotions shall be designated as promotions in rank. Promotions constituting a rank promotion in the Police Department and the eligibility requirements for such promotions are set forth in Schedule A. Promotions constituting in-rank promotions in the Fire Department and the eligibility requirements for such promotions are set forth in Schedule B. Selection of a candidate for promotion in-rank shall be made from a list of certified eligible candidates from the promotional register established in accord with the provisions contained herein for appointment to Public Safety Service positions.

8-3. In-Rank Examination Scoring Procedure. The following weights shall be given to the respective factors of all in-rank examinations:

Seniority of Service (½ point for every year of service over five years – maximum five points)	5%
Written Examination	45%
Oral Interview	30%
Merit Ratings (Performance evaluation scores for the immediate past three years)	20%

When an assessment center is used, the written examination and oral interview factors are included in the assessment process, and therefore the scoring/weighting procedure is as follows:

Seniority	5%
Assessment Center	75%
Merit Ratings	20%

(See Schedule E)

8-4. **Merit Ratings.** Merit ratings shall be determined on the basis of performance evaluations for the immediate past three (3) years.

8-5. **Oral Ratings.** Oral ratings shall be determined on the basis of the following factors:

Oral Interview. Candidates may be interviewed by the Hiring Authority, the Human Resources Director or their designees, to determine the candidates' self-confidence bearing, personality traits, leadership qualities, supervisory abilities, determination of intelligence, aptitudes and abilities to deal with problem situations.

8-6. **Notice of Promotional Examinations.** When the Hiring Authority notifies the Human Resources Director that a promotional examination be held, notice of the examination shall be posted in a prominent place in the Department at least thirty (30) days prior to the date of the examination. The notice of a promotional examination shall contain the following:

- a. Date of posting of Notice of Promotional Examination.
- b. Date of examination.
- c. Place and character of the examination.
- d. The last date for filing an application to compete in the examination. Such date shall be not less than five (5) business days after the posting of notice.

8-7. **Application for Promotional Examination.** Each employee who desires to compete for promotion must complete the prescribed application designating the position sought and giving such other information as the Human Resources Director may require and file the same with the Human Resources Department within the time prescribed.

The Hiring Authority and Human Resources Director will accept and allow an employee to apply and participate in the testing process, if the employee is within six months of meeting all of the requirements from the date of the test. However, the employee cannot be promoted until he/she meets the minimum requirements.

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SECTION 9

DISCIPLINARY RESPONSIBILITY, GROUNDS AND ORDER

9-1. Responsibility for Discipline. Basic responsibility for discipline is vested in the Department Head.

9-2. Progressive Discipline; Exceptions. Progressive discipline which normally involves a verbal reprimand, written reprimand, suspension, and termination shall be administered fairly and consistently by the Department Head. Progressive discipline need not be imposed in cases of:

- a. Substandard performance where the employee has been afforded an opportunity to perform satisfactorily under a performance improvement plan.
- b. Where an employee is no longer qualified for the position.
- c. Repeated misconduct.
- d. Severe initial misconduct, incompetency, or failure to perform duty.

Severity of the offense will determine the steps required for progressive discipline. In cases of conflict or other reasons, the City may investigate and recommend appropriate action.

9-3. Uniform Sanctions. When imposing demotions, suspensions without pay, termination, or imposing other sanctions, like sanctions shall be imposed for like offenses.

9-4. Misconduct. The following misconduct may be grounds for disciplinary action:

- a. Chargeable accident.
- b. Using profane or blasphemous language.
- c. Displaying bad or ungovernable temper.
- d. Lack of promptness in execution of duties.
- e. Neglect of duty or absence from Post of Duty without leave from proper authority.
- f. Uncivil or discourteous conduct toward citizens or supervisors.
- g. Lounging or idling on duty.
- h. Tardiness (excessive and unexcused).
- i. Unexcused and/or lack of neatness in person or dress, reasonably compatible with position held.

- j. The commitment of any crime relating to public morals and decency, or drunkenness, or violation of the liquor laws, or other laws involving moral turpitude whether or not a formal criminal charge is filed.
- k. Violation of any City ordinance or State statute, whether or not a formal criminal charge is filed, or of these Rules or of the Department rules wherein employed, relating to the conduct and authority of the employees.
- l. Untruthfulness or dishonesty.
- m. Failure to observe applicable administrative rules.
- n. Misuse of City property or equipment.
- o. Using or uttering disrespectful language about or concerning another officer or employee. Making derogatory remarks about other employees of the Department either to employees of the Department or to anyone outside of the Department, provided they may do so to their supervisor, the Department Head, or the Mayor.
- p. Committing any act or participating in any undertaking for the purpose of unfairly or dishonestly causing an employee's merit rating to be either raised or lowered.
- q. Receiving or accepting money or anything of value for special favors to persons or individuals in connection with official duty.
- r. Willfully disobeying the orders of a supervisor.
- s. Conduct tending to bring discredit upon the Department.
- t. Any behavior that adversely affects job performance or which disrupts the workplace, undermines the authority of management, impairs close working relationships, or otherwise impedes a safe, efficient, and effective workplace environment.
- u. Inappropriate biased-based conduct.
- v. Violation of City policy.
- w. False statement in application discovered after selection for employment.
- x. Violating the restrictions on political activity.
- y. Any other misconduct, inefficiency, or dereliction of duty.

