

TITLE VI

Personnel

Chapter 1	Civil Service Commission	
	Sec. 6-1-1	Adoption of Civil Service System
	Sec. 6-1-2	Civil Service Commission created; terms of members and vacancies
	Sec. 6-1-3	Jurisdiction
	Sec. 6-1-4	Duties and powers
	Sec. 6-1-5	Legal assistance to the Commission
	Sec. 6-1-6	Agreements
	Sec. 6-1-7	Equal employment opportunity
Chapter 2	Personnel Department; Director	
	Sec. 6-2-1	Director; duties
Chapter 3	Definitions	
	Sec. 6-3-1	Definitions
Chapter 4	Class Specifications	
	Sec. 6-4-1	Specifications
	Sec. 6-4-2	Present classifications remain in effect
	Sec. 6-4-3	Classification of new positions
	Sec. 6-4-4	Reporting changes in duties, reclassification
	Sec. 6-4-5	Appeal from classification or reclassification
	Sec. 6-4-6	Age limits and physical qualifications
	Sec. 6-4-7	Eligibility for promotion
	Sec. 6-4-8	In the Police Department
	Sec. 6-4-9	In the Fire Department
Chapter 5	Compensation; Pay Schedule; Longevity	
	<i>Article I</i>	<i>Compensation; Salary Schedule</i>
	Sec. 6-5-1	Salary schedule established by Council
	Sec. 6-5-2	Purpose of the salary schedule
	Sec. 6-5-3	Maintenance of the salary schedule
	Sec. 6-5-4	Employee representation; salaries; benefits
	Sec. 6-5-5	Entrance salary rates
	Sec. 6-5-6	Advancement; probationary salaries
	Sec. 6-5-7	Computation of salaries
	Sec. 6-5-8	Wage differentials
	Sec. 6-5-9	Employee requests for compensation adjustments
	Sec. 6-5-10	Overtime work
	Sec. 6-5-11	Maintenance in kind
	<i>Article II</i>	<i>Classification and Pay Plan</i>
	Sec. 6-5-16	Schedule; classification, work week and monthly salary
	Sec. 6-5-18	Temporary and intermittent workers
	Sec. 6-5-19	Unclassified seasonal and part-time employees
	<i>Article III</i>	<i>Longevity</i>
	Sec. 6-5-21	Longevity compensation
	Sec. 6-5-22	Longevity compensation during leaves
Chapter 6	Leaves	
	Sec. 6-6-1	Holidays

Sec. 6-6-2	Vacation leave
Sec. 6-6-3	Military leave
Sec. 6-6-4	Group classification
Sec. 6-6-5	Paid sick leave benefits
Sec. 6-6-6	Sick leave; funeral leave; accrual
Sec. 6-6-7	Sick leave; benefits upon separation
Sec. 6-6-8	Funeral leave
Sec. 6-6-9	Injury leave
Sec. 6-6-10	Injury while employed by third person
Sec. 6-6-11	Special leave
Sec. 6-6-12	Absence without leave
Sec. 6-6-13	Maternity/paternity leave

Chapter 7

Additional Benefits

Sec. 6-7-1	Health, accident, hospitalization and major medical insurance
Sec. 6-7-2	Disability payments; Fire Department personnel
Sec. 6-7-3	Partially disabled employees; light duty
Sec. 6-7-4	Personal liability; defense
Sec. 6-7-5	Application of foregoing Section
Sec. 6-7-7	Educational incentive awards
Sec. 6-7-8	Tuition refund
Sec. 6-7-9	Separation agreements

Chapter 8

Positions; Established; Abolished; Appointed

Sec. 6-8-1	Establishment of positions
Sec. 6-8-2	Number of positions
Sec. 6-8-3	Abolition of position
Sec. 6-8-4	Reclassification
Sec. 6-8-5	Vacancies
Sec. 6-8-6	Notification of vacancy, appointment
Sec. 6-8-7	Appointment probationary
Sec. 6-8-8	Part-time appointments
Sec. 6-8-9	Oath; required; exceptions; refusal
Sec. 6-8-10	Medical examinations, requirements; condition precedent to appointment
Sec. 6-8-11	Transfer
Sec. 6-8-12	Drug screening

Chapter 9

Reduction in Force; Replacement

Sec. 6-9-1	Notice
Sec. 6-9-2	Order of reduction
Sec. 6-9-3	Replacement
Sec. 6-9-4	Replacement appeal

Chapter 10

Removal; Discipline; Appeal

Sec. 6-10-1	Removal of probationary employees
Sec. 6-10-2	Limited disciplinary action
Sec. 6-10-3	General discipline and discharge
Sec. 6-10-4	Grounds for discipline or discharge
Sec. 6-10-5	Appeal from general discipline or discharge

Chapter 11

Grievance Procedure

Sec. 6-11-1	Definitions
Sec. 6-11-2	Grievances; step-by-step procedure
Sec. 6-11-3	Continuances and limitations

- Sec. 6-11-4 Failure of compliance
- Sec. 6-11-5 Other limitations
- Sec. 6-11-6 Employee representatives

Chapter 12 Appeal Procedure

- Sec. 6-12-1 Commission to hear appeals
- Sec. 6-12-2 Appeal procedure
- Sec. 6-12-3 Appeal hearings
- Sec. 6-12-4 Decision of Commission on appeal
- Sec. 6-12-5 Decision final; judicial review

Chapter 13 Civil Service Rules

- Article I Civil Service Commission*
- Rule 1 Meetings
- Rule 2 Quorum; procedure
- Rule 3 Office hours
- Rule 4 Commission staff, duties
- Rule 5 Records
- Article II Applications; Regulations*
- Rule 6 Waiver or modification of application requirements
- Rule 7 General qualifications
- Rule 8 Citizenship and residency
- Rule 9 Education
- Rule 10 History, background and moral character
- Rule 11 Eligibility for promotional examination
- Rule 12 Additional requirements
- Rule 14 Disciplinary action bar to eligibility
- Rule 15 Application forms; filing
- Rule 16 Rejection of applicants
- Rule 17 Rejection and appeal
- Article III Examinations*
- Rule 18 Examinations; general
- Rule 19 Conduct of written examination
- Rule 20 Examination papers confidential
- Rule 21 Reapplication
- Rule 22 Notice of results
- Rule 23 Appeal of promotional examinations
- Article IV Grading Procedure*
- Rule 24 Rating
- Rule 25 Seniority preference
- Rule 26 Veterans' preference
- Article V Eligible Lists*
- Rule 27 Eligible register
- Rule 28 Ranking of eligibles
- Rule 29 Life of eligible lists
- Rule 30 Removal from eligible lists
- Rule 31 Removal and appeal
- Rule 32 Certification of eligibles; number certified
- Rule 33 Appointments
- Rule 34 Reinstatement lists
- Rule 35 Reemployment lists
- Rule 36 Duration of reinstatement eligibility

Rule 37	Computation of service
Rule 38	Refusal of appointment
Rule 39	Service of notice; change of address
<i>Article VI</i>	<i>Revisions; Representative</i>
Rule 40	Revision of rules

Editor's Note: Chapters 1 through 12 of Title VI, Personnel, are applicable to all classified employees of the City unless superseded by the provisions of a Collective Bargaining Agreement entered into between the City of Pueblo and an exclusive bargaining agent for an employee bargaining unit pursuant to Section 8-14 of the Charter of the City of Pueblo. Each existing Collective Bargaining Agreement should be consulted to determine the applicability of any provision of Chapters 1 through 12 of Title VI to a classified employee or group of employees. There exists three bargaining units for classified employees of the classified employees, and each bargaining unit has entered into a separate Collective Bargaining Agreement with the City of Pueblo."

CHAPTER 1

Civil Service Commission

Sec. 6-1-1. Adoption of Civil Service System.

Pursuant to Section 8-3 of the Charter, there is hereby established a Civil Service System for Employees of the City. (Ord. No. 3755, 9-24-73)

Sec. 6-1-2. Civil Service Commission created; terms of members and vacancies.

There is hereby created a Civil Service Commission consisting of three (3) members, none of whom shall be a City employee or officer of the City. They shall be elected by qualified electors of the City for a period of six (6) years. Each member of the Civil Service Commission shall be a qualified elector of the City and one (1) shall be elected every two (2) years. They shall elect their own chairman and operate under such rules of procedure as established by the City Council. The compensation of members of the Civil Service Commission shall be determined by the City Council. (Ord. No. 3755, 9-24-73)

Sec. 6-1-3. Jurisdiction.

Employment in the City shall be divided into unclassified and classified service. The powers and duties of the Civil Service Commission shall be applicable only to employees of the classified service.

(1) The unclassified service shall comprise and consist of the following officers:

- a. Members of the City Council and other elective officers, and persons appointed to fill vacancies in elective offices;
- b. The City Clerk;
- c. The City Manager and assistant managers, if any;
- d. The directors and heads of bureaus and departments;
- e. One (1) private secretary to the City Manager;
- f. Members of boards and commissions in the municipal service except those specifically provided for in other sections of the Charter;
- g. Persons employed to make or conduct a special inquiry, investigation, examination or installation, if the City Council or the City Manager certifies that such employment is temporary, and that the work should not be performed by employees in the classified service;
- h. Municipal Judges;
- i. City Attorneys;

j. The post-auditor appointed by the City Council;

k. Persons performing service to the City without compensation from the City;

l. Police surgeon; and

m. Part-time employees (a part-time employee is defined as follows: No such person shall work more than the equivalent of eight [8] months in any year in such temporary, part-time, incidental or emergency status).

(2) The classified service shall comprise all positions not specifically included by this Section in the unclassified service, and shall be subject to civil service. Positions in the classified service shall be filled only by examination and in accordance with procedures and provisions of this Title and the civil service rules. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73)

Sec. 6-1-4. Duties and powers.

It shall be the duty of the Civil Service Commission in compliance with this Title and the civil service rules:

(1) To hear appeals from any action pertaining to classification, reclassification and allocation of positions, and from any disciplinary action involving suspension in excess of two (2) working days, demoting or dismissing any employee in the classified service and to report in writing to the superior taking the action appealed from, its findings and decisions. The decisions of the Civil Service Commission on such appeals shall be final unless reversed by the District Court;

(2) To provide for reinstatement of any employee found innocent of preferred charges;

(3) To investigate any or all matters relating to conditions of employment in the

City and to make at least annually a report of its findings to the City Council;

(4) To hold a public hearing on proposed civil service rules. Public notice of such hearing shall be given at least five (5) days in advance.

(5) To hold periodic competitive examinations in accordance with the civil service rules and this Title;

(6) To perform such other and different lawful acts and functions as may be set forth by the City Council. (Ord. No. 3755, 9-24-73)

Sec. 6-1-5. Legal assistance to the Commission.

(a) Pursuant to Article 6 of the Charter, the City Attorney, as Director of the Department of Law, when directed by the City Manager in writing or by the City Council, shall institute or defend any suit, action or proceeding on behalf of the Commission. No special counsel shall be retained to represent the Commission except by the City Attorney, and such special counsel shall serve solely

under his or her direction. Such special counsel, if any, shall receive compensation as determined by the City Council.

(b) The City Attorney, as the legal advisor to the Commission at the request of the Commission, interpret the civil service provisions of this Title, civil service rules and applicable state laws. (Ord. No. 3755, 9-24-73)

Sec. 6-1-6. Agreements.

The Commission may, with approval of the City Manager and the City Council, enter into reciprocal agreements, upon such terms as may be agreed upon, for the use of materials, equipment, facilities and services with any public agency or body for purposes deemed of benefit to the civil service system. (Ord. No. 3755, 9-24-73)

Sec. 6-1-7. Equal employment opportunity.

No applicant, candidate or employee shall be discriminated against or denied equal employment opportunity in the service of the City on the basis of race, color, religion, political affiliation, sex, sexual orientation, national origin, ancestry, age or disability, except as otherwise may be provided by law. (Ord. No. 3755, 9-24-73; Ord. No. 4756, 6-9-80; Ord. No. 7587 §2, 5-14-07; Ord. No. 8018 §1, 6-8-09)

CHAPTER 2

Personnel Department; Director

Sec. 6-2-1. Director; duties.

Subject to direction and supervision of the City Manager, the Director of Personnel shall direct and supervise all activities of the Personnel Department in accordance with the provisions of this Title as follows:

- (1) To prepare and maintain a uniform schedule of pay in the classified service, subject to approval by the City Manager and the City Council.
- (2) To prepare and recommend to the City Manager such rules and revisions as may be considered necessary, appropriate or desirable to carry out the provisions of the City Charter.
- (3) To continuously study, in collaboration with the Director of Finance, pension benefits and costs and provide for actuarial studies of costs of such plans, and to report their findings to the City Manager, City Council and the public.
- (4) To interpret and effectively carry out all personnel policies and rules adopted by the City Council.

(5) To encourage and exercise leadership in the development of effective personnel administration within the departments and agencies of the City, and to make available the facilities of the Personnel Department to that end.

(6) To maintain and revise, as necessary, the classification plan; to perform position audits and classify positions in the classified service.

(7) To prepare, maintain and revise as necessary a program to evaluate the work product, efficiency and effectiveness of City employees in the performance of their work and any tests necessary therefor, and to utilize, when necessary, appropriate persons, including officers and employees in the classified and unclassified service, to assist in the preparation and rating of such evaluation.

(8) To foster and develop, in cooperation with supervisors, department and agency heads and others, programs for the improvement of employee effectiveness, including but not limited to training, education, career and occupational development, safety, health, counseling and welfare of employees, for better proficiency in operation of the City government.

(9) To establish and maintain a roster of all employees in the classified service, in which there shall be set forth, as to each employee, the class, title, pay status and other pertinent data.

(10) Subject to approval of the City Manager, to appoint such employees of the Personnel Department and such experts and special assistants as may be authorized and necessary in accordance with the Charter and City ordinances.

