

CHAPTER 3-09: PERSONNEL

- 3-09-010. Personnel System.**
- 3-09-020. Personnel Director.**
- 3-09-030. Personnel Policies and Procedures.**
- 3-09-040. Equal Opportunity Employer.**
- 3-09-050. Rules of Conduct.**
- 3-09-060. Personnel Records.**
- 3-09-070. Compensation.**
- 3-09-080. Benefits.**
- 3-09-090. Sexual Harassment.**
- 3-09-100. Grievances.**
- 3-09-110. Discipline.**
- 3-09-120. Separation from Service.**
- 3-09-130. Appeals from Discharge or Transfer.**
- 3-09-140. Appeals Board.**

3-09-010. Personnel System.

The City Council may adopt and maintain a classification plan setting forth the personnel system of the City.

3-09-020. Personnel Director.

The City Administrator is hereby designated as the Personnel Director to ensure just and equitable employment conditions and to promote positive and efficient working morale for all City personnel. As Personnel Director, the City Administrator shall implement and maintain the provisions of this Chapter and perform other duties as required by ordinance, resolution or policy of the City Council.

3-09-030. Personnel Policies and Procedures.

The City may establish and adopt personnel policies and procedures consistent with the ordinances, laws, and regulations of the City, State and federal government for the efficient administration, organization, operation, and conduct of its personnel.

3-09-040. Equal Opportunity Employer.

Woods Cross City is an "Equal Opportunity Employer" and as such does not discriminate in the hiring, employment or promotion of its employees on the basis of race, sex, color, national origin, age, religion, disability or status as a veteran in accordance with applicable State and federal laws.

3-09-050. Rules of Conduct.

All employees of the City shall conduct themselves in an appropriate manner in accordance with the standards set forth in the personnel policies and procedures adopted by the City. Employees shall be subject to and shall comply with the conflict of interest provisions of the Utah Officers' and Employees' Ethics Act, set forth at *Utah Code Ann.*, 10-3-1301, *et seq.*, as amended, hereby adopted by reference as if fully set forth herein.

3-09-060. Personnel Records.

The City shall retain personnel records and documents regarding hiring, compensation, holiday, vacation or sick leave, awards, grievances, disciplinary actions, education, training programs, and any other relevant personnel records. All personnel records shall be maintained, classified and accessed in accordance with the Utah Government Records Access and Management Act, as adopted by the City.

3-09-070. Compensation.

Woods Cross City employees shall be compensated in accordance with a schedule of salary rates or ranges for each job classification as adopted by the City Council. In arriving at the salary rates or ranges, the City Council may consider the prevailing rates of pay and working conditions for comparable work in other public agencies and private employment, current costs of living, suggestions of Department Heads, City financial condition, policies, procedures and other relevant considerations.

3-09-080. Benefits.

Woods Cross City employees may receive such benefits as set forth in the personnel policies and procedures adopted by the City and as otherwise required by law.

3-09-090. Sexual Harassment.

Sexual harassment is prohibited as a form of sex discrimination and shall be addressed in accordance with the sexual harassment policy set forth in the personnel policies and procedures adopted by the City.

3-09-100. Grievances.

Employees shall have the right to appeal decisions or disciplinary actions by the City which affect their employment. Any employee with a grievance may pursue the matter through informal or formal grievance procedures set forth in the personnel policies and procedures adopted by the City.

3-09-110. Discipline.

Employees may be disciplined for good cause through informal or formal disciplinary action in accordance with the personnel policies and procedures adopted by the City, including, but not limited to oral or written reprimand, suspension, demotion, transfer, probation, or dismissal.

3-09-120. Separation from Service.

Employees may be separated from service with the City in the following manner:

(a) Resignation. An employee desiring to discontinue his or her employment with the City shall file a written resignation with his or her Department Head stating the effective date of resignation and the reasons for resignation at least two (2) weeks prior to the effective date of resignation.

(b) Reduction in Force. An employee may be laid off by the City due to change in the organization of City personnel, material change in the duties of the employee's position, shortage in the work requirements of the City, shortage in the funding of the City, or when otherwise necessary in the best interest of the City.

(c) Dismissal. An employee may be dismissed by the City for any reason permitted by law, provided however, that any such dismissal shall be accomplished in accordance with the dismissal procedures set forth in the personnel policies and procedures adopted by the City and the appeals procedures provided herein.

3-09-130. Appeals from Discharge or Transfer.

All appointed officers and employees of the City, other than members of the Police Department, Department Heads and the City Administrator, shall hold their employment without limitation of time, being subject to discharge or dismissal only as provided in *Utah Code Ann.* 10-3-1106, as amended. Any appointed officer or employee covered herein discharged or transferred to a position with less remuneration for any reason, shall have the right to appeal the discharge or transfer to the City Appeals Board in accordance with the provisions of *Utah Code Ann.* 10-3-1106, as amended.

3-09-140. Appeals Board.

(a) Created. There is hereby created an Appeals Board as required by *Utah Code Ann.* 10-3-1106, as amended, to hear appeals of non-exempt officers and employees who have been terminated or transferred.

(b) Members. The Appeals Board shall consist of five (5) members, three (3) of whom shall be chosen by and from the appointed officers and employees of the City and two (2) of whom shall be members of the City Council.

(c) Selection of Members and Alternates.

(1) Council Members and Alternates. The City Council shall designate two (2) of its members to serve on the Appeals Board, hereinafter referred to as the "Council Members," and two (2) of its members to serve as Alternate Council Members.

(2) Officer and Employee Members and Alternates. The appointed officers and employees of the City shall elect three (3) of its members to serve on the Appeals Board, hereinafter referred to as "Employee Members," and three (3) of its members to serve as Alternate Employee Members in the following manner.

(i) Nomination. The City Administrator shall send written notice to all appointed officers and employees of the City that they may make written nominations for officer and employee candidates to serve on the Appeals Board and the closing date for filing such nominations with the City Recorder. Nominations received by the City Recorder after the closing date will not be considered.

(ii) Voting. Upon the closing of nominations, an election shall be held by all appointed officers and employees of the City to elect three (3) Employee Members of the Board and three (3) Alternate Employee Members. The election shall be by secret ballot. The three (3) individuals receiving the highest number of votes shall be deemed elected as Employee Members, and the next three (3) individuals receiving the highest number of votes shall be deemed elected as Alternate Employee Members.

(d) Limitation on Members. No person may sit on the Appeals Board who also sat on a pre-disciplinary hearing of the appealing employee or whose employment with the City has terminated.

(e) Term. Appeals Board Members shall serve for a term of two (2) years from the date of their election or appointment. Members may serve additional terms in accordance with the election and appointment procedures set forth herein.

(f) Vacancies. Any vacancy in an Employee Member position shall be first filled by an Alternate Employee Member by drawing lots, and if no Alternate Employee Member is available, by nomination and election as provided herein at the time such vacancy occurs. Any vacancy in a Council Member position shall be filled first by an Alternate Council Member by drawing lots, and if no Alternate Council Member is available, by appointment as provided herein at the time such vacancy occurs.