9-5. Incompetency or Failure to Perform Duty. The following actions may be grounds for a charge of incompetency or failure to perform duty:

- a. Failure to maintain a performance evaluation rating of 2.0 for any two (2) years.
- b. Failure of a fire department employee to maintain a satisfactory physical record.
- c. Habitual neglect of personal appearance while on duty.
- d. Cowardice or indolence.
- e. Failure in the performance of those duties that are required under the law to be performed.
- f. Neglect of duty.
- g. Conduct subversive to good order and the discipline of the Department where employed.

9-6. Examples of Prohibited Behavior not Exhaustive. The examples of prohibited behavior described in 9-4 and 9-5 are not intended to be an all-inclusive list.

9-7. Pre-Disciplinary Conference. When allegations of misconduct, incompetence, failure to perform duty, or failure to properly observe the rules of the respective Department are made against an employee, a pre-disciplinary conference is held before a disciplinary decision is made, whereby the employee is given (1) written notice of charges being alleged; (2) an explanation of the evidence; and (3) the opportunity to present the employee's version of the facts surrounding the allegations and any and all information the employee wants the Department Head to consider before making a disciplinary decision. This process does not apply to employees on probation, since probationary employees are at-will.

9-8. Disciplinary Orders. All Public Safety Service employees are subject to disciplinary action including reprimand, suspension, demotion, or termination by the Department Head for misconduct, incompetency, failure to perform their duties or failure to properly observe the rules of their respective Departments. Disciplinary orders must be in writing signed by the Department Head, and may be in letter form dated, addressed to the employee against whom the disciplinary order is taken, and must advise the employee of the disciplinary action taken and the effective date thereof. A copy of such order shall be placed in the employee's personnel file.

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SECTION 10 SEPARATION FROM THE SERVICE

10-1. Layoffs. The Department Head may lay off an employee in the Public Safety Service when deemed necessary by reason of lack of work or funds, the elimination of the position or other material change in the duties or organization, or for other related reasons which are outside the employee's control, and which do not reflect discredit upon the work performance of the employee. The duties performed by an employee being laid off may be reassigned to other employees already working who hold positions in appropriate classes. The name of an employee laid off for any reason other than for cause shall be placed on the re-employment list.

10-1.1. Order of Layoff. If it is necessary to reduce the number of employees in a specific job classification within a City department due to lack of work or lack of funds, the City shall, whenever possible, attempt to minimize lay-offs by readjusting personnel and/or assigning the employee to duty in other departments. If lay-offs are necessary, part-time, and probationary employees shall be laid off first. "Probationary employees" means employees who have been newly hired or promoted but have not completed their probationary period, or regular status employees who have been placed on probation for disciplinary purposes. The order of laying off regular employees shall be determined by a combination of the three (3) most recent performance-evaluation scores and seniority in the City, starting from lowest to highest. Each factor shall be given equal weight (refer to Schedule G). If an employee has been evaluated fewer than three (3) times, all evaluations available shall be used for ranking purposes. In the event that the combined factors are equal between two or more employees, the Department Head shall determine in which order the affected employees are to be laid off based on their knowledge, skills, and abilities.

10-1.2. Reversion to Lower Rank. The laid-off employee shall have the right to move to the next lower rank position within the department, provided the employee meets the minimum qualifications for the position. If the employee moves into the next lower rank position, this may cause the need for further lay-offs due to lack of work and/or lack of funds. In this case, employees in the lower position shall be laid off in the order provided in 10-1.1.

10-1.3. Notice of Layoff. As soon as practical, the Department Head shall give written notice of a layoff, the date the layoff is to occur, and the reasons for the layoff to the Human Resources Director and to any affected employees; provided, however, that notice of the layoff is not mandatory for probationary, temporary, or part-time Public Safety Service employees.

10-1.4. Severance Pay. When regular status full-time employees are laid off through no fault of their own, they will be eligible to receive severance pay as follows: Employees who have at least one (1) year and up to two (2) years regular status full-time employment with the City shall be entitled to the equivalent of ten (10) days prorated pay. If the employee is laid off after more than two (2) years employment with the City, in addition to the severance pay described above, the employee shall also receive an amount equal to five (5) prorated business days for each year of City Public Safety Service in excess of two (2) years, up to a maximum of thirty (30) days. Severance pay is in addition to any compensatory time and vacation benefits accrued at the time of layoff.

10-2. **Terminations.** A termination is a discharge or involuntary separation based on misconduct, incompetency, failure to perform duties or other just cause. The Mayor may terminate any employee in the Public Safety Service, and a Department Head may terminate any employee in his/her Department with the approval of the Mayor. A terminated employee shall have the right to appeal as provided in Section 11.

10-3. **Order of Dismissal.** To initiate the termination of an employee, following a pre-disciplinary conference, the Mayor or the Department Head shall issue with the Human Resources Director a written order discharging the employee and state therein the reasons for the discharge and when the discharge is effective.

10-4. **Serving and Filing the Order of Dismissal.** A true copy of the order of discharge shall be served upon the discharged employee in the manner prescribed herein no later than three (3) calendar days after the order is filed with the Human Resources Director.