(11) To establish and maintain such forms and procedures as may be necessary to properly operate the department and to monitor and control personnel transactions.

(12) To make an annual report to the City Manager regarding the activities of the department and such special reports as he or she may consider desirable, or may be requested by the City Manager.

(13) To consider all suggestions from department and agency heads, supervisors, the public and employees or their representatives, pertaining to any phase of the personnel program.

(14) To establish and maintain personnel records of each employee, except those records maintained by the Commission; to perform such other duties as may be required by the City Charter, this Code or the City Manager. (Ord. No. 3755, 9-24-73)

CHAPTER 3

Definitions

Sec. 6-3-1. Definitions.

For the interpretation of this Title and the civil service rules adopted by the City Council, the following words and terms shall be construed as follows:

(1) *Allocation of positions* means the assignment of a position to a particular class determined by the duties and responsibilities of the class which it most closely resembles.

(2) *Applicant* means a person who has filed application for examination.

(3) *Appointment* means the act of employment by the City Manager or by a department head with the approval of the City Manager.

(4) *Candidate* means a person who has applied for and qualified to take an examination.

(5) *Civil service office* means quarters provided for the Commission, the Commission staff and the appropriate Commission records.

(6) *Civil service status* means the combined rights acquired by appointment and successful service for the probationary period.

(7) *Class or class of positions* means a position or group of positions sufficiently similar in respect to their duties and responsibilities that the same requirements are required of the applicants, that the same tests of fitness are used to choose qualified employees, that the same descriptive title may be used to designate each of them, and that the same pay grade is established for each of them. (For example, "senior clerk stenographer" is a class, while "secretary to the Director of Public Works" is a position.)

(8) *Classification* means the process of grouping positions or placing a position into a class on the basis of similarity of duties, responsibilities and qualifications.

(9) *Classified service* means all positions now existing and not hereafter abolished or created, except those enumerated in Section 8-5 of the Charter.

(10) *Class specifications* means an outline or description of a class containing: the nature of the work to be performed and the relative responsibilities of the positions in the class; illustrative examples of work performed in the class; qualifications in terms of knowledge, skills and abilities necessary for performance of the work; and a statement of service and/or experience and training desirable for recruitment into the class, and other qualifications as deemed necessary.

(11) *Commission or Commissioner* means the Civil Service Commission or a Civil Service Commissioner.

(12) *Demotion* means change of employment to a class having a lower pay grade.

(13) *Director* means the Director of Personnel.

(14) *Disabled veteran* means a veteran who was disabled as a result of such service as shown by records in the United States Veterans' Administration.

(15) *Discharge or dismissal* means termination of employment of an employee for cause and with prejudice.

(16) *Eligible* means a person who has successfully passed an examination and whose name is recorded on an eligible list.

(17) *Eligible list* means a record of the names of those persons who have successfully passed an examination for employment in a specific class arranged in order of their relative ratings.

(18) *Employment list* means any list of candidates eligible for appointment including eligible, reemployment and reinstatement lists.

(19) *Examiner* means the Commission staff or such other person or agency as may be authorized by the Commission to conduct tests.

(20) *Experience* means having served in any position with similar duties and responsibilities, whether or not as a City employee.

(21) *Lay-off or reduction in force* means the separation without prejudice of a nonprobationary employee from the service on account of reduction in personnel, resulting in the placement of the employee's name on a reinstatement list.

(22) *Part-time employee* means an employee who works no more than the equivalent of eight (8) months in any one (1) year in temporary, part-time, incidental or emergency status. Such employees are not within the classified service.

(23) *Pay-grade* means a particular salary range.

(24) *Personnel office* means quarters provided for the Director, personnel staff and the personnel records.

(25) *Position* means a particular or specific job to be filled by an employee.

(26) *Probationary period* means the period immediately following an appointment, either entrance or promotional.

(27) *Probationary employee* means an employee during the period immediately following an appointment, either entrance or promotional.

(28) *Reclassification* means the act, when duties, responsibilities or qualifications of an existing position having substantially changed so that the position is no longer similar to other positions in a class, of determining that the position should be in a new or other existing class.

(29) *Reemployment list* means a record of the name of employees who have resigned, terminated or left the service of the City in the classified service and who are entitled to reemployment in the order prescribed by these rules whenever vacancies occur in the position or class for which they are eligible.

(30) *Reinstatement list* means a record of the names of employees who have been laid off from, or replaced in, permanent positions in the classified service and who are entitled to

reemployment in the order prescribed by these rules whenever vacancies occur in the position or class for which they are eligible.

(31) *Removal* means the termination of a probationary employee.

(32) *Replacement* means the right of an employee laid off to "bump" an employee who is in a lower class and has less total service in the department or City.

(33) *Salary schedule* means a list established by the City Council of pay grades and basic work weeks for all positions in the City service.

(34) *Service* means service as a City employee.

(35) *Shall* and *may*. The word *shall* is mandatory and the word *may* is permissive.

(36) *Suspension* means the temporary separation of an employee from his or her position with loss of pay as a disciplinary measure.

(37) *Test* means one (1) unit part of an examination.

(38) *Veteran* means any person who has served in the United States Army, Navy, Marine Corps, Coast Guard or Air Force, or as an active nurse in the service of the American Red Cross or in the Army or Navy Nurse Corps for a period of thirty (30) days or more in time of war (April 6, 1917, to November 11, 1918; December 7, 1941, to July 25, 1947); or during the Korean police action (June 26, 1950, to January 31, 1955); or who has served on active duty for a period of more than one hundred eighty (180) consecutive days after January 31, 1955, not including service under the provisions of Section 511(d) of Title 20 (U.S.C.A.) pursuant to an enlistment in the Army National Guard or the Air National Guard or as a reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve or Coast Guard Reserve, and received a discharge under conditions other than dishonorable, or has been released from active duty under conditions other than dishonorable.

(39) *Weight* means the fixed numerical value given to each part of an examination designating the relative worth thereof and used in computing a general rating. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73)

CHAPTER 4

Class Specification

Sec. 6-4-1. Specifications.

(a) All positions in the classified service shall be grouped by the Director into classes and each class shall include those positions sufficiently similar in respect to their duties and responsibilities so that similar requirements as to training experiences, knowledge, skill and personal qualities are applicable thereto. All positions in the same class shall be filled from the same eligible list and shall be in the same pay grade. In determining the class in which a position is to be included, the

specifications of each class shall be considered in its entirety and in relation to the specifications of all other classes.

(b) Lines of promotion. For the purpose of replacement following layoff or any other vacating of a class, the Director shall show on each class specification sheet the line of promotion to and from that class. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73)

Sec. 6-4-2. Present classifications remain in effect.

All classifications, allocations, pay grades and job descriptions shall remain in effect until changed in accordance with this Title. All employees, subject to the provisions of this Title, shall retain their seniority on their respective jobs. Future employees will be examined according to the classifications then in effect. (Ord. No. 3755, 9-24-73)

Sec. 6-4-3. Classification of new positions.

When a new position is established, the City Manager or department head shall submit to the Director a written notification of its establishment, together with a written job description of the duties assigned. The Director shall investigate and analyze the duties assigned and allocate the position to an appropriate existing or a new classification and shall, with the approval of the City Manager, establish the effective date, which date shall be no later than the date the position was filled or is to be filled. (Ord. No. 3755, 9-24-73)

Sec. 6-4-4. Reporting changes in duties, reclassification.

(a) Whenever permanent substantial changes in the duties and responsibilities assigned a position are made, the department head shall, within thirty (30) days after the date he or she becomes aware of such changes, notify the Director on the prescribed personnel form, together with a written class specification, setting forth the actual and essential duties and responsibilities assigned to the position.

(b) Any department head may request in writing a classification review of any position or positions in his or her department at any time, provided that the position has not been reviewed within the previous six (6) months. Such requests shall be submitted to the Director on the prescribed personnel form, together with a written class specification setting forth the actual and essential duties and responsibilities of the position.

(c) Any employee or employee representative may request in writing a classification review of his or her positions at any time, provided that the position has not been reviewed within the previous six (6) months. The request shall be filed with the department head and the department head shall forward the request to the Director within ten (10) days with his or her comments and recommendation.

(d) The Director shall act on any request involving an individual position within thirty (30) days, and on any request involving several positions as promptly as possible, but not more than ninety (90) days after receipt of such request. The Director shall not reclassify any position or group of positions without the approval of the City Manager.

(e) The Director may, at any time, request a class specification to insure proper classification. (Ord. No. 3755, 9-24-73)

Sec. 6-4-5. Appeal from classification or reclassification.

Written notice of classification, reclassification or allocation of positions shall be given by the Director to the City Manager, department head, affected employees and other interested parties, at least thirty (30) days before such action shall become effective. Within ten (10) days of receipt of said notice or failure of the Director to take such action, any department head, affected employee or group of employees or employee representatives may request a hearing thereon before the Commission pursuant to Chapter 12 of this Title. Ten (10) days after full hearing and investigation, the Commission shall determine whether such action shall be sustained or rejected. (Ord. No. 3755, 9-24-73)

Sec. 6-4-6. Age limits and physical qualifications.

(a) Scope. The requirements of this Section shall apply to all applicants, candidates and appointees in the classified service unless further limited herein. Failure to meet any applicable requirement shall bar any such person both from appointment to and from any further examination for the position involved.

(b) Minimum Age. Police patrol officer candidates shall have reached their twenty-first birthday, firefighter candidates shall have reached their nineteenth birthday and all other candidates shall have reached their eighteenth birthday on or before the date of administration of the written examination for the class involved.

(c) Maximum Age. All appointees in the classified service shall not have passed their sixty-ninth birthday on the date of original appointment to the position involved. This Subsection shall not be construed to modify or affect any provision of the City Charter regarding compulsory retirement of City employees.

(d) General Physical Requirements.

(1) Each candidate for any position in the classified service must have general health and physical ability to perform all essential functions of the position in a safe and efficient manner, as determined under generally accepted medical examination procedures and standards, subject to the provisions of Section 6-8-10 of this Code.

(2) The Director, with the approval of the City Manager, may establish job-related physical requirements for any class.

(e) Physical Ability Tests. Each firefighter applicant, each police officer applicant and each applicant for any other class designated by the Director shall be required to pass a test which measures the physical abilities required to perform the duties of the class involved before being further examined. All such tests shall be developed and administered by the Civil Service Commission.

(f) Visual and Auditory Efficiency. Each firefighter appointee and each police patrol officer appointee must have:

- (1) Distant visual acuity of not less than 20/30 in each eye, either corrected or uncorrected, under a Snellen or equivalent rating;
- (2) Color vision adequate both to identify and to differentiate red, green and amber; and
- (3) Impairment of any other parameter of visual efficiency or of any parameter of auditory efficiency which would prevent the safe and efficient performance of necessary duties.

No otherwise qualified applicant or candidate who fails to meet the requirements of this Subsection shall be rejected from consideration for employment unless it is determined after individual consideration under the procedure set out in Section 6-8-10 of this Code that the visual or auditory impairment has a significant impact on the job, actually disqualifies the person from the job and cannot reasonably be accommodated.

(g) Other Requirements. Nothing herein contained shall be construed to limit or affect any other powers granted to the City Manager, Director or Civil Service Commission under the City Charter or this Code to establish additional or special requirements or examinations of procedures for appointment to any position in the classified or unclassified service. (Ord. No. 3780, 11-26-73; Ord. No. 3856, 4-22-74; Ord. No. 3916, 10-14-74; Ord. No. 5016, 12-13-82; Ord. No. 5120, 12-27-83)

Sec. 6-4-7. Eligibility for promotion.

Applicants for the examinations listed in this Chapter shall have served in the class of position which has been declared by the Director to be in the line of promotion, for at least the probationary period. (Ord. No. 3780, 11-26-73)

Sec. 6-4-8. In the Police Department.

In addition to time served as a probationary employee, the following service requirements shall be prerequisite to examinations as shown:

- (1) For corporal, three (3) years' service as a police patrol officer. For sergeant or detective sergeant, three (3) years' service as a police patrol officer or corporal.
- (2) For captain, two (2) years' service as a sergeant or detective sergeant.
- (3) For major, five (5) years' service as a captain. (Ord. No. 3780, 11-26-73; Ord. No. 3951, 12-23-74)

Sec. 6-4-9. In the Fire Department.

The following minimum service requirements shall be prerequisite to Civil Service Fire Department promotional examinations:

(1) For engineer, corpsman and fire prevention inspector, three (3) years' service as a firefighter. For corpsman, must possess a current Colorado Emergency Medical Technician Certificate.

(2) For captain, a total of five (5) years' combined service in the firefighter, engineer, corpsman or fire prevention inspector classifications.

(3) For assistant chief, three (3) years' service as a fire captain. (Ord. No. 3780, 11-26-73; Ord. No. 4074, 9-8-75)

CHAPTER 5

Compensation; Pay Schedule; Longevity

Article I Compensation; Salary Schedule

Sec. 6-5-1. Salary schedule established by Council.

(a) The City Council, upon recommendation of the City Manager, shall establish the salary schedule and hours for all classes of positions in both the classified and unclassified service.

(b) Employees in both the unclassified and classified service, except employees within a bargaining unit, may, with the approval of the City Manager, be granted merit pay increases within the merit pay ranges set forth in the salary

schedule established by the City Council. Merit pay increases shall be based upon procedures and performance evaluation criteria and standards prepared by the Director of Personnel and approved by the City Manager. Neither the grant nor denial of merit pay increases shall constitute a grievance as defined in Section 6-11-1(1) nor a matter subject to appeal under Section 6-12-1. (Ord. No. 3755, 9-24-73; Ord. No. 5276, 1-13-86)

Sec. 6-5-2. Purpose of the salary schedule.

The purpose of the salary schedule is to provide a pay plan that will enable the City to recruit and retain an adequate number of competent employees. The pay plan shall be used:

(1) To provide for equal compensation for work of equivalent duty and responsibility as nearly as reasonably possible.

(2) To establish a method of rewarding employees for continued good and outstanding service.

(3) To establish pay rates which compare favorably with those of public and private employers competing for employee skills similar to those utilized by the City.

(4) To facilitate adjustments to changing economic and employment conditions requiring changes in pay levels and interrelationships of classifications. (Ord. No. 3755, 9-24-73)

Sec. 6-5-3. Maintenance of the salary schedule.

(a) The Director shall be responsible for the administration of the compensation and classification provisions of this Title, including processing of salary advancements, determination of proper salary rates within provisions of this Title, and other directives of the City Manager and policy of the City Council.

(b) In carrying out this function, the Director shall:

(1) Annually review, or cause to be reviewed, the salaries being paid by public and private employers in the recruiting area by survey of selected key classes among a fair sample of employers.

(2) Relate pay graded directly to the position classification plan for the classified service. Pay grades shall be determined with due consideration to pay grades for other classes, the relative difficulty and responsibility of work in the several classes, the recruiting experience of the City, the availability of employees in particular occupational categories, prevailing rates of pay for similar employment in private and other public jurisdictions in the area or as conditions may dictate, employee turnover, cost-of-living factors and the financial policies and economic considerations of the City. The pay grades assigned the several classifications shall be those which most nearly reflect these factors. (Ord. No. 3755, 9-24-73)

Sec. 6-5-4. Employee representation; salaries; benefits.

(a) The City Manager may designate the Personnel Director or other persons of his or her choosing, for the purpose of carrying on conferences regarding wages, fringe benefits and conditions of employment for City employees.

(b) The City and the employee representatives shall commence any conferences relating to such request no later than thirty (30) days after receipt of such request. (Ord. No. 3755, 9-24-73)

Sec. 6-5-5. Entrance salary rates.

(a) Initial Employment. Original appointment to any position shall be made at the entrance rate and advancement from the entrance rate to the maximum rate within a pay grade shall be by successive steps:

(1) Upon recommendation by the department head and the Director, the City Manager may approve initial compensation at a rate higher than the minimum rate in salary schedule; provided that the position involves executive, administrative or professional duties and responsibilities; such exception is based on the outstanding and unusual character of the employee's experience and ability over and above the minimum qualifications specified for the class; or provided that there is a lack of available eligibles at the entrance rate.

(2) Whenever appointment above the minimum rate is authorized, all positions in that class who are in a step of pay grade below the recruitment grade level shall be increased to the recruitment salary.

(3) Upon recommendation of the department head and the Director, the City Manager may approve initial compensation at a rate lower than the entrance rate in the salary schedule when the position is to be filled with a trainee under the provisions of Section 6-2-1(8) of this Title. Upon satisfactory completion of the training period, the incumbent shall be paid at the entrance rate in compliance with these rules.

(b) Return to Duty--Reinstatement. When an employee is reinstated in the same class of position after a separation from the City service of not more than four (4) years, which separation was due to a reduction in force or other cause not involving resignation, unsatisfactory work or other fault of the employee, such employee shall receive the rate in the salary schedule corresponding to the step rate received at the time of separation and shall subsequently serve thereat for at least such period as is normally required for advancement to the next higher salary rate. Any employee who is drafted or who leaves the City service to enter the active service of the armed forces of the United States and who is subsequently reinstated to a position previously held by him or her shall be entitled to receive a salary at the step rate to which he or she would have been entitled had his or her service with the City not been interrupted by entry into the armed forces. Any nonrequired reenlistment shall automatically terminate the provisions of this Chapter for any City employee.

(c) Return to Duty--Reemployment. Whenever a former employee is reemployed in the same class after a voluntary separation, which separation was not by action of the City or due to discreditable circumstances, and after separation from the City services, of not more than two (2) years, such employee may, with the approval of the City Manager, receive the rate in the salary schedule corresponding to the step rate received at the time of separation and shall subsequently serve thereat for at least such period as is normally required for advancement to the next higher step or salary rate.

(d) New Position. When an employee is assigned or transferred pursuant to Section 6-8-11 of this Title, to duty not in a position not previously held by him or her and such change is not in the nature of a promotion, he or she shall receive the entrance rate in the salary schedule established for such position, unless the character and nature of the duties of the position formerly held by the employee are similar to those of the new position and provide experience valuable to the performance of the new position; in which case, the employee shall receive the rate of pay in the salary schedule established for such position that will provide at least the same rate of pay he or she was receiving in his or her former position. (Ord. No. 3755, 9-24-73; Ord. No. 4987, 7-12-82)

Sec. 6-5-6. Advancement; probationary salaries.

(a) At the completion of the first year of service, the employee shall automatically advance to the next higher rate in the appropriate pay grade, provided that his or her service has been determined by the department head to be satisfactory. Subsequently, the employee shall be automatically advanced to the next higher rate, if any, at the conclusion of each succeeding year of satisfactory service in his or her position until he or she has reached the maximum rate of the salary schedule appropriate to the class to which his or her position is allocated.

(b) Probation Certification. At the conclusion of a satisfactory one-year probation period, the department head shall certify that the probationary period has been successfully completed.

(c) Nonadvancement, unsatisfactory work. If, in the opinion of the department head concerned, the work of an employee in his or her department has not been satisfactory during the year prior to his or her eligibility for salary advancement, he or she shall give a statement to the City Manager and Personnel Director showing the reason or reasons why the employee's work has not been satisfactory. A copy of this statement shall be furnished the employee concerned, and the department head shall discuss with the employee the reason for his or her not receiving the pay increases. Any employee or his or her designated representative shall have the right to the consideration of any request for adjustment in the event that his or her department head states that the employee's work in the preceding year has not been satisfactory for salary advancement. In such case, the employee or his or her designated representative may submit the matter to the grievance procedure or Section 6-11-2. An employee who has been denied a pay increase due to unsatisfactory work shall be granted such increase at such time as the department head determines that his or her performance has sufficiently improved to justify the increase.

(d) Back Pay. In the event that the employee did not receive the advancement in salary due him or her under the provision of this Chapter, and it is subsequently determined, in the manner prescribed above, that the employee was entitled to this advancement in salary, then such advancement in salary shall be paid to the employee from the date on which he or she was originally entitled to said advancement in salary. (Ord. No. 3755, 9-24-73)

Sec. 6-5-7. Computation of salaries.

(a) Full-Time Permanent Employees. For all employees, the hourly rates to be used as a basis for overtime pay and deductions for each hour of lost time during which pay is not authorized, and for computing plus rates in accordance with the provisions of Subsection (d) of this Section shall be established by the salary schedule.

(b) Part-Time Employees. All part-time employees shall be compensated at an hourly rate, equivalent to the entrance salary in the schedule for the class in which employed. Such employee may be advanced in pay based upon satisfactory service in the same manner as full-time permanent employees, except that only actual hours of work shall be considered for such advancement. Part-time employees shall be paid only for actual hours worked and shall not receive vacation or sick leave allowances. Permanent part-time employees in the classified service shall receive vacation and sick leave on a pro-rata basis. Permanent part-time employees shall be compensated at a pro-rata share of the monthly salary provided for the applicable class and shall in all other respects be considered a monthly employee.

(c) Rate of Pay on Promotion. In any case when an employee is promoted to a class with a higher pay grade and if the higher pay grade includes more than one (1) step, the entrance salary rate shall be at the lowest step in the higher salary schedule that will provide an increase over the salary received immediately prior to such promotion and at least one-half ($\frac{1}{2}$) step increment above the highest salary received by any employee supervised by him or her. Subsequent advancement to the maximum rate, if any, will be on the same basis as Section 6-5-6.

(d) Rate of Pay for Working in Higher Class. In any case when an employee is qualified for and required to serve in and accept responsibility for work in a position in a higher class as determined by the supervisor, such employee, while so assigned shall receive as salary rate two (2) class grades higher than his or her class grade as established by the class grades salary schedule in Section 6-5-16, or two (2) class grades higher than any employee supervised by him or her. When Group B employees are assigned to and working in a higher classification, they shall be paid the following grade increases when assigned as:

Corpsmen, Engineer, Inspector	2 grades
Captain	4 grades
Assistant Chief	4 grades
Chief	4 grades

Police: When police personnel are assigned to working in a higher classification, they shall be paid twenty-five percent (25%) of the difference between wages.

Definition: For the purpose of this provision, *seniority* shall mean the total continuous length of time in which an employee has been employed by the Police Department as a commissioned officer.

Determination: For the purpose of this provision, it will be understood that corporal is a pay grade and not a rank.

Patrol officers (patrolmen) and corporals shall have their seniority determined on the basis of the total time of continuous employment by the Police Department as a commissioned officer.

Sergeants shall have their seniority determined on the basis of the total time of continuous employment by the Police Department as a commissioned officer.

Use:

*A. Working in a Higher Classification

(1) Acting sergeant: Patrol officers and corporals shall be selected to fill the position of acting sergeant on a seniority basis from among the other patrol officers and corporals on the same shift on which the vacancy occurs.

(2) Acting captain: Acting captains shall be selected from the rank of sergeant working on the same shift on which the vacancy occurs, on the basis of seniority. In the event there are no sergeants working on the shift, the acting captain will be selected from patrol officers and corporals on the same shift on a seniority basis.

* If a patrol officer, corporal or sergeant is to be designated to work in a higher classification, those selected are to be in accordance with the above procedures.

B. Vacations Patrol officers and corporals will be listed on the same list, by watch. They will select their vacation times on the basis of seniority. They will not be listed on the same list as any sergeant or civilian employee of the Police Department. Sergeants will be listed on a list separate from all patrol officers and corporals as well as all civilian employees. They will select their vacation times on a seniority basis.

(e) Rate of Pay on Demotion. When an employee is demoted from a position in one (1) class to a position in another class having a lower pay grade, his or her rate of pay shall be determined as follows:

(1) Demotion because of failure to complete probationary period. When an employee is demoted because of failure to satisfactorily complete a probationary period in a promotional position, his or her pay rate shall be reduced to the step in the pay grade he or she had been promoted from which he or she would be eligible for had he or she not been promoted.

(2) Demotion because of layoff or reallocation of position. When an employee is demoted because of layoff procedures or because his or her position was reclassified to a lower class, his or her rate of pay in the class to which he or she is demoted shall be the step in the pay grade nearest to but not exceeding that of his or her rate of pay in the higher class, provided that funds are available in the case of layoff. In the event funds are not available, his or her rate of pay shall be the highest step that can equitably be paid to all employees similarly affected by the layoff. The City Manager, with the approval of the City Council, may approve for such employee a salary rate equivalent to the salary rate he or she received at the time of his or her demotion or the reallocation of his or her position.

(3) Demotion because of unsatisfactory performance. When an employee is demoted due to unsatisfactory performance from a position in one (1) class to a position in a lower class, his or her rate of pay shall be reduced at least one (1) step below the rate of pay he or she was receiving in the higher class, and shall be reduced to a step within the pay grade for the class to which he or she is demoted.

(4) Demotion because of employee request. When an employee is voluntarily demoted from a position in one (1) class to a position in a lower class at his or her own request, the pay rate may remain the same, provided that it does not exceed the maximum step of the pay grade for the lowest class. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73; Ord. No. 4253, 11-8-76; Ord. No. 4400, 12-12-77; Ord. No. 4416, 1-23-78; Ord. No. 4536, 11-13-78)

Sec. 6-5-8. Wage differentials.

This Section shall apply only in those departments other than the Fire Department where two (2) or more shifts are worked in any particular classification.

(1) Full-time permanent employees who are assigned to work the afternoon shift shall receive an additional twenty cents (\$.20) per hour for each hour working on such shift.

(2) Full-time permanent employees who are assigned to work the graveyard shift shall receive an additional forty cents (\$.40) per hour for each hour worked on such shift. (Ord. No. 3755, 9-24-73; Ord. No. 3931, 11-25-74; Ord. No. 4940, 2-8-82; Ord. No. 6039, 11-27-95)

Sec. 6-5-9. Employee requests for compensation adjustments.

Any employee or his or her designated representative shall have the right to the consideration of any request he or she may have with respect to any claim of erroneous application of the compensation plan to his or her position. Such request shall be considered a grievance and shall be

subject to the procedures and limitations set forth in Section 6-11-2 of this Title. (Ord. No. 3755, 9-24-73)

Sec. 6-5-10. Overtime work.

(a) Administration. The full-time work week as provided by the City Council shall not apply to officers and employees in positions which are professional, administrative, supervisory or managerial, and where such employees are compensated according to their professional capabilities and their assigned responsibilities irrespective of the hours required each week to fulfill such responsibilities.

(b) Overtime Compensation. A department head may prescribe, for employees in the department entitled to such compensation, except as provided in Subparagraph (c) below, with the approval of the City Manager, reasonable periods of overtime work to meet operational needs. Such overtime shall be reported and justified as required by the City Manager. Employees shall be compensated for authorized overtime work at the rate of time and one-half (1½) in cash. Only such hours as are worked in excess of the prescribed basic work week or such hours as are worked in excess of the basic daily work shift, except as hereinafter excluded, shall be so compensated.

(c) The following officers and employees shall not be eligible for overtime compensation:

(1) City Council members, Civil Service Commissioners and members of all Boards and Commissions;

(2) City Manager, Assistant Managers, City Clerk, City Attorneys, Municipal Judges, Post-Auditors and all Directors or heads of Bureaus or Departments;

(3) Employees in all nonbargaining unit classes in the classified service except those designated by the City Manager as eligible for overtime compensation due to the unique nature and services performed in a professional, administrative, managerial or supervisory position.

(d) Meal Periods During Overtime Work. An employee having a basic work shift of eight (8) hours who is required to work more than ten (10) consecutive hours shall be provided a thirty-minute meal period at the overtime rate of compensation at some time between the tenth and twelfth consecutive hour of work.