10-5. **Resignations.** To resign in good standing, an employee must give the Department Head at least fourteen (14) calendar days prior written notice unless the Department Head for good cause shown, agrees to permit a shorter notice period. The notice shall state the employee's reasons for resigning. The notice of resignation shall be forwarded to the Human Resources Director together with a statement regarding the resigning employee's service, performance and any pertinent information which may bear upon the employee's decision to resign. Failure to comply with this rule shall be entered on the service record of the employee and may be cause for denying future employment by the City. The resignation of an employee who fails to give proper notice shall be immediately reported to the Human Resources Director by the Department Head. The Human Resources Director may take steps to verify reasons for the resignation. The Human Resources Director shall notify the employee in writing that the resignation has been accepted and shall notify the Finance and Administration Department of the effective date of the resignation. By resigning, the employee loses all legal right and status in the Public Safety Service.

10-6. **Absence without Approved Leave.** No employee in the Public Safety Service may be absent from duty without leave. Failure to report for duty as scheduled or failure to notify the Department Head or designee of inability to report, or failure to report after a leave of absence has expired or has been revoked or canceled by the Department Head, shall be deemed as a resignation, and the position shall be declared vacant, unless the employee shall show, to the satisfaction of the Department Head, that the failure to report was due to sickness or emergency which made reporting impossible.

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SECTION 11

GRIEVANCE - APPEAL PROCEDURE

11-1. **Purpose.** The purpose of this Section is to provide a process to hear, review, resolve and, if appropriate, remedy specified grievances of City employees. The City employees covered by this Section are full-and part-time non-probationary employees except for the employees defined in Section 2.62.020(A) of the Murray City Municipal Code, as amended.

It is the intent of the process provided in this Section to resolve grievances at the lowest level of authority. Accordingly, a covered City employee must exhaust each step of the grievance process provided in Section 11-7 before proceeding to a hearing before the Personnel Advisory Board or a State Court.

11-2. **Grievances Covered Elsewhere.** If a grievance is covered specifically by other ordinances, or policies, such as claims of discrimination, workplace violence or bullying, the procedures for the specific grievance shall be followed as defined in the applicable ordinance or policy.

11-3. **Complaints not Grievable.** The City retains the exclusive right to manage the affairs and operations of government. Accordingly, the following complaints are not grievable:

- a. Initial probation or the extension of initial probation;
- b. Scheduling and assignment of work, work hours, and work stations;
- c. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job;
- d. Establishing work standards and quality;
- e. Size of work force and reorganizations;
- f. Termination, layoff, or suspension from duties because of lack of work, reduction in work force, or job abolition (except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance);
- g. Appropriations and budgets;
- h. Salary ranges and rates of pay falling within officially established ranges;
- i. The right to discipline;
- j. The contents of ordinances, statutes or established personnel policies, procedures, rules, and regulations.

11-4. Complaints About Reprimands and Appraisals Resolved Within Department. Disputes over oral or written reprimands and performance appraisals may not be appealed to the Personnel Advisory Board. Steps 1 and 2 of Sections 11-7.1 and 11-7.2 may be followed. The employee disputing the reprimand or appraisal may submit in writing, a rebuttal which will be part of the reprimand or appraisal record. Upon a final determination by the Department Head, no further action may be taken.

11-5. Grievance Defined. A grievance is defined as the written complaint of an employee to the respective Department Head or the Human Resources Director concerning a working condition which has allegedly caused an injury, injustice, or wrong to the employee. The following complaints are grievable:

- a. matters relating to an Eligible List:
 - i. the rejection of an application due to a lack of minimum qualifications;
 - ii. the announcement, holding, or scoring of examinations;
 - iii. the preparation or cancellation of eligible lists;
 - iv. the removal from an eligible list;
 - v. the making of appointments from an eligible list;
- b. position classifications;
- c. medical examination required pursuant to Section 3-9;
- d. allegations of discrimination;
- e. allegations of violations of City policies by the administration;
- f. being put on disciplinary probation;
- g. suspensions without pay for more than sixteen (16) working hours for non-exempt public safety personnel or twenty-four (24) working hours for non-exempt shift firefighters;
- h. involuntary transfer to a position for less remuneration; and
- i. termination.

11-5.1. Written Grievance Required. All grievances must be made in writing on an approved form and must state clearly the reasons for the grievance, the people directly involved, and a desired solution to the problem.

11-5.2. Certain Grievances Bypass Steps 1 and 2 of Grievance Procedure. Grievances a – c, above do not require the grievance procedures outlined in steps 1 and 2 in Sections 11-7.1 and 11-7.2 but may begin at step 3 of Section 11-7.3 with an appeal to the Personnel Advisory Board.

11-5.3. Certain Grievances Follow Steps of Grievance Procedure. After exhaustion of the grievance procedure outlined in steps 1 and 2 of Sections 11-7.1 and 11-7.2, grievances d through i shall be heard by the Personnel Advisory Board if properly and timely appealed by the employee under these Rules.

11-6. Protection. All covered City employees shall be assured freedom from restraint, interference, discrimination, or reprisal as a result of pursuing the procedures described in this Section.

11-6.1. Representation. At each level of a grievance or appeal, employees may represent themselves or may be represented by one person of their own choosing.

11-6.2. Human Resources Director Role. The Human Resources Director shall be responsible to ensure that all parties to any appeal or grievance are protected according to these Rules and that these Rules are observed. The Human Resources Department may also assist the parties concerned at any time to clarify policy, recommend solutions, or assist in clearing up misunderstandings.

11-7. Grievance Procedure. It is the policy of the City to adjust grievances of employees promptly and fairly and to do so within the framework of existing laws and these Rules. Every effort shall be made to adjust grievances in a manner mutually satisfactory to employees and management. Any employee who alleges inequitable treatment due to some employment condition may personally, or through a representative, seek relief from that condition.

11-7.1. Step 1. Immediate Supervisor and Department Head Level. The employee shall complete and submit the grievance form to the employee's immediate supervisor and the Department Head within five (5) business days after the occurrence of the event which is the basis for the grievance. Within five (5) business days after receiving the grievance, the Department Head shall, after consultation with the employee's immediate supervisor, invite the employee to discuss the problem and the Department Head shall render a decision.

11-7.2. Step 2. Human Resources Director Recommendation Level. If no satisfactory agreement is reached after Step 1, and it is necessary to carry the grievance further, the employee shall, within five (5) business days, submit the grievance form and request in writing a review by the Human Resources Director. The Human Resources Director may, if deemed necessary, conduct an investigation of the grievance. Within twenty (20) calendar days from receipt of the grievance, the Human Resources Director shall provide a recommendation to the employee's Department Head. The Department Head shall provide a decision to the employee within ten (10) calendar days from receipt of the recommendation by the Human Resources Director.

If no satisfactory agreement is reached after Step 2 and it is necessary and authorized to carry the grievance further, the interested parties have the right to have the matter heard on appeal before the Personnel Advisory Board. The written grievance form shall be completed and forwarded to the Human Resources Director within five (5) business days from the date of the Department Head's final decision under Step 2.

11-7.3. Step 3. Personnel Advisory Board Level. The Personnel Advisory Board shall be the appeal board provided under Section 10-3-1106 of the Utah Code. The Personnel Advisory Board has jurisdiction to hear appeals from individuals and groups in matters arising from grievable complaints. All appeals must be filed in writing on an approved form with the Department Head and the Human Resources Director. Within thirty (30) calendar days after receipt of a written request for a hearing on appeal, subject to board member availability, and unless otherwise mutually extended in writing, the Personnel Advisory Board shall review the appeal and schedule and hold a hearing.

- a. The employee shall be entitled to appear in person and to be represented by counsel (at employee's expense), to have a hearing, confront witnesses whose testimony is to be considered and to examine the evidence to be considered by the Personnel Advisory Board.
- b. Each decision of the Personnel Advisory Board shall be certified with the City Recorder within twenty (20) calendar days from the date the matter is referred to it, except for good cause, the Personnel Advisory Board may extend the twenty (20) day period to a maximum of sixty (60) calendar days, if the employee and the Department Head both consent. The Personnel Advisory Board has the authority to uphold or reverse the decision of the Department Head. The Personnel Advisory Board does not have the authority to modify the decision of the Department Head. On review, the Personnel Advisory Board must decide whether the facts support the charges and whether the charges warrant the disciplinary sanction imposed. For appeals of termination, suspension without pay or involuntary transfers, if the Personnel Advisory Board reverses the decision of the Department head, the employee shall be reinstated to the employee's position if employee was terminated and be reimbursed for all wages and benefits for the period of time during which the employee was terminated or suspended without pay; or any deficiency in salary for the period during which the employee was transferred to a position of less remuneration.
- c. The Personnel Advisory Board's decision is final for appeals of matters other than:
 - i. termination,
 - ii. suspension without pay of more 24 hours for non-exempt shift firefighters or 16 hours for other non-exempt public safety personnel, or
 - iii. involuntary transfer.

11-7.4. Step 4. Utah Court of Appeals Level. A final action or order of the Personnel Advisory Board regarding:

- a. suspension without pay of more 24 hours for non-exempt shift firefighters or 16 hours for other non-exempt public safety personnel,
- b. termination, or
- c. involuntary transfer

may be appealed to the Utah Court of Appeals by filing with that court a notice of appeal. Each notice of appeal shall be filed within 30 calendar days after the issuance of the final action or order of the Personnel Advisory Board.

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SECTION 12 DEFINITIONS

Application of Definitions. For the purpose of these Civil Service Rules the words and phrases defined in this Section shall have the meanings in this Section ascribed to them, unless it is apparent from the content that a different meaning is intended.

12-1. **Allocate.** To place in a given class.

12-2. **Appointment.** The designation of a person, by due authority, to become an employee in a position as provided for in these Rules.

12-3. **City Council.** The Murray City Municipal Council.

12-4. **Class or Class of Positions.** A group of positions established sufficiently similar in respect to duties and responsibilities that the same descriptive class title may be used to designate each position allocated to the class, that the same entrance qualifications may be required of incumbents in the class, that the same tests of fitness may be used to choose qualified employees, and that the same schedule of pay may be made to apply with equity under the same, or substantially the same, employment conditions.

12-5. **Class Specification.** A written statement describing the duties, responsibilities, and entrance qualification standards of a class of positions.

12-6. **Class Title.** The designation given under these Rules to a class and to each position allocated to the class.

12-7. **Classification Plan.** The plan of classification and grading of all positions in Public Safety Service adopted and as the same may be from time to time amended.

12-8. **Demotion.** A change in employment status from one class to a class having a lower range of pay.

12-9. **Department Head.** The Chief of the Fire Department or Chief of the Police Department as applicable.

12-10. **Due Regard for Length of Service.** Where other considerations are equal, an employee's seniority or accumulative length of service with the City shall prevail in the determination of merit for purposes of appointment, promotion, transfer, retention, dismissal, or other action affecting an employee.

12-11. **Eligible.** A person whose name is on an appropriate eligible list and who is not ineligible for appointment for other reasons.

12-12. **Eligible List.** A list of persons who are qualified under these Rules for appointment to a position in Public Safety Service.