(e) Pay or Compensatory Time for Call-back. An employee called back to perform emergency work prior to the beginning of his or her next regular shift shall be compensated at the rate of time and one-half (1½) in cash or time and one-half (1½) off. An employee called back for emergency work shall be compensated at the overtime rate for a minimum of two and two-thirds (2⅔) hours. This provision shall not apply to those employees assigned to and compensated for standby purposes. In no case shall a shift change or reassignment to another shift as herein provided be construed to be emergency work.

(f) Change of Working Shift--Notice. Any regular working shift may be changed upon six (6) hours' notice to the employee by his or her immediate supervisor, division chief or department head; provided, however, that there shall be at least six (6) hours between the time of completion of the preceding shift, including overtime, and the commencement of the shift to which assignment is made, except for in-service training, in which case only four (4) hours shall be required. Exchange of Shifts,

Group B Employees: Group B employees shall have the right to exchange shifts when the change does not interfere with the operation of the Fire Department; operational interference to be determined by the Chief or his or her representative. A twenty-four-hour shift shall be from 7:00 a.m. to 7:00 a.m. with a relief period of thirty (30) minutes prior to shift change when properly relieved after 6:30 a.m.

(g) Assignment of Work--Overtime and Call-back. When it is necessary for employees to be called back or to work overtime, such work ordered shall be allocated as equitable and practical as possible to employees qualified as determined by the department head to perform the work. Class B Employees who are called back to work from off-duty shall be paid at least four (4) hours minimum at one and one-half (1½) times the basic rate of pay. A separate seniority roster shall be maintained and all new employees shall be added to the bottom of the list. (Ord. No. 3755, 9-24-73; Ord. No. 3871, 5-27-74; Ord. No. 3958, 1-13-75; Ord. No. 4400, 12-12-77; Ord. No. 4416, 1-23-78; Ord. No. 6039, 11-27-95; Ord. No. 6824 §1, 5-13-02)

Sec. 6-5-11. Maintenance in kind.

(a) Quarters. Where public quarters are provided, the City shall charge and deduct from the salaries of employees thus furnished quarters a reasonable sum for rent, except in the case of those employees required to live on the premises of City property in order to protect such property, the same to be determined by the City Manager and approved by the City Council on the basis of current housing costs in the community.

(b) Automobile Allowance. An officer or employee of the City who is required and specifically authorized by the City Manager to operate his or her personally owned automobile in the conduct of the City business shall be paid the amount allowed by the Internal Revenue Service for each mile of usage of the personal automobile on City business. The City may, at its option, where an employee requests the City to exercise the within described option, where an employee regularly utilized his or her personal car in the conduct of City business, estimate the average number of miles traveled per month and authorize a monthly allowance on the basis of such estimate at the rate allowed by the Internal Revenue Service per mile. Such estimated payment shall be in lieu of any claims for payment based upon actual mileage driven.

(c) Maintenance and Subsistence.

(1) Each member of the Police Department so directed by the Chief of Police shall be required to furnish and wear such uniforms as shall be prescribed by the regulations of the Police Department. In January of each year, the sum of two hundred dollars (\$200.00) shall be paid to each employee of the Police Department required to wear the official uniform. In the event such employee leaves the service of the City during the ensuing year, the sum of sixteen dollars and sixty-six cents (\$16.66) shall be deducted from such employee's final salary payment for each month remaining in that calendar year.

(2) Each member of the Fire Department so directed by the Fire Chief shall be required to wear such uniform or uniforms as required by regulations of the Fire Department. Each firefighter shall receive a clothing allowance of one hundred eighty dollars (\$180.00) per year payable during January, plus fifty dollars (\$50.00) per month. Each firefighter has the annual option exercisable in writing on or before September 15 of each year to elect to have all or any part of the fifty

dollars (\$50.00) to be paid monthly hereunder to apply toward his or her family medical insurance. If the option is timely exercised, it shall be binding for the full calendar year next after exercise. If the option is not timely exercised, the fifty dollars (\$50.00) shall be payable on or before the twentieth of each month.

(3) In January of each year, the sum of three hundred twenty-eight dollars (\$328.00) shall be paid to full-time animal shelter, parking enforcers and airport employees who are authorized and directed to wear an official uniform. In the event any full-time animal shelter, parking enforcer or airport employee authorized and directed to wear an official uniform leaves the service of the City during the ensuing year, the sum of twenty-seven dollars and thirty-three cents (\$27.33) shall be deducted from such employee's final salary for each month remaining in that calendar year.

(4) All employees of the Public Works, Parks and Transportation Departments who are authorized and directed by the department head to wear the official City uniform shall be paid two hundred dollars (\$200.00) per year. The uniform shall be marked "City of Pueblo" and have the name of the department involved inscribed thereon. In the event such an employee leaves the service of the City during the year, the sum of sixteen dollars and sixty-seven cents (\$16.67) shall be deducted from such employee's final salary payment for each month remaining in that calendar year.

(5) All employees who are required by the nature of their employment to use tools to accomplish their job assignment, and are required to provide their own tools, shall be reimbursed, upon presentation of receipts, for the cost of such tools up to a maximum of two hundred dollars (\$200.00) per year. Tools belonging to the City and employees shall be clearly marked or inscribed to identify ownership. Upon termination of employment with the City, all tools shall remain the property of the City except those purchased by the employee. (Ord. No. 3755, 9-24-73; Ord. No. 3931, 11-25-74; Ord. No. 3933, 11-25-74; Ord. No. 4416, 1-23-78; Ord. No. 4723, 3-10-80; Ord. No. 4777, 8-25-80; Ord. No. 4838, 1-26-81; Ord. No. 4938, 2-8-82; Ord. No. 5109, 12-12-83; Ord. No. 6039, 11-27-95; Ord. No. 6046, 1-8-96; Ord. No. 6155, 1-13-97)

Secs. 6-5-12—6-5-15. Reserved.

Article II
Classification and Pay Plans

Sec. 6-5-16. Schedule: classification, work week and monthly salary.

The following shall constitute:

(1) The classification and pay range for all bargaining unit employees of the City, effective January 1, 2010.

(2) The classification and pay range for all nonbargaining unit employees of the City, effective January 1, 2010.

(3) The pay range for all unclassified employees of the City, effective January 1, 2010.

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE
2010**

<i>CLASS TITLE</i>	<i>ENTRY</i>	<i>2ND YEAR</i>	<i>3RD YEAR</i>	<i>4TH YEAR</i>	<i>5TH YEAR</i>	<i>6TH YEAR</i>	<i>7TH YEAR</i>	<i>8TH YEAR</i>	<i>9TH YEAR</i>	<i>10TH YEAR</i>
(A) GENERAL SERVICE										
Accountant I	4,591.18	4,715.85	4,962.69	5,211.98	5,334.17	5,398.36	5,474.86	5,552.62	5,629.14	5,788.37
Accounting Tech I	2,112.94	2,173.43	2,298.05	2,423.94	2,484.41	2,516.52	2,556.01	2,593.04	2,632.53	2,709.51
Accounting Tech II	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Accounting Tech III	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,901.29	2,979.27	3,070.50	3,161.71	3,252.92
Accounting Tech IV	2,747.30	2,828.75	2,987.96	3,152.13	3,231.12	3,335.38	3,385.70	3,438.55	3,491.38	3,623.90
Administrative Technician	2,653.52	2,730.02	2,886.78	3,042.29	3,121.27	3,222.11	3,271.20	3,320.29	3,370.60	3,623.90
Administrative Technician (Certified)	2,706.59	2,784.62	2,944.52	3,103.14	3,183.70	3,286.55	3,336.62	3,386.70	3,438.01	3,696.38
Airport Maintenance Mechanic	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
Airport Utility Worker	2,673.25	2,753.47	2,908.99	3,068.19	3,147.19	3,184.22	3,234.82	3,285.40	3,334.77	3,433.20
Area Crew Leader	3,500.17	3,602.59	3,808.70	4,016.05	4,117.25	4,169.10	4,234.48	4,297.46	4,361.64	4,491.19
Associate Engineer I	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,928.44	3,988.91	4,049.37	4,109.86	4,230.76
Associate Engineer II	3,613.72	3,717.39	3,929.67	4,143.19	4,248.09	4,370.03	4,439.01	4,505.47	4,575.71	4,706.88
Associate Engineer II-SW	3,613.72	3,717.39	3,929.67	4,143.19	4,248.09	4,370.03	4,439.01	4,505.47	4,575.71	4,706.88
Associate Engineer II-WW	3,613.72	3,717.39	3,929.67	4,143.19	4,248.09	4,370.03	4,439.01	4,505.47	4,575.71	4,706.88
Associate Field Engineer	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Asst Construction Engineer	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Asst WWTP Operator B	2,759.64	2,836.18	2,986.73	3,136.07	3,211.35	3,248.08	3,296.53	3,343.43	3,390.33	3,487.05
Asst WWTP Operator C	2,659.69	2,734.95	2,885.54	3,034.88	3,111.38	3,147.19	3,195.33	3,240.97	3,287.87	3,384.37
Asst WWTP Operator D	2,557.27	2,678.18	2,843.56	2,910.63	2,977.67	3,044.75	3,091.65	3,138.55	3,185.45	3,281.68
Auto Mechanic	3,139.77	3,234.82	3,419.95	3,602.59	3,696.39	3,742.06	3,800.06	3,858.07	3,914.86	4,031.69
Benefits Coordinator	2,777.53	2,899.42	3,021.30	3,143.21	3,265.10	3,386.99	3,508.90	3,630.77	3,752.66	3,874.55
Bldg/Grnds Maintenance Mechanic	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Bldg/Grnds Utility Worker I	2,475.79	2,548.61	2,695.50	2,838.64	2,911.46	2,948.47	2,992.94	3,039.80	3,084.23	3,175.27
Budget Analyst II	4,591.18	4,715.85	4,962.69	5,211.98	5,334.17	5,398.36	5,474.86	5,552.62	5,629.14	5,788.37
Building Custodian	1,809.17	1,884.27	1,959.38	2,034.51	2,109.62	2,184.73	2,259.84	2,334.94	2,410.05	2,485.16
Business Systems Analyst	3,633.59	3,786.44	3,939.25	4,092.05	4,244.88	4,397.69	4,550.52	4,703.35	4,856.17	5,009.00
Buyer/Contract Planner	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
CAD Planning Technician	2,818.90	2,901.57	3,066.95	3,232.35	3,315.03	3,356.97	3,407.61	3,461.93	3,512.51	3,616.01
Carpenter	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Chief WWTP Operator	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Civil Service Analyst	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,928.44	3,988.91	4,049.37	4,109.86	4,230.76
Civil Service Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Clerk Typist	2,153.96	2,215.62	2,342.67	2,471.01	2,532.65	2,565.38	2,605.64	2,643.40	2,683.64	2,762.11
Community Development Specialist	3,573.58	3,678.50	3,887.08	4,096.88	4,203.02	4,251.17	4,320.27	4,386.91	4,449.87	4,584.12

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>ENTRY</i>	<i>2ND YEAR</i>	<i>3RD YEAR</i>	<i>4TH YEAR</i>	<i>5TH YEAR</i>	<i>6TH YEAR</i>	<i>7TH YEAR</i>	<i>8TH YEAR</i>	<i>9TH YEAR</i>	<i>10TH YEAR</i>
(A) GENERAL SERVICE (Cont'd)										
Construction Inspector	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,928.44	3,988.91	4,049.37	4,109.86	4,230.76
Court Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Crime Analyst	3,280.28	3,429.72	3,579.16	3,728.60	3,878.06	4,027.47	4,176.91	4,326.39	4,475.81	4,625.23
Electrician	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Emergency Service Dispatcher	2,758.40	2,841.11	3,001.54	3,165.69	3,247.14	3,383.67	3,499.82	3,615.99	3,732.11	3,848.30
Emergency Svc Dispatch Supervisor	3,083.81	3,223.80	3,363.82	3,503.82	3,643.86	3,783.86	3,923.87	4,063.87	4,203.87	4,343.91
Employment/Recruitment Technician	2,653.52	2,730.02	2,886.78	3,042.29	3,121.27	3,160.77	3,208.90	3,257.04	3,306.40	3,554.88
Engineer/Drafter	2,818.90	2,901.57	3,066.95	3,232.35	3,315.03	3,356.97	3,407.61	3,461.93	3,512.51	3,616.01
Engineering Aide	2,731.25	2,811.47	2,974.39	3,133.62	3,213.84	3,254.55	3,305.17	3,354.52	3,403.90	3,504.57
Equipment Operator I	2,475.79	2,548.61	2,695.50	2,838.64	2,911.46	2,948.47	2,992.94	3,039.80	3,084.23	3,175.27
Equipment Operator II	2,635.00	2,711.52	2,867.01	3,022.54	3,100.29	3,137.32	3,185.45	3,234.82	3,284.17	3,381.86
Equipment Operator IV	3,079.22	3,168.59	3,349.85	3,531.17	3,621.78	3,667.10	3,721.26	3,780.39	3,835.80	3,948.83
Financial Management Assistant	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Florist	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Fuel Quality Control Technician	2,971.95	3,060.78	3,234.82	3,407.61	3,495.22	3,540.90	3,595.20	3,648.29	3,705.05	3,812.58
Gardener	2,790.49	2,873.18	3,036.12	3,201.48	3,284.17	3,339.80	3,391.89	3,444.01	3,494.84	3,597.06
GIS Coordinator	3,633.59	3,786.44	3,939.25	4,092.05	4,244.88	4,397.69	4,550.52	4,703.35	4,856.17	5,009.00
GIS Supervisor	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Grant Report/Property Specialist	2,653.52	2,730.02	2,886.78	3,042.29	3,121.27	3,222.11	3,271.20	3,320.29	3,370.60	3,623.90
Greenhouse Technician	2,790.49	2,873.18	3,036.12	3,201.48	3,284.17	3,323.66	3,375.52	3,427.35	3,477.96	3,579.68
Help Desk Technician/Trainer	2,777.56	2,899.42	3,021.30	3,143.21	3,265.10	3,386.99	3,508.90	3,630.77	3,752.66	3,874.55
Housing/Community Devel Coord II	3,573.58	3,678.50	3,887.08	4,096.88	4,203.02	4,251.17	4,320.27	4,386.91	4,449.87	4,584.12
Housing Rehab Specialist	3,573.58	3,678.50	3,887.08	4,096.88	4,203.02	4,251.17	4,320.27	4,386.91	4,449.87	4,584.12
HR Records Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Inspector – Stormwater	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,928.44	3,988.91	4,049.37	4,109.86	4,230.76
Instrument/Controls Specialist	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Investigations Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Lab Analyst	3,500.17	3,602.59	3,808.70	4,016.05	4,117.25	4,169.10	4,234.48	4,297.46	4,361.64	4,491.19
Lab Analyst II	3,740.82	3,850.67	4,069.13	4,291.29	4,401.12	4,456.64	4,523.32	4,593.67	4,662.78	4,800.45
Lab Analyst III	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Land Use Records Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Land Use Technician	2,747.30	2,828.75	2,987.96	3,152.13	3,231.12	3,271.85	3,321.21	3,373.05	3,424.87	3,623.90

Lead Court Technician	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,901.29	2,979.27	3,070.50	3,161.71	3,252.92
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**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>ENTRY</i>	<i>2ND YEAR</i>	<i>3RD YEAR</i>	<i>4TH YEAR</i>	<i>5TH YEAR</i>	<i>6TH YEAR</i>	<i>7TH YEAR</i>	<i>8TH YEAR</i>	<i>9TH YEAR</i>	<i>10TH YEAR</i>
(A) GENERAL SERVICE (Cont'd)										
Legal Secretary	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Loan Coordinator II	3,089.17	3,180.52	3,361.92	3,545.84	3,635.92	3,680.36	3,739.59	3,793.89	3,853.13	3,965.32
Mechanics Helper	2,475.79	2,548.61	2,695.50	2,838.64	2,911.46	2,948.47	2,992.94	3,039.80	3,084.23	3,175.27
Messenger	1,829.07	1,884.60	1,993.20	2,099.36	2,154.90	2,180.80	2,215.38	2,247.47	2,280.79	2,348.91
Municipal Records Coordinator	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Network Administrator	3,280.28	3,429.72	3,579.16	3,728.60	3,878.06	4,027.47	4,176.91	4,326.39	4,475.81	4,625.23
Painter	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Para-Auditor	2,777.53	2,899.42	3,021.30	3,143.21	3,265.10	3,386.99	3,508.90	3,630.77	3,752.66	3,874.55
Park Caretaker I	2,475.79	2,548.61	2,695.50	2,838.64	2,911.46	2,948.47	2,992.94	3,039.80	3,084.23	3,175.27
Park Caretaker II	2,790.49	2,873.18	3,036.41	3,201.48	3,284.17	3,339.80	3,391.89	3,443.99	3,494.84	3,597.06
Park Caretaker, Senior	2,790.49	2,873.18	3,036.41	3,201.48	3,284.17	3,339.80	3,391.89	3,443.99	3,494.84	3,597.06
Parking Enforcer	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,846.03	2,885.54	2,928.74	2,971.95	3,061.34
Parks & Rec Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Parks Maintenance Mechanic	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
Parks Senior Mechanic/ Welder	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Parts Clerk	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,846.03	2,885.54	2,935.90	3,014.46	3,093.03
Pavement Management Technician	3,500.17	3,602.59	3,808.70	4,016.05	4,117.25	4,169.10	4,234.48	4,297.46	4,361.64	4,491.19
Payroll Technician	2,747.30	2,828.75	2,987.96	3,152.13	3,231.12	3,271.85	3,321.21	3,373.05	3,424.87	3,554.88
PC Network Technician	2,945.24	3,052.25	3,159.24	3,266.25	3,373.24	3,480.25	3,587.24	3,694.27	3,801.28	3,908.27
PC Technician	2,777.53	2,899.42	3,021.30	3,143.21	3,265.10	3,386.99	3,508.90	3,630.77	3,752.66	3,874.55
Planner	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Police Payroll Technician	2,653.52	2,730.02	2,886.78	3,042.29	3,121.27	3,222.11	3,271.20	3,320.29	3,370.60	3,623.90
Police Service Representative	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Police Support Technician I	2,758.40	2,841.11	3,001.54	3,165.69	3,247.14	3,287.87	3,338.48	3,389.08	3,439.68	3,539.63
Police Support Technician II	3,089.13	3,180.93	3,361.96	3,545.52	3,636.07	3,680.69	3,739.33	3,794.14	3,852.82	3,965.53
Pretreatment Coordinator II	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Pretreatment Specialist	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Probation Case Manager	3,563.12	3,668.00	3,885.22	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Program Coordinator	3,139.77	3,232.35	3,417.48	3,601.38	3,695.16	3,740.82	3,798.83	3,856.84	3,913.61	4,030.44
Project Manager	4,236.88	4,425.16	4,613.45	4,829.40	4,990.03	5,178.31	5,366.60	5,554.89	5,743.15	5,931.43
Public Relations & Media Specialist	4,236.88	4,425.16	4,613.45	4,829.40	4,990.03	5,178.31	5,366.60	5,554.89	5,743.15	5,931.43
Public Works Clerical Technician	2,309.18	2,364.71	2,506.63	2,675.71	2,728.78	2,763.34	2,805.32	2,848.52	2,890.48	2,977.43
Purchasing Technician	2,653.52	2,730.02	2,886.78	3,042.29	3,121.27	3,160.77	3,208.90	3,257.04	3,306.40	3,554.88

Purchasing/Contract Coordinator	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Radio Technician	2,790.49	2,873.18	3,036.12	3,201.48	3,284.17	3,339.80	3,391.89	3,444.01	3,494.84	3,597.06
Radio Technician II	3,280.28	3,429.72	3,579.16	3,728.60	3,878.06	4,027.47	4,176.91	4,326.39	4,475.81	4,625.23

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>ENTRY</i>	<i>2ND YEAR</i>	<i>3RD YEAR</i>	<i>4TH YEAR</i>	<i>5TH YEAR</i>	<i>6TH YEAR</i>	<i>7TH YEAR</i>	<i>8TH YEAR</i>	<i>9TH YEAR</i>	<i>10TH YEAR</i>
(A) GENERAL SERVICE (Cont'd)										
Records Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
Sr. Airport Utility Worker	2,971.95	3,060.78	3,234.82	3,407.61	3,495.22	3,540.90	3,595.20	3,648.29	3,705.05	3,812.58
Sr. Auto Mechanic	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Sr. Business Systems Analyst	4,236.88	4,425.16	4,613.45	4,829.40	4,990.03	5,178.31	5,366.60	5,554.89	5,743.15	5,931.43
Sr. Clerk Typist	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,901.29	2,979.27	3,070.50	3,161.71	3,252.92
Sr. Clerk (Certified)	2,433.41	2,505.15	2,647.40	2,792.19	2,861.43	2,959.32	3,038.86	3,131.91	3,224.94	3,317.98
Sr. Network Administrator	4,236.88	4,425.16	4,613.45	4,829.40	4,990.03	5,178.31	5,366.60	5,554.89	5,743.15	5,931.43
Sr. Parts Clerk	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Sr. PC Network Technician	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Sr. Planner	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Sr. Rehab Specialist	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76
Sr. Security Administrator	4,236.88	4,425.16	4,613.45	4,829.40	4,990.03	5,178.31	5,366.60	5,554.89	5,743.15	5,931.43
Sr. Traffic Signal Technician	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Sr. WWTP Maintenance Mechanic	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Stormwater Crew Leader	3,500.17	3,602.59	3,808.70	4,016.05	4,117.25	4,169.10	4,234.48	4,297.46	4,361.64	4,491.19
Street Inspector	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76
Survey Party Chief	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
Survey Party Chief-LS	3,860.56	3,964.21	4,176.51	4,390.01	4,494.93	4,547.98	4,615.85	4,681.28	4,750.43	4,883.09
Surveyor	2,818.90	2,901.57	3,066.95	3,232.35	3,315.03	3,356.97	3,407.61	3,461.93	3,512.51	3,616.19
Sweeper Operator	2,923.80	3,010.20	3,180.52	3,353.29	3,438.44	3,481.64	3,537.20	3,589.03	3,642.10	3,751.22
Tax Auditor	3,563.12	3,668.00	3,876.58	4,086.41	4,192.54	4,243.16	4,309.80	4,375.18	4,439.39	4,572.58
Tax Auditor II	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
Traffic Control Utility Worker II	2,635.00	2,711.52	2,867.01	3,022.54	3,100.29	3,137.32	3,185.45	3,234.82	3,284.17	3,381.86
Traffic Control Utility Worker III	3,139.77	3,234.82	3,419.95	3,602.59	3,696.39	3,742.06	3,800.06	3,858.07	3,914.86	4,031.69
Traffic Eng Analyst	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,928.44	3,988.91	4,049.37	4,109.86	4,230.76
Traffic Signal Technician	3,139.77	3,234.82	3,419.95	3,602.59	3,696.39	3,742.06	3,800.06	3,858.07	3,914.86	4,031.69
Traffic Signs/Mkg Spec	3,139.77	3,234.82	3,419.95	3,602.59	3,696.39	3,742.06	3,800.06	3,858.07	3,914.86	4,031.69
Utility & Maintenance Worker I	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
Utility Worker	2,380.76	2,427.66	2,475.79	2,548.61	2,695.49	2,838.64	2,911.46	2,948.47	2,992.94	3,083.87
Utility Worker III	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76

Volunteer Coordinator	3,139.77	3,232.35	3,417.48	3,601.38	3,695.16	3,740.82	3,798.83	3,856.84	3,913.61	4,030.44
Warehouse Clerk	2,385.70	2,456.03	2,595.49	2,737.44	2,805.32	2,901.29	2,979.27	3,070.50	3,161.71	3,252.92
Water Reclamation Worker I	2,635.00	2,711.52	2,867.01	3,022.54	3,100.29	3,137.32	3,185.45	3,234.82	3,284.17	3,381.86

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>ENTRY</i>	<i>2ND YEAR</i>	<i>3RD YEAR</i>	<i>4TH YEAR</i>	<i>5TH YEAR</i>	<i>6TH YEAR</i>	<i>7TH YEAR</i>	<i>8TH YEAR</i>	<i>9TH YEAR</i>	<i>10TH YEAR</i>
(A) GENERAL SERVICE (Cont'd)										
Water Reclamation Worker II	2,747.30	2,828.75	2,987.96	3,152.13	3,231.12	3,271.85	3,321.21	3,373.05	3,424.87	3,524.61
Web Site Coordinator	3,633.59	3,786.44	3,939.25	4,092.05	4,244.88	4,397.69	4,550.52	4,703.35	4,856.17	5,009.00
Web Site Manager	4,208.58	4,333.25	4,581.32	4,829.40	4,951.57	5,015.74	5,092.28	5,170.02	5,246.52	5,400.20
WW Data Technician	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76
WW Inspector	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76
WW Instrument/Controls Specialist	3,407.61	3,508.79	3,709.97	3,908.67	4,009.89	4,060.50	4,123.42	4,186.38	4,248.09	4,373.53
WW Lift Station Operator	3,297.76	3,395.25	3,587.78	3,782.78	3,879.07	3,927.20	3,988.91	4,049.37	4,109.86	4,230.76
WW SCADA Coordinator	4,208.51	4,333.46	4,580.79	4,829.40	4,951.79	5,015.53	5,092.02	5,169.81	5,246.26	5,399.91
WW Utility Engineer	4,582.56	4,717.07	4,987.36	5,257.65	5,392.17	5,460.07	5,545.23	5,627.92	5,711.81	5,879.75
WW Utility Worker I	2,475.79	2,548.61	2,695.50	2,838.64	2,911.46	2,948.47	2,992.94	3,039.80	3,084.23	3,175.27
WW Utility Worker II	2,635.00	2,711.52	2,867.01	3,022.54	3,100.29	3,137.32	3,185.45	3,234.82	3,284.17	3,381.86
WW Utility Worker III	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
WW Utility Worker IV	3,139.77	3,233.59	3,419.95	3,602.59	3,696.39	3,742.06	3,800.06	3,858.07	3,914.86	4,031.69
WWTP Maintenance Mechanic	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
WWTP Operator	3,018.84	3,106.46	3,284.17	3,461.93	3,550.76	3,595.20	3,648.29	3,706.26	3,760.59	3,871.40
WWTP Technician	2,354.02	2,410.62	2,555.30	2,727.69	2,781.78	2,817.00	2,859.78	2,903.83	2,946.61	3,035.23
WWTP Utility Worker I	2,557.27	2,678.18	2,843.56	2,910.63	2,977.67	3,044.75	3,091.65	3,138.55	3,185.45	3,281.68
WWTP Utility Worker III	2,731.25	2,811.47	2,974.39	3,133.62	3,213.84	3,254.55	3,305.17	3,354.52	3,403.90	3,504.57
Zoning Enforcement Officer	2,758.40	2,841.11	3,001.54	3,165.69	3,247.14	3,287.87	3,338.48	3,389.08	3,439.68	3,539.63
(A) POLICE										
Police Corporal	5,640.37	5,640.37	5,640.37	5,724.98	5,724.98	5,810.85				
Police Patrol Officer	3,450.28	4,270.76	4,531.16	4,928.34	5,085.10	5,166.12	5,244.52	5,325.56	5,402.60	5,498.23
Police Sergeant	6,394.81	6,459.70	6,523.16	6,589.39	6,685.99					
(A) FIRE										
*Assistant Fire Chief	5,937.96	6,054.50	6,266.63	6,384.43	7,428.09					
*Emergency Medical Officer	4,695.01	4,786.82	4,974.13	5,068.40	5,606.99					
*Fire Captain	4,878.56	4,972.88	5,244.50	5,342.53	6,355.19					
*Fire Engineer	4,299.31	4,382.43	4,554.83	4,639.19	5,318.64					
Fire Inspector	4,912.19	4,997.78	5,129.27	5,219.78	5,879.22					

Firefighter	3,063.89	3,275.98	3,502.96	4,102.09	4,141.77	4,263.37	4,345.23	4,901.31		
Training Officer/Captain	5,378.56	5,472.88	5,744.50	5,842.53	6,855.19					
*DENOTES A 56-HOUR BASIC WORK WEEK. ALL OTHER POSITIONS IN GROUPS A & B HAVE A 40-HOUR BASIC WORK WEEK.										