12-13. **Emergency.** Any unusual and unforeseen circumstances of a grave nature which might reasonably interfere with a person's normal course of conduct and the person's usual pattern of behavior, as determined by the Hiring Authority at his/her sole discretion.

12-14. **Employee.** A person who has successfully completed a probationary period in a Public Safety Service position. Employee does not include probationary status employees (including both initial and probationary), Chiefs or part-time employees.

12-15. **Examination.** An oral and/or written test or tests and the evaluation of the results thereof, used to determine the eligibility and the relative merit and fitness of candidates for appointment to a position in the Public Safety Service.

12-16. **Hiring Authority.** Chief of the Police or Fire Department.

12-17. **Mayor.** The duly elected Mayor of Murray City, Utah.

12-18. **Personnel Advisory Board/(PAB).** The board created pursuant to Chapter 2.42 of the Murray City Municipal Code.

12-19. **Position.** An office or place of employment in the Public Safety Service, having assigned or delegated duties.

12-20. **Probation Period.** A working test period during which an employee is required to demonstrate his/her fitness to the class to which he/she is appointed by actual performance of the duties of the position before appointment shall be deemed to be regular status. During the probation period, the employee is at-will.

12-21. **Probationary Status.** The status of any employee who has been regularly appointed from an eligible list but who has not completed the probationary period provided in these Rules, and is therefore at-will, or a regular status employee who has been placed on probation as part of disciplinary action and is therefore at-will.

12-22. **Promotion.** A change in employment status to a higher rank with a higher range of pay.

12-23. **Public Safety Service.** All positions in the City Police and Fire Departments and employees who hold their positions in the respective Department by virtue of and in compliance with these Rules.

12-24. **Register or Register of Eligible Candidates.** Has the same meaning as "eligible list" as defined above in 12-12.

12-25. **Regular Status.** The status of an employee in a position in the Public Safety Service to which he/she has been appointed and for which he/she has successfully completed the probationary period and who has been accepted as an employee in such position.

12-26. **Rules.** The Murray City Public Safety Service Rules and Regulations.

12-27. **Suspension.** The temporary separation from the Public Safety Service without pay of an employee for disciplinary purposes.

12-28. **Termination.** The involuntary separation of an employee from employment.

12-29. **Test.** Means and includes:

- a. Assembled Test: A written, oral, performance or physical test at a specified time and place at which candidates are required to appear for competitive testing under supervision, and/or
- b. Unassembled test: A test consisting of an appraisal of training, experience, work history, or any other means for evaluating other relevant qualifications of candidates without the necessity for their appearing at a specified place.

12-30. **Transfer.** A change of an employee from one position to another position in the same class or another class having similar duties, the same range of pay and similar employment standards. Transfer does not include disciplinary transfers to a position of less remuneration for disciplinary reasons.

12-31. **Verbal Reprimand.** A disciplinary warning that includes an oral discussion between the employee and supervisor covering the details of the problem, plans for correcting the problem and a written memorandum documenting the event placed in the employee's personnel file.

12-32. **Veteran Preference.** Awarding preference points to a preference eligible veteran who is seeking initial employment with the City.

12-32.1 **"Preference eligible":**

- a. any individual who has served on active duty in the armed forces for more than 180 consecutive days, or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated under honorable conditions;
- b. a disabled veteran with any percentage of disability;
- c. the unmarried widow or widower of a veteran; or
- d. a retired member of the armed forces.

12-32.2. **"Disabled veteran":** an individual who has:

- a. been separated or retired from the armed forces under honorable conditions; and

- b. established the existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of laws administered by the Federal Department of Defense or Veterans Affairs.

12-33. **Written Warning.** A letter documenting a rule(s) violation, a plan for future avoidance, and a warning about future disciplinary actions.

Revised 2/2024

SCHEDULE A

IN-RANK PROMOTIONS IN THE POLICE DEPARTMENT

The following promotions in the Police Department are in-rank promotions, the eligibility requirements for which shall be as hereinafter set forth:

I. GENERAL REQUIREMENTS.

- a. Examination: Candidates may be required to pass one or more of the following and as set forth in the notice of examination: written, performance, or oral examinations as prescribed by the Hiring Authority and the Human Resources Director.
- b. Merit Ratings: Candidates must have merit ratings satisfactory to the Hiring Authority.
- c. Training: Candidates must have a valid first-aid card and must have completed the prescribed firearms training program in the Department (applies only to Sergeant, Lieutenant and Assistant Chief).
- d. Physical: Candidates must be in excellent physical condition, in accordance with the health standards of Public Safety Service. Final candidate will be required to pass a drug test and physical examination based upon the essential functions of the position.

II. SERGEANT.

Service Requirement: Associate Degree in Criminal Justice or related field and five (5) years full time on the Department

OR

30 semester or 45 quarter hours and six (6) years full time on the Department

OR

No college credits and seven (7) years full time on the Department.

III. LIEUTENANT.

Service Requirement: Bachelor Degree in Criminal Justice or related field plus two (2) years as a Sergeant

OR

60 semester or 90 quarter hours or an Associate Degree in Criminal Justice or related field plus three (3) years as a Sergeant

OR

No college credit and four (4) years as a Sergeant.

IV. DEPUTY CHIEF.

The Deputy Chief may be appointed by the Department Head subject to the approval of the Mayor, subject to the advice and consent of the City Council.