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>BASE SALARY</i>	<i>MERIT PAY RANGES GRANTED UNDER SECTION 6-5-1(b)</i>								
(B)										
Accountant II	5,113.23	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Administrative Assistant	4,150.31	4,291.38	4,457.85	4,610.34	4,762.82	4,920.42	5,081.78			
Airport Maintenance Supervisor	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
Airport Mgr of Operations & Maint	5,132.17	5,306.51	5,511.56	5,699.42	5,887.26	6,081.27	6,282.62			
Assistant Director Info Technology	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Assistant Director Public Works	7,693.00	7,977.67	8,262.30	8,547.74	8,831.57	9,116.20	9,402.45			
Bldg/Grounds Maint Superintendent	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Civil Engineer/Construction	5,981.47	6,184.84	6,426.23	6,644.83	6,864.67	7,090.86	7,324.69			
Civil Engineer/Drainage	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Civil Service Administrator	6,911.69	7,148.06	7,425.08	7,677.98	7,930.82	8,192.63	8,463.28			
Clerical Supervisor	4,178.27	4,321.88	4,488.36	4,642.11	4,795.88	4,953.44	5,117.38			
Communications Supervisor	4,178.27	4,321.88	4,488.36	4,642.11	4,795.88	4,953.44	5,117.38			
Court Administrator	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Deputy City Clerk	4,150.31	4,291.38	4,457.85	4,610.34	4,762.82	4,920.42	5,081.78			
Deputy Fire Chief	7,202.68	7,447.94	7,737.71	8,000.72	8,265.06	8,538.27	8,820.36			
Development Review Manager	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Dispatch Manager	4,178.27	4,321.88	4,488.36	4,642.11	4,795.88	4,953.44	5,117.38			
Emp Benefits/Loss Control Manager	5,646.02	5,839.16	6,064.08	6,272.50	6,479.64	6,693.12	6,914.21			
Engineering Manager	7,202.68	7,447.94	7,737.71	8,000.72	8,265.06	8,538.27	8,820.36			
Fleet Superintendent	5,981.47	6,184.84	6,426.23	6,644.83	6,864.67	7,090.86	7,324.69			
Honor Farm Properties Manager	5,311.79	5,492.23	5,704.46	5,898.90	5,745.66	6,294.11	6,502.51			
Housing/Comm Dev Administrator	5,324.52	5,506.22	5,719.72	5,915.42	6,111.10	6,311.89	6,520.29			
HR Analyst	3,590.86	3,710.44	3,830.26	3,949.94	4,081.46	4,213.27	4,344.95			
Ice Arena Manager	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Landscape Architect	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
Legal Assistant	3,590.86	3,710.44	3,830.26	3,949.94	4,081.46	4,213.27	4,344.95			
Metro Planning Org Administrator	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Parks Manager	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			

Parks Supervisor	4,150.31	4,291.38	4,457.85	4,610.34	4,762.82	4,920.42	5,081.78			
Parts Manager	4,150.31	4,291.38	4,457.85	4,610.34	4,762.82	4,920.42	5,081.78			
Police Captain	6,140.41	6,351.02	6,596.73	6,822.41	7,048.06	7,278.75	7,520.72			
Police Deputy Chief	7,105.72	7,347.71	7,633.54	7,893.05	8,153.79	8,423.30	8,701.63			

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>BASE SALARY</i>	<i>MERIT PAY RANGES GRANTED UNDER SECTION 6-5-1(b)</i>								
(B) (Cont'd)										
Police Records Manager	4,178.27	4,321.88	4,488.36	4,642.11	4,795.88	4,953.44	5,117.38			
Police Support Tech Supervisor	4,178.27	4,321.88	4,488.36	4,642.11	4,795.88	4,953.44	5,117.38			
Pretreatment Manager	5,646.02	5,839.16	6,064.08	6,272.50	6,479.64	6,693.12	6,914.21			
Principal Planner	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Recreation Supervisor	4,150.31	4,291.38	4,457.85	4,610.34	4,762.82	4,920.42	5,081.78			
Regulatory Compliance Specialist	5,981.47	6,184.84	6,426.23	6,644.83	6,864.67	7,090.86	7,324.69			
Shops Supervisor	4,738.69	4,900.08	5,090.68	5,263.50	5,437.61	5,616.78	5,802.31			
Stormwater Coordinator	5,981.47	6,184.84	6,426.23	6,644.83	6,864.67	7,090.86	7,324.69			
Stormwater Utility Maint Supervisor	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
Streets Maintenance Supervisor	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
Streets Superintendent	6,591.46	6,816.38	7,080.70	7,322.15	7,563.60	7,812.69	8,071.92			
Tax Administrator	5,605.32	5,599.26	5,947.16	6,228.03	6,414.81	6,606.72	6,850.69			
Tax Audit Manager	5,113.23	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
Traffic Control Supervisor	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
Traffic Engineer	5,981.47	6,184.84	6,426.23	6,644.83	6,864.67	7,090.86	7,324.69			
WW Accounting Specialist	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
WW Collections Supervisor	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
WW Engineering Supervisor	5,311.79	5,492.23	5,704.46	5,898.90	6,093.32	6,294.11	6,502.51			
WWTP Lab Supervisor	5,646.02	5,839.16	6,064.08	6,272.50	6,479.64	6,693.12	6,914.21			
WWTP Maintenance Supervisor	5,646.02	5,839.16	6,064.08	6,272.50	6,479.64	6,693.12	6,914.21			
WWTP Operations Manager	4,638.29	4,797.13	4,981.39	5,152.95	5,323.25	5,497.32	5,680.33			
WWTP Operations Supervisor	5,646.02	5,839.16	6,064.08	6,272.50	6,479.64	6,693.12	6,914.21			
WWTP Superintendent	6,591.46	6,816.38	7,080.70	7,322.15	7,563.60	7,812.69	8,071.92			
(C)										
Assistant City Attorney	6,250.00	8,333.00								
Assistant City Manager	6,341.14	8,166.62								
Assistant Manager/Comm Investment	6,341.14	8,166.62								
Assistant Manager/Dev Services	6,341.14	8,166.62								
Assistant Manager/Finance	6,926.83	8,467.69								

Assistant Manager/Recreation	6,976.88	8,526.73								
City Attorney	10,684.00	13,057.00								
City Clerk	6,926.83	8,467.69								
City Manager	11,870.61	14,508.51								

**CITY OF PUEBLO
MONTHLY SALARY SCHEDULE (Cont'd)**

<i>CLASS TITLE</i>	<i>BASE SALARY</i>	<i>MERIT PAY RANGES GRANTED UNDER SECTION 6-5-1(b)</i>								
(C) (Cont'd)										
Deputy City Attorney	8,876.96	10,416.66								
Deputy City Manager	8,578.51	10,484.83								
Director/Aviation	6,926.83	8,467.69								
Director/Finance	8,111.03	9,913.63								
Director/Housing-Comm Svc	7,882.63	9,635.21								
Director/Human Resources	7,882.63	9,635.21								
Director/Information Technology	7,882.63	9,635.21								
Director/Parks & Recreation	8,077.67	9,872.57								
Director/Planning	7,882.63	9,635.21								
Director/Public Works	9,111.75	11,136.30								
Director/Purchasing	6,926.83	8,467.69								
Director/Stormwater Utility	7,882.63	9,635.21								
Director/Transportation	6,926.83	8,467.69								
Director/Wastewater	8,077.67	9,872.57								
Fire Chief	8,876.96	10,848.90								
Municipal Court Judge	8,077.67	9,872.57								
Police Chief	9,111.75	11,136.30								
Secretary to City Manager	4,150.31	5,081.78								

(Ord. No. 8127 §1, 12-28-09; Ord. No. 8151, 3-8-10)

Editor's Note: Section 6-5-17 was repealed in its entirety by Ord. No. 5519, passed and approved 12-27-88.

Sec. 6-5-18. Temporary and intermittent workers.

The following shall constitute the rate of pay for all temporary and intermittent workers (effective January 1, 2009).

<i>(Stagehands)</i>	<i>During Showtime**</i>	<i>Hourly Rate (In and Out)</i>
Carpenter	\$60.00	\$16.00
Electrician, Property man	\$60.00	\$16.00
Sound Operator, Spot Operator, Wardrobe	\$60.00	\$16.00
Pieceworker and Riggers		\$16.00
Carloaders		\$16.00

**Shows are three hours in duration. Shows in excess of three hours will be prorated on the basis of the showtime rate. Rehearsals are the same as shows.

Minimum call shows in: Four hours.

Minimum call shows out: Two hours.

Overtime: One and one-half the hourly rate for more than eight hours in one day, except that show time shall not be considered overtime or be computed as any part of the regular eight-hour working day.

(Ord. No. 3755, 9-24-73; Ord. No. 4300, 3-28-77; Ord. No. 5528, 2-27-89; Ord. No. 6142, 11-25-96; Ord. No. 6770 §1, 12-26-01; Ord. No. 7960 §1, 1-26-09)

Sec. 6-5-19. Unclassified seasonal and part-time employees.

(a) The following shall constitute the rate of pay for all temporary employees of the City (effective January 1, 2002):

SEASONAL EMPLOYEE:

LEVEL I: 5.00	3.75	4.00	4.25	4.50	4.75
LEVEL II: 5.50	4.25	4.50	4.75	5.00	5.25
LEVEL III: 6.00	4.75	5.00	5.25	5.50	5.75
LEVEL IV: 6.50	5.25	5.50	5.75	6.00	6.25
LEVEL V: 7.00	5.75	6.00	6.25	6.50	6.75
LEVEL VI 7.50	6.25	6.50	6.75	7.00	7.25

TEMPORARY EMPLOYEE; TEMPORARY PART-TIME EMPLOYEE:

LEVEL I:	4.75	5.00	5.25	5.50	5.75
LEVEL II:	5.25	5.50	5.75	6.00	6.25
LEVEL III:	5.75	6.00	6.25	6.50	6.75
LEVEL IV:	6.25	6.50	6.75	7.00	7.25
LEVEL V:	6.75	7.00	7.25	7.50	7.75
LEVEL VI	7.25	7.50	7.75	8.00	8.25

PROFESSIONAL, TECHNICAL AND CRAFT TEMPORARY AND TEMPORARY PART-TIME EMPLOYEES:

LEVEL I:	7.00	7.50	8.00	8.50	9.00
LEVEL II:	8.00	8.50	9.00	9.50	10.00
LEVEL III:	9.00	9.50	10.00	10.50	11.00
LEVEL IV:	10.00	10.50	11.00	11.50	12.00
LEVEL V:	11.00	12.00	13.00	14.00	15.00
LEVEL VI	16.00	17.00	18.00	19.00	20.00
LEVEL VII	18.00	19.00	20.00	21.00	22.00
LEVEL VIII	22.00	23.00	24.00	25.00	26.00

(b) Any unclassified part-time employee whose duties are substantially equivalent to the duties of a classified service position shall be paid at the hourly rate in the above schedule equivalent to, but not exceeding the rate paid for the classified service position. (Ord. No. 3755, 9-24-73; Ord. No. 3946, 12-9-74; Ord. No. 4130, 1-26-76; Ord. No. 4411, 1-9-78; Ord. No. 4538, 11-13-78; Ord. No. 4665, 10-22-79; Ord. No. 4700, 1-28-80; Ord. No. 4824, 12-8-80; Ord. No. 4844, 1-26-81; Ord. No. 5273, 12-23-85; Ord. No. 6143, 11-25-96; Ord. No. 6770 §2, 12-26-01)

Editor's Note: Section 6-5-19 was repealed and reenacted by Ord. No. 5273, passed and approved 12-23-85.

*Article III
Longevity*

Sec. 6-5-21. Longevity compensation.

(a) Commencing with the month following completion of five (5) years of actual continuous service as a full-time employee of the City, each employee (excluding police personnel, fire-fighting personnel, nonbargaining unit personnel and unclassified personnel) shall receive in addition to all

other compensation for full-time services, the amount of thirty-two dollars and fifty cents (\$32.50) per month; following ten (10) years of such service, thirty-seven dollars and fifty cents (\$37.50) per month; following fifteen (15) years of such service, forty-seven dollars and fifty cents (\$47.50) per month; following twenty (20) years of such service, fifty-two dollars and fifty cents (\$52.50) per month. In no event shall longevity compensation exceed fifty-two dollars and fifty cents (\$52.50) per month.

(b) Police Personnel. Commencing with the month following completion of five (5) years of actual continuous service as a full-time employee in the Police Department, each bargaining unit employee (excluding nonbargaining unit and unclassified personnel) shall receive, in addition to all other compensation for full-time services, the amount of twenty-five dollars (\$25.00) per month; following ten (10) years of such service, thirty-five dollars (\$35.00) per month; following fifteen (15) years of such service, forty-five dollars (\$45.00) per month; and following twenty (20) years of such service, fifty-five dollars (\$55.00) per month. In no event shall longevity compensation exceed fifty-five dollars (\$55.00) per month.