Service Requirement: Graduation from college with a Bachelor Degree in Criminal Justice or related field and a minimum of three (3) years command level supervisory experience or any equivalent combination of experience which produces the required knowledge, skills and abilities.

V. RECORDS SUPERVISOR.

Service Requirement: Associate Degree in Office Information Systems or Secretarial Science and five (5) years of related experience, to include one (1) year experience in supervision and records management, word processing using Word Perfect/Windows/Word or IBM System AS400 or any equivalent combination of education and experience.

VII. ANIMAL CONTROL SUPERVISOR.

Service Requirement: Graduation from high school and two (2) years related experience or any equivalent combination of education and experience.

VIII. CODE ENFORCEMENT SUPERVISOR.

Service Requirement: Graduation from an accredited university with an Associate Degree in Criminal Justice, Planning, Public or Business Administration, Political Science, Geography, Economics or in a closely related field and three (3) years of experience in code enforcement, planning and zoning, or government relations, or any equivalent combination of education and experience.

Revised 2/2024

SCHEDULE B

IN-RANK PROMOTIONS IN THE FIRE DEPARTMENT

The following promotions in the Fire Department are in-rank promotions. The eligibility requirements for which shall be as hereinafter set forth:

I. GENERAL REQUIREMENTS.

- a. Examination: Candidates may be required to pass one or more of the following as set forth in the notice of examination: written, performance, or oral examinations as prescribed by the Hiring Authority and the Human Resources Director.
- b. Merit Ratings: Candidates must have merit ratings satisfactory to the Hiring Authority.
- c. Physical Examination: All candidates must be in excellent physical condition, in accordance with the health standards of Public Safety Service. Final candidate will be required to pass a drug test and physical examination based upon the essential functions of the position.

II. DEPUTY FIRE MARSHAL.

Service Requirement: Must have an Associate Degree in Fire Science or related field plus four (4) years full time Firefighter or Fire Inspector experience and completion of Fire Inspector I certification;

OR

A minimum of 30 semester credits (including at least one course in English, grammar, or writing), and six (6) years full time experience as a Firefighter or Fire Inspector and completion of Fire Inspector I certification;

OR

Seven (7) years full time experience as a Firefighter or Fire Inspector and completion of Fire Inspector I certification.

III. CAPTAIN.

Service Requirement: Must have an Associate Degree in Fire Science or related field and a minimum of five (5) years full time experience on the Department as a Firefighter, including at least one (1) year as a Firefighter II, Engineer, or Firefighter/Paramedic (If degree is in a related field, Fire Officer I certification is also required.);

OR

Fire Officer I certification, at least 30 semester credits (including at least one course in English, grammar, or writing), and six (6) years full time experience on the Department as a Firefighter, including at least two (2) years as a Firefighter II, Engineer, or Firefighter/Paramedic;

OR

Fire Officer I certification, at least one course in English, grammar, or writing, and seven (7) years full time experience on the Department as a Firefighter, including at least three (3) years as a Firefighter II, Engineer, or Firefighter/Paramedic.

IV. FIRE MARSHAL.

The Fire Marshal may be appointed by the Department Head subject to the approval of the Mayor.

Service Requirement: Associate Degree in Fire Science, completion of Fire Inspector I certification, International Fire Code Certification, and six (6) years of experience in the firefighting field, including at least two (2) years as a Deputy Fire Marshal or one (1) year experience as a Captain;

OR

Any equivalent combination of education and experience.

V. BATTALION CHIEF.

Service Requirement: Bachelor's Degree in Fire Service Administration or related field, including Fire Officer II certification and seven (7) years of full time experience in the firefighting field, to include at least two (2) years of service as a Captain;

OR

Associate Degree in Fire Science and eight (8) years of full time experience in the firefighting field, to include at least three (3) years of service as a Captain;

OR

Fire Officer I certification and a minimum of 30 semester credits (including at least one course in English, grammar, or writing) and nine (9) years full time experience in the firefighting field, to include at least four (4) years' service as a Captain;

OR

Fire Officer I certification and ten (10) years full time experience in the firefighting field, to include at least five (5) years' service as a Captain.

VI. ASSISTANT FIRE CHIEF.

The Assistant Fire Chief may be appointed by the Department Head subject to the approval of the Mayor, with advice and consent of the City Council.

Service Requirement: Graduation from college or university with a bachelor's degree in Fire Science or a related field and seven (7) years' experience as a Firefighter, including two of those years in supervisory experience, plus at least one (1) year as a Battalion Chief, Division Chief, or Fire Marshal.

OR

Any equivalent combination of education and experience.

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SCHEDULE C

HEALTH STANDARDS AND REQUIREMENTS FOR POSITIONS IN THE PUBLIC SAFETY SERVICE

I. EXAMINATION REQUIREMENTS.

1. All candidates for appointment and employees in the Public Safety Service must pass a physical examination based on the essential functions of the position and physical standards established herein. The examination shall be given by a physician designated by the Human Resources Director. Candidates for appointment failing to pass such examination shall not be considered further except as expressly provided herein. Whenever an employee fails to pass the examination, the examining physician shall make a report to the Human Resources Director, setting forth the following information:
 - a. Nature and extent of impairment.
 - b. Whether or not the impairment is correctable, and a recommendation concerning the advisability of correction and how long the candidate should be allowed for correction.
 - c. Whether or not the impairment presently interferes with the full performance of employee's essential functions of the position.
 - d. Whether or not the impairment will interfere with the performance of duties connected with the position.
 - e. Whether employee's impairment is likely to become aggravated by performance of duties.
 - f. Whether the impairment will become progressively worse, and whether it may interfere with the performance of duties in the future or cause other conditions which may interfere with the performance of duties.

Following receipt of such report, the Hiring Authority and Human Resources Director will make such further examination as they deem necessary. Thereafter the Hiring Authority and Human Resources Director will take such action concerning the matter as it deems appropriate.

2. **Waivers.** The Hiring Authority and Human Resources Director may waive a disqualifying condition found to exist when it finds that the condition will not interfere with the present performance of the essential functions of the position and will not become worse through a natural progression of the condition, or through performance of the duties or otherwise. Waivers shall be granted by the Hiring

Authority and Human Resources Director only when in their judgment such action will be for the betterment of the Public Safety Service. Waivers may be granted by the Hiring Authority and Human Resources Director on their own motion or upon written application of the disqualified candidate, or employee.

3. **Appeal from Rejection.** Any candidate who fails to pass the physical examination may, within fifteen (15) days after notice of such failure, appeal to the Personnel Advisory Board for re-examination of the disqualification. The application must be accompanied by a written statement of a licensed physician in the State of Utah to the effect that in the physician's opinion, the disqualifying condition does not exist or is not serious enough to interfere with the person's performance of assigned duties. Upon receipt of such application and physician's statement, the Personnel Advisory Board may cause an investigation of the condition to be made and may request the candidate to be reexamined as to the disqualifying condition. Following such investigation, the Personnel Advisory Board shall make a final determination as to whether or not the candidate is eligible for appointment, promotion, or continued employment. For related information, please see the City ADA Policy, Appeal procedures.

II. VISION.

1. Each eye will be examined for disease or muscular defect.
2. **Visual Acuity:** Far vision acuity must be tested for both eyes only. (Each eye not to be tested individually) Only corrected near vision acuity should be assessed.

POLICE OFFICERS

Visual acuity must be 20/20 in each eye with or without correction.

Uncorrected visual acuity must be 20/40 binocular or better for wearers of hard and semi-rigid gas permeable contact lenses or glasses.

Successful long-term soft daily wear contact lens wearers correctable to 20/20 are subject to no uncorrected standard.

Significant loss of color vision is unacceptable for safety positions.

Colored soft contact lenses may not be worn, as they produce field loss ranging in one recent test from 21 to 47 percent.

Significant decrement in visual field performance (peripheral vision) in either eye is unacceptable for safety positions. Field of vision must extend across an arc (at the horizontal meridian) of at least 140 degrees in both eyes and at least 70 degrees in each eye tested separately.

FIREFIGHTERS

Visual acuity must be 20/30 in each eye with or without correction.

Uncorrected visual acuity must be 20/100 binocular or better for wearers of hard contacts or glasses.

Firefighters with uncorrected acuity of less than 20/100 in either eye must carry a spare pair of glasses.

Successful long-term soft daily wear contact lens wearers correctable to 20/30 or better are subject to no uncorrected standard.

Color vision must be adequate to distinguish red, green and yellow (primary colors only).

Significant loss of color vision is unacceptable for safety positions.

Significant decrement in visual field performance in either eye is unacceptable. Field of vision must extend across an arc (at the horizontal meridian) of at least 140 degrees in both eyes and at least 70 degrees in each eye tested separately.

Colored soft contact lenses may not be worn, as they produce field loss ranging from 21 to 47 percent.

3. Color Vision: Persons applying for Police Officer or Fire Fighter positions who are determined to be color blind will be rejected. Police and Fire candidates rejected for defective color vision will be reconsidered for appointment upon presenting a statement from a licensed ophthalmologist in the State of Utah specifying the extent of such color defects and giving an opinion as to the extent to which these color defects would interfere with the candidate's work. Upon the presentation of said statement the Hiring Authority and Human Resources Director will reconsider the candidate to determine if the extent of color-blindness is so limited as to not materially interfere with his/her work; if so, the Hiring Authority and Human Resources Director may waive the color blindness of the candidate.

III. HEARING - POLICE AND FIRE.

1. Pure tone thresholds in the worst ear not worse than 25dB at 500Hz, 1000Hz, or 2000Hz, and not worse than 35dB loss at 3000Hz or no greater than 30dB at any of the first three frequencies and an average of 30dB for the four frequencies is acceptable for safety classifications.

2. On re-examination for retention or promotion, a hearing loss change of over 20 decibels from the initial examination will require an evaluation by a hearing specialist. A hearing loss in excess of 30 decibels in any frequency may result in failure of the examination. The hearing test may be made with the aid of a hearing aid for retention.
 3. A candidate with any of the following may be rejected:
 - a. Chronic suppurative otitis media;
 - b. Perforated eardrum with chronic suppuration;
 - c. Meniere's syndrome.
- IV.** All other job-related medical conditions will be reviewed and evaluated by the designated physician, using established med-tox occupational health services examinations and medical guidelines.

SCHEDULE D

PSYCHOLOGICAL STANDARDS AND REQUIREMENTS FOR POLICE POSITIONS IN THE PUBLIC SAFETY SERVICE

EXAMINATION REQUIREMENTS.