(c) Fire-fighting Personnel. Commencing with the month following completion of five (5) years of actual continuous service as a full-time employee in the Fire Department, each bargaining unit employee (excluding nonbargaining unit and unclassified personnel) shall receive, in addition to all other compensation for full-time service, the amount of twenty-five dollars (\$25.00) per month; following ten (10) years of such service, thirty-five dollars (\$35.00) per month; following fifteen (15) years of such service, forty-five dollars (\$45.00) per month; and following twenty (20) years of such service, fifty-five dollars (\$55.00) per month. In no event shall longevity compensation exceed fifty-five dollars (\$55.00) per month. (Ord. No. 3931, 11-25-74; Ord. No. 3932, 11-25-74; Ord. No. 3933, 11-25-74; Ord. No. 4400, 12-12-77; Ord. No. 4536, 11-13-78; Ord. No. 4939, 2-8-82; Ord. 5918, 11-14-94)

Sec. 6-5-22. Longevity compensation during leaves.

(a) Longevity compensation as stated above shall be paid to an employee while on authorized leave with pay. Such longevity compensation shall not be paid to an employee for any month during which such employee shall be absent on leave without pay for more than one-half (½) the working time prescribed for that employee's job classification. Absence without leave as defined in Section 6-6-12 shall forfeit all longevity pay for the month in which such absence occurs.

(b) For purposes of this Section, periods of authorized leave without pay shall not accrue as part of the actual continuous service necessary to qualify for longevity compensation. Service as a permanent part-time employee may be accrued as a part of the actual continuous service necessary to qualify for longevity compensation under this Section; provided that such period of permanent part-time employment is accrued on a percentage basis, i.e., two (2) years of half-time service would accrue as one (1) year of full-time service; and provided further that periods of permanent part-time service and full-time service are continuous.

(c) Periods of time during which an employee in the classified service is off work due to layoff or reduction in force and is on a valid reinstatement list shall not constitute a break in continuity of service; provided, however, that such periods of time shall not be accrued as a part of the actual continuous service necessary to qualify for longevity compensation. (Ord. No. 3755, 9-24-73)

CHAPTER 6

Leaves

Sec. 6-6-1. Holidays.

(a) Designation. The following days are hereby declared holidays for all City officers and employees, with the exception of police and fire-fighting personnel:

- (1) The first day of January (New Year's Day).
- (2) The third Monday in January (Martin Luther King Day).
- (3) The third Monday in February (Presidents' Day).
- (4) The last Monday in May (Memorial Day).
- (5) The fourth day of July (Independence Day).
- (6) The first Monday of September (Labor Day).
- (7) The second Monday in October (Columbus Day).
- (8) The fourth Thursday of November (Thanksgiving Day).
- (9) The day after Thanksgiving.
- (10) The twenty-fifth day of December (Christmas Day).
- (11) Personal day (to be used anytime with departmental approval).
- (12) Personal day (to be used anytime with departmental approval).

When any holiday listed above falls on Saturday, the preceding Friday shall be observed as the holiday; when the holiday falls on Sunday, the following Monday shall be observed as a holiday. For those employees scheduled to work on the Sunday holiday, that day shall be considered the holiday. For those employees scheduled not to work on Sunday or Monday, the preceding Saturday shall be considered the holiday. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor upon approval of the City Council.

(b) Overtime Work.

(1) No permanent employee shall lose pay as a result of authorized absence on a holiday. A permanent employee in any position under that of assistant fire chief shall be compensated for time worked on above holidays at the rate of time and one-half (1½) in cash or time and one-half (1½) off as agreed upon by the employee and department head concerned. Employees in positions equivalent to or above that of assistant fire chief may be granted compensatory time off for required work on a holiday at the discretion of the City Manager.

(2) Police and fire-fighting personnel shall be granted extra vacation allowance in lieu of holidays worked as provided in Subsection 6-6-2(f) of this Chapter. In addition, two (2) personal days per year shall be granted to police personnel (to be used anytime, with departmental approval).

(c) To Vote. Each employee working for the City on any election day shall be allowed such time off as is necessary to vote. Class B employees working for the Fire Department on any election day shall be allowed such time off as is necessary to vote, when feasible, as determined by the Chief. (Ord. No. 3755, 9-24-73; Ord. No. 3931, 11-25-74; Ord. No. 4400, 12-12-77; Ord. No. 4416, 1-23-78; Ord. No. 4536, 11-13-78; Ord. No. 4838, 1-26-81; Ord. No. 6040, 11-27-95)

Sec. 6-6-2. Vacation leave.

(a) Definition. As used in this Section, *fire-fighting personnel* means those employees of the Fire Department trained in and subject to assignment to fire prevention or suppression duties. *Police personnel* means certified peace officers who are trained in and assigned to law enforcement duties.

(b) Regular. Every officer or employee in the City service, except those employed on an hourly basis as provided in Subsection 6-5-7(b), shall be allowed vacation leave with pay at the rate of twelve (12) working shifts each year or six (6) working shifts for the first six (6) months of full-time service with the City. Vacation leave shall be accumulated at the rate of eight (8) hours for each completed month of service.

(c) Five Years' Service. Every employee who completes five (5) years of continuous service with the City shall be allowed vacation leave with pay at the rate of fifteen (15) working shifts each year. Vacation leave shall be accumulated at the rate of ten (10) hours for each completed month of service.

(d) Ten Years' Service. Every employee who completes ten (10) years of continuous service with the City shall be allowed vacation leave with pay at the rate of eighteen (18) working shifts each year. Vacation leave shall be accumulated at the rate of twelve (12) hours for each completed month of service.

(e) Fifteen Years' Service. Every employee who completes fifteen (15) years of continuous service with the City shall be allowed vacation leave with pay at the rate of twenty-one (21) working shifts each year. Vacation leave shall be accumulated at the rate of fourteen (14) hours for each completed month of service.

(f) Police and Fire-fighting Personnel. Police and fire-fighting personnel in exempt positions shall be granted the same vacation and holiday benefits as are granted to bargaining unit employees in their respective services.

(g) How Taken.

(1) Vacation credit may be accumulated to a maximum of twice the amount accrued annually by the particular employee at any one (1) time, and such leave may be granted in minimum and maximum periods as provided by the department head concerned, with the approval of the City

Manager; provided that vacation leave will not be granted in excess of vacation credit earned prior to the starting day of leave.

(2) Each department head shall keep the necessary records of vacation leave allowance. Vacation schedules shall be worked out between the department head and the employees of his or her department. The employee in the classification with the longest consecutive length of service, as defined in Rule 37 of the civil service rules, with the City shall be given first choice, the next senior employee second choice and the like for succeeding conflicts, if any. The department head shall have the right to determine how many employees in a classification may be off on vacation at any one (1) time.

(h) Pay in Lieu of Vacation. If, in the discretion of the City Manager, an emergency exists, an employee may be granted the equivalent in money, of vacation leave to which such employee is entitled for that year; but it is the policy of the City Council that each employee shall be granted a full amount of vacation leave each year.

(i) Pay in Lieu of Vacation - Police Personnel. An employee in this category shall, at his or her request, be paid in money the equivalent of two (2) weeks (80 hours) of accrued vacation time.

(j) On or before January 15 of each year, all nonbargaining unit employees and all unclassified employees may at their option elect to exchange up to eighty (80) hours of vacation for eighty (80) hours of pay. (Ord. No. 3755, 9-24-73; Ord. No. 3931, 11-25-74; Ord. No. 3932, 11-25-74; Ord. No. 3933, 11-25-74; Ord. No. 4361, 9-12-77; Ord. No. 4400, 12-12-77; Ord. No. 4536, 11-13-78; Ord. No. 5107, 12-12-83; Ord. No. 5917, 11-14-94; Ord. No. 6047, 1-8-96)

Sec. 6-6-3. Military leave.

(a) With Pay. Any permanent employee who presents official orders requiring his or her attendance for a period of training or active duty as a member of the United States Armed Forces shall be entitled to military leave for a period or periods not to exceed a total of fifteen (15) calendar days in any one (1) year, and he or she shall be entitled to full pay from the City for such period. Military leave shall be in addition to, and may not be concurrent with, authorized vacation leave.

(b) Military Leave Bonus. A bonus in an amount equivalent to his or her ordinary pay for fifteen (15) calendar days shall be granted to any permanent employee who presents official orders for extended active service with the Armed Forces; provided that no such bonus shall be granted to those employees who volunteer for active service in peacetime. (Ord. No. 3755, 9-24-73; Ord. No. 4020, 5-26-75)

Sec. 6-6-4. Group classification.

For the purpose of Sections 6-6-4 thru 6-6-10, the employees of the City shall be grouped into two (2) categories:

Group A: Employees having a basic work week of forty (40) hours or less.

Group B: Employees having a basic work week of more than forty (40) hours.

Reference to the basic work week herein shall be set forth in Section 6-5-16 of this Title. (Ord. No. 3755, 9-24-73)

Sec. 6-6-5. Paid sick leave benefits.

(a) Paid sick leave to the extent the same is accrued and unused shall be granted to permanent, full-time employees and probationary employees in case of actual illness or disability occurring without negligence of the employee, or for a maximum of three (3) work days in each consecutive twelve (12) months for an illness of the employee's spouse or child subject to verification thereof. A medical certificate subscribed by the employee's physician on forms supplied by the City shall be required for any absence for which paid sick leave is claimed by the employee exceeding three (3) consecutive work days for Group A employees or exceeding two (2) consecutive working shifts for Group B employees; further, the City Manager, in any case of suspected abuse of sick leave privileges, may require such medical certificate for any absence for which paid sick leave is claimed by the employee. Use or attempted use of paid sick leave benefits for any reason other than actual illness or disability shall be deemed an activity unbecoming an employee of the City. Disability caused by injury while on duty and maternity and paternity leave shall be compensated as hereinafter set forth.

(b) Paid sick leave to the extent the same is accrued and unused shall be granted to police officers in the case of actual illness, injury or disability of the police officer, occurring without negligence of the police officer; or for a maximum of three (3) work days in each consecutive twelve (12) months for a life-threatening illness or illness requiring hospitalization of the employee's spouse or child, subject to verification thereof. A medical certificate subscribed by the treating physician on forms supplied by the City shall be required for any absence for which paid sick leave is claimed by the employee for his or her own illness, injury or disability exceeding three (3) consecutive working days; further, the City Manager, or the Chief in any case of suspected abuse of sick leave privileges, may require such medical certificate for any absence for which paid sick leave is claimed by the employee. Requests for sick leave for an officer's last scheduled work shift before a vacation or scheduled time off, or for this first regularly scheduled work shift after a vacation or scheduled time off, may be indicative of such abuse. Use or attempted use of paid sick leave benefits for any reason other than actual illness or disability shall be deemed an activity unbecoming an employee of the City. Disability caused by injury while on duty shall be compensated as otherwise provided. (Ord. No. 3755, 9-24-73; Ord. No. 5110, 12-12-83; Ord. No. 6040, 11-27-95)

Sec. 6-6-6. Sick leave; funeral leave; accrual.

(a) Combined paid sick and funeral leave shall be accrued by each permanent full-time Group A employee at the rate of one and one-half ($1\frac{1}{2}$) days for each month of completed full-time duty to a maximum accrual of two hundred (200) days. Group A employees hired on or after January 1, 1996, shall accrue sick leave at the rate of one (1) day for each month of completed full-time duty to a maximum accrual of two hundred (200) days.

(b) Combined paid sick and funeral leave shall be accrued by each permanent full-time Group B employee at the rate of $\frac{17}{24}$ th of one (1) working shift for each month of completed full-time duty to a maximum accrual of eighty-four (84) working shifts. Group B employees hired on or after January 1, 1996, shall accrue sick leave at the rate of $\frac{12}{24}$ th of one (1) working shift for each month of completed full-time duty to a maximum accrual of eighty-four (84) working shifts.

(c) Probationary employees shall accrue paid sick and funeral leave benefits during their probationary period.

(d) Temporary and temporary part-time employees shall not accrue paid sick and funeral leave benefits. (Ord. No. 3755, 9-24-73; Ord. No. 3932, 11-25-74; Ord. No. 4416, 1-23-78; Ord. No. 6040, 11-27-95)

Sec. 6-6-7. Sick leave; benefits upon separation.

(a) Upon separation for any reason other than death, discharge or retirement, a Group A employee hired prior to January 1, 1996, whose sick leave accumulation exceeds seventy-five (75) days, shall be paid at his or her regular rate of pay for the amount of sick leave accumulated over seventy-five (75) days, but not to exceed seventy-five (75) days.

(b) Upon separation due to retirement or death, a Group A employee hired prior to January 1, 1996, shall be paid at his or her regular rate of pay for all accumulated sick leave, but not to exceed one hundred twenty (120) days; a Group B employee hired prior to January 1, 1996, shall be paid at his or her regular rate of pay for all accumulated sick leave, but not to exceed fifty-six (56) working shifts.

(c) In the event of death, such sum shall be paid to the beneficiary designated by the employee and, if no beneficiary is designated, to the surviving spouse and, in the event there is no surviving spouse, such sum shall be paid to the estate of such employee.

(d) Separation benefits shall be paid immediately upon the effective date of separation.

(e) Employees hired on or after January 1, 1996, shall not be reimbursed for unused sick leave upon separation. These employees will have the option to receive compensation for ten (10) days of sick leave each year at one-half ($\frac{1}{2}$) pay. However, before an employee may exercise this option, he or she must have a minimum of twenty-four (24) days of unused accrued sick leave to his or her credit, and his or her accrual may not be reduced to less than twenty-four (24) days by the exercise of this option.

(f) Employees hired prior to January 1, 1996, shall have the option of electing the new plan; however, they must waive all benefits under Subsections (a), (b), (c) and (d) of this Section. Once this election is made, the employee may not return to the old plan. This election to enter the new plan must be made prior to January 1, 1996. Employees who opt into the new plan shall accrue sick leave at one (1) day for each month of completed full-time service.