1. All candidates for appointment in the Public Safety Service in the Police Department must pass a psychological evaluation based on the essential functions of the position and standards established herein. The evaluation shall be given by a psychologist or psychiatrist designated by the Human Resources Director. Candidates for appointment failing to pass such evaluation shall not be considered further except as expressly provided herein.
2. Appeal from Rejection. Any candidate who fails to pass the psychological evaluation may, within fifteen (15) calendar days after notice of such failure, apply to the Personnel Advisory Board for review. The application must be accompanied by a written statement of a licensed psychologist or psychiatrist in the State of Utah to the effect that in the practitioner's opinion, the disqualifying condition does not exist or is not serious enough to interfere with the person's performance of assigned duties. Upon receipt of such application and practitioner's statement, the Personnel Advisory Board shall cause an investigation of the condition to be made and may request the candidate to be reexamined as to the disqualifying condition. Following such investigation, the Personnel Advisory Board shall make a final determination as to whether or not the candidate is eligible for appointment. For related information, please see the Murray City ADA Appeal procedures.
3. The Personnel Advisory Board may also summarily dismiss an appeal from rejection, if the candidate is not able to produce a written statement from a psychologist or psychiatrist that the disqualifying condition does not exist or is not serious enough to interfere with the candidate's performance of assigned duties.

Revised 11/2008

SCHEDULE E

INTERPRETIVE BULLETIN NO. I

Interpretation of Section 8, Paragraph 3, pertaining to established weights given the four factors measured on all in-rank promotional exams.

The weighted factors as called for in Section 8-3 shall be calculated in accordance with the following example:

Officer John Doe has ten years' experience on the Police force and through competitive testing came up with the following test scores:

Seniority of Service

5 years x $\frac{1}{2}$ point = 2.5/5 possible = 50% x .05 = 2.50 points

Written Examination

Raw Score 50/60 possible = 83% x .45 = 37.35 points

Oral Interview

Raw Score 31/40 possible = 78% x .30 = 23.40 points

Merit Ratings

Scores for past three years – 82%, 85%, 85%

Total: 252/300 possible = 84% x .20 = 16.80 points

TOTAL POINTS 80.05 Points

Therefore, the total combined points of said officer is 80.05 points.

Revised 2/2024

SCHEDULE F

PROCESS FOR ADOPTING OR AMENDING PUBLIC SAFETY RULES AND REGULATIONS

- Step 1. Proposed changes in the Rules may be submitted by City Management, the Human Resources Director or employees in the Public Safety Service.
- Step 2. The proposed change(s) will be reviewed at a hearing with the following in attendance: the Mayor, Police Chief, Fire Chief, Human Resources Director, City Attorney, the Personnel Advisory Board (3 members), and a representative for both police and fire non-administrative employees.
- Step 3. At the conclusion of the hearing a date will be set for an official vote to approve or deny the proposed changes.
- Step 4. The representatives for non-administrative police and fire personnel shall accurately reflect the preponderance of their department's personnel to determine their position on proposed changes.
- Step 5. On the established voting date, final discussions will be heard and each of the ten members of the review board will be given one vote with a simple majority determining whether to approve or deny the proposed changes. In the event that a voting member is unable to attend on the voting date, an absentee vote in the form of an explanatory memo shall be acceptable and read into the record by the Personnel Advisory Board.
- Step 6. If the review board approves the change(s), the new or revised policy shall be adopted, printed, and distributed to all affected City employees.

SCHEDULE G

INTERPRETIVE BULLETIN NO. II

Interpretation of Section 10, Paragraph 1.a. as it pertains to determining the order of layoffs. The policy states:

The order of laying off regular employees shall be determined by a combination of the three (3) most recent performance-evaluation scores and seniority in the City, starting from lowest to highest. Each factor shall be given equal weight.

Explanation: The example below is limited to **four hypothetical officers**. Each officer is ranked 1,2,3, or 4 in each of the two categories (“Average Evaluation Score” and “Seniority”). A rank of number 1 is the lowest in each category. The number of the rank in each category is added together for each officer and divided by 2. The result is the Final Ranking Score.

For example, hypothetical Officer Hansen had the lowest average evaluation score and is, therefore, ranked number 1 in that category. But Hansen was third highest in seniority and is ranked number 3 in the seniority category. Adding Hansen’s rankings ($1 + 3 = 4$) and dividing the sum by 2 ($4 \div 2$) results in the average of the two categories, or 2.0, as Officer Hansen’s Final Ranking Score.

Example:

	<u>Average Evaluation Score</u>	<u>Rank</u>	<u>Seniority</u>	<u>Rank</u>
Officer Hansen	2.22	1	7/9/1999	3
Officer Jones	2.48	2	1/3/2009	1
Officer Smith	2.86	3	6/5/1986	4
Officer Adams	2.90	4	8/8/2001	2

Calculation:

Average Evaluation Score Rank + Seniority Rank = Sum. Divide Sum by 2 to get Final Ranking Score.

		<u>Final Ranking Score</u>	<u>Layoff Order</u>
Officer Hansen	$1 + 3 = 4; 4 \div 2 = 2.0$	2.0 Officer Hansen	2 nd laid off
Officer Jones	$2 + 1 = 3; 3 \div 2 = 1.5$	1.5 Officer Jones	1 st laid off
Officer Smith	$3 + 4 = 7; 7 \div 2 = 3.5$	3.5 Officer Smith	4 th laid off
Officer Adams	$4 + 2 = 6; 6 \div 2 = 3.0$	3.0 Officer Adams	3 rd laid off

The Final Ranking Score is the average ranking of evaluations and seniority. In this scenario, Officer Jones has the lowest Final Ranking Score, and would be the first to be laid off.

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