(g) Employees hired prior to January 1, 1996, who have not elected the new plan, and who have at least fifteen (15) years of service and one hundred twenty (120) days of accrued, unused sick leave to their credit, may annually sell back up to ten (10) days of sick leave for one-half ($\frac{1}{2}$) pay. The number of sick leave days sold back to the City shall be deducted from the employee's accrual, but his or her accrual will be increased by future sick leave accrued but unused, to the maximum of two hundred (200) days. The amount of days available for buy-back under Subsections (a) and (b) of this Section shall be permanently reduced by one-half ($\frac{1}{2}$) of the days sold back to the City. (Ord. No. 3755, 9-24-73; Ord. No. 6040, 11-27-95; Ord. No. 6048, 1-8-96)

Sec. 6-6-8. Funeral leave.

(a) Recording. Paid funeral leave benefits shall be kept as part of the paid sick leave record. All use of paid funeral leave shall be charged against the same accrual as the use of paid sick leave is charged.

(b) Benefits; Immediate Family. In the event of the death of a member of an employee's immediate family, the employee shall be granted immediate funeral leave from the date of death, plus five (5) consecutive work days thereafter for Group A employees and seven (7) consecutive days for Group B employees. *Immediate family* is defined as parent, brother, sister, spouse, child, grandchild, grandparent, mother-in-law, father-in-law or other relative residing in the same household with the employee.

(c) Benefit; Other.

(1) One-half ($\frac{1}{2}$) day's funeral leave not to exceed four (4) hours may be granted for attendance at funerals of relatives other than the immediate family or for actual services as a pallbearer.

(2) In the event of death of a departmental employee, employees of said department may be granted one-half ($\frac{1}{2}$) day's funeral leave not to exceed four (4) hours for attendance at the funeral, provided that a working schedule can be arranged by the department head that will not materially impair the ability of the department to perform its public duties.

(3) Leave without pay or accrued vacation leave with pay may be granted by the department head for further funeral purposes. (Ord. No. 3755, 9-24-73; Ord. No. 4941, 2-8-82; Ord. No. 6040, 11-27-95)

Sec. 6-6-9. Injury leave.

(a) Accrual and Benefits.

(1) Each permanent, full-time employee injured while in the proper performance of his or her duty inside or outside the City limits without negligence of the employee shall be paid injury leave in a sum equal to the employee's full salary for the period of disability not to exceed one (1) calendar year from the date of injury.

(2) Injury leave benefits as set forth herein are maximum benefits for each injury. Employees on injury leave shall be granted all employee benefits the same as if they were in active service of the City.

(b) Other Benefits. Injury leave benefits provided for herein shall be withheld from any employee entitled thereto unless and until he or she makes a claim for compensation under the Workmen's Compensation Act of Colorado or elects to otherwise pursue a different remedy under the provisions of Section 8-41-203, C.R.S.

(1) Workmen's Compensation temporary disability benefits paid or payable to an employee for the same period of time he or she receives injury leave benefits hereunder shall be deducted by the City from said injury leave benefits.

(2) Receipt of injury leave benefits hereunder by an employee shall operate as and be a partial assignment to the City of said employee's interest in and to any cause of action against a third party as defined in Article 41 of Title 8, C.R.S., to the extent of injury leave benefits paid or payable hereunder by the City to said employee. During such time as he or she is receiving injury leave benefits hereunder and for a period of sixty (60) days from and after the receipt of the final payment thereof, said employee shall have an exclusive right to engage the services of an attorney at law to settle or to otherwise dispose of said cause of action which shall not be settled or otherwise disposed of without the written consent of the City. If said employee engages the services of an attorney as aforesaid, the City shall not be liable for costs or attorney's fees in connection therewith; however, in lieu thereof, the City agrees to limit its pro rata share of any recovery so effected to seventy-five percent (75%) of injury leave benefits paid or payable to the employee hereunder. If said employee fails to engage the services of an attorney, as aforesaid, the City may take such action as it deems advisable for the recovery of one hundred percent (100%) of all injury leave benefits paid to said employee, and said employee will cooperate with the City in such action as it may take and furnish any and all papers and information in his or her possession deemed by the City to be necessary in connection therewith. (Ord. No. 3755, 9-24-73; Ord. No. 4400, 12-12-77)

Sec. 6-6-10. Injury while employed by third person.

No sick leave or injury leave benefits shall be payable to any employee injured while in the employ of an employer other than the City. (Ord. No. 3755, 9-24-73)

Sec. 6-6-11. Special leave.

(a) Less than Ten Days. In addition to leaves authorized above, a department head may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year.

(b) Less than Six Months. The City Manager may authorize special leaves of absence with or without pay for any period or periods not to exceed six (6) calendar months in any one (1) calendar year for the following purposes: attendance at college, university or business school for the purpose of training in subjects related to the work of the employee and which will benefit the employee and the City service; urgent personal business requiring the employee's attention for an extended period such as settling estates, liquidating a business, serving on a jury and attending court as a witness, and for purposes other than above that are deemed beneficial to the City service.

(c) Without Pay. The City Manager may authorize special leaves of absence without pay for any of the purposes set out in the preceding Subparagraph (b) of this Section for any reasonable length of time.

(d) More than Six Months. The City Council may grant leaves of absence with or without pay in excess of the limitations above for the purposes of attending extended courses of training at a recognized university or college and for other purposes that are deemed beneficial to the City service.

(e) Exhaustion of Available Leave. If after exhaustion of all available leave, including injury, vacation and sick leave, an employee, other than a Fire Department employee under the fire pension plan, shall fail or be unable to return to work, he or she shall be discharged. If injured through no cause of his or her own, the employee, when able to return to work, shall be placed upon the reinstatement list.

(f) Family and Medical Leave Policy. The City has a Family and Medical Leave Policy which provides certain benefits to employees in the area of leaves. Wherever this policy provides more liberal benefits than those listed above, the Family and Medical Leave Policy shall control. (Ord. No. 3755, 9-24-73; Ord. No. 6040, 11-27-95)

Sec. 6-6-12. Absence without leave.

(a) Any officer or employee who finds it necessary to be absent from duty due to emergency shall report the reasons therefor to his or her supervisor or department at least one (1) hour before working time, on the first day of such absence. If this is not possible, the employee shall report to his or her supervisor or department at the earliest possible time and shall state the reasons for his or her failure to report at least one (1) hour before working time. Failure of an employee to so report may be grounds for disciplinary action.

(b) All unauthorized absences without leave shall be grounds for disciplinary action. Reduction of pay shall be made for all periods of unauthorized absences.

(c) Unauthorized absences for more than five (5) working days shall be deemed to be and shall constitute a resignation from employment by the employee. (Ord. No. 3755, 9-24-73)

Sec. 6-6-13. Maternity/paternity leave.

(a) An employee shall be granted leave for the birth of the employee's child. Maternity leave shall commence at the time of the child's birth or at the time recommended by the mother's physician and such leave shall expire upon the physician's written recommendation or six (6) weeks from the date of birth, whichever first occurs.

(b) Paternity leave shall not exceed three (3) weeks and shall commence at the time of the birth of the child, unless otherwise agreed by the employee and the appropriate supervisor.

(c) An employee may utilize either sick leave or vacation leave for maternity or paternity leave purposes. (Ord. No. 3755, 9-24-73; Ord. No. 6040, 11-27-95)

CHAPTER 7

Additional Benefits

Sec. 6-7-1. Health, accident, hospitalization and major medical insurance.

(a) The City shall obtain and pay for health, accident, hospitalization and major medical insurance or benefits for all permanent, full-time employees. The obtaining of such insurance or

benefits is hereby expressly excepted from the competitive bidding requirement of the City Charter. Such insurance or benefits may be in one (1) or more individual group policies or health benefit plans. The City shall contribute to a health benefit plan provider on behalf of all classified employees and eligible unclassified employees, a monthly amount not to exceed two hundred fifty-two dollars (\$252.00) for firefighters, two hundred sixty-nine dollars (\$269.00) for police officers or two hundred eighty-one dollars (\$281.00) for all classified employees and eligible unclassified employees, except firefighters and police officers in the bargaining unit, or such lesser monthly amount as required by the health benefit plan selected by an employee or selected by the exclusive bargaining agent for the employees in a bargaining unit.

(b) Effective January 1, 1990, all eligible unclassified employees, and classified employees, except classified employees within a bargaining unit, shall receive an additional amount equal to fifty dollars (\$50.00) per month, which amount may at the employee's option be applied to the employee's share of the monthly cost of coverage under a health benefit plan.

(c) Dental Policy. The City shall pay twenty dollars (\$20.00) toward the full cost of an individual employee policy or family policy for police officers in the bargaining unit, whichever is the lesser, and twenty-four dollars and sixty-six cents (\$24.66) toward the full cost for eligible unclassified employees and classified employees, except firefighters and police officers in the bargaining unit, whichever is the lesser.

(d) The insurance or benefits obtained shall be of such nature that individual employees may, by voluntary additional contribution, apply for and obtain additional coverage including both individual and family benefits.

(e) Permanent part-time employees shall receive the benefit of this Section on a pro rata basis, provided that such part-time employee shall elect to pay the difference between the City's pro rata contribution and the basic cost for the individual employee; otherwise the City shall not be obligated to provide insurance for such part-time employee. (Ord. No. 3755, 9-24-73; Ord. No. 3931, 11-25-74; Ord. No. 3932, 11-25-74; Ord. No. 3933, 11-25-74; Ord. No. 4400, 12-12-77; Ord. No. 4416, 1-23-78; Ord. No. 4536, 11-13-78; Ord. No. 4666, 10-22-79; Ord. No. 4838, 1-26-81; Ord. No. 4942, 2-8-82; Ord. No. 5021, 12-27-82; Ord. No. 5108, 12-12-83; Ord. No. 5520, 12-27-88; Ord. No. 5571, 12-11-89; Ord. No. 6041, 11-27-95)

Sec. 6-7-2. Disability payments; Fire Department personnel.

(a) In any case where an officer, member or employee of the Fire Department shall become mentally or physically disabled while not on active duty during regularly assigned hours of duty, and from any cause not self-inflicted or due to the habitual use of intoxicants or drugs, to an extent whereby he or she is unable to perform his or her regular Fire Department duties, he or she shall be paid by the City from funds available within the Fire Department's annual appropriation starting immediately after the expiration of paid sick leave benefits and accrued vacation leave as provided by Sections 6-6-1 thru 6-6-12 of this Title, and for the remaining period of such disability, not to exceed one (1) calendar year from the date of such disability, a monthly benefit equal to two and one-half percent (2.5%) of the amount of his or her monthly salary as of the date of his or her disability, multiplied by the number of years he or she has been in active service with the Fire Department; but any such benefits under this provision shall not exceed one-half (½) of his or her monthly salary as of the date of his or her disability.

(b) For the purpose of determining the physical or mental disability of any such member, the Firemen's Pension Fund Board established by Section 2-2-1 of this Code shall have jurisdiction. The Board may personally examine the member and shall appoint one (1) or more physicians or surgeons to make an examination of the member and report their findings to the Board, which report shall be taken into consideration in determining whether the member is physically or mentally disabled.

(c) In the event the State Legislature enacts a statute removing the twelve-month waiting period from Section 31-30-407(1)(f), C.R.S., the provisions of this Section shall automatically terminate. (Ord. No. 3755, 9-24-73)

Sec. 6-7-3. Partially disabled employees; light duty.

(a) If, as a result of service-connected injury or illness resulting from no fault or negligence of the employee, an employee is temporarily disabled and unable to efficiently perform the duties of his or her position, but is able to efficiently perform the duties of some other position in which a vacancy exists and which position is compatible with the employee's skills and abilities, then the Personnel Director may refer the employee for placement in such vacant position for a period not to exceed six (6) months. Upon approval of the department head and the City Manager, the employee may be so employed. Such assignment shall be called light duty.

(b) The salary of an employee on light duty shall be a salary within the pay range of the class in which he or she was employed at the time of his or her injury or illness.

(c) During his or her period of temporary disability, said employee shall be entitled to pay pension contributions and shall continue to receive health-medical plan benefits, and accrue credits for sick leave and vacation leave.

(d) Any employee who refuses to cooperate in the placement program, by failure to accept or continue in the employment offered, shall, as of the date of any such refusal, be dismissed.

(e) Upon presentation of a doctor's certificate stating that the employee is physically capable of performing all the duties of the position in which he or she was classified to work at the time of his or her injury or illness, he or she shall be returned to full duty at that classification. If the department head determines that the work of the employee upon return to work is not satisfactory, the department head may cause the employee to be reexamined to determine his or her ability to perform. (Ord. No. 3755, 9-24-73)

Sec. 6-7-4. Personal liability; defense.

In order to implement the defense of employees of the City under the Colorado Governmental Immunity Act, as amended, where the claim against the employee arises out of injuries sustained from an act or omission of such employee which occurred or is alleged in the complaint to have occurred during the performance of his or her duties and within the scope of his or her employment, the following procedure shall be followed:

(1) Where the City is not made a party defendant in an action, the employee shall notify the City Clerk in writing of the existence of such action within fifteen (15) days after commencement of the action. Failure of an employee to so notify the City Clerk may result in the City refusing to

assume the defense of such employee. If an employee willfully and knowingly fails to notify the City of the incident or occurrence which led to the claim within a reasonable time after such incident or occurrence, if such incident or occurrence could reasonably have been expected to lead to a claim, the City may not assume the defense of such employee.

(2) Where the City is made a codefendant with its employee, it shall notify the employee in writing within fifteen (15) days after the commencement of such action whether it will assume the defense of such employee. Where the City is not made a codefendant, it shall notify such employee whether it will assume such defense within fifteen (15) days after receiving written notice from the employee of the existence of such action. (Ord. No. 3755, 9-24-73; Ord. No. 5398, 5-11-87)

Sec. 6-7-5. Application of foregoing Section.

(a) Failure of the City to undertake or assume the defense of an employee as provided in Section 6-7-4 shall not be construed to give rise to any grievance, nor shall any determination thereunder be subject to grievance procedures as set forth in this Title.

(b) Nothing contained in Section 6-7-4 or herein shall apply to any disciplinary matter or action prosecuted under Section 6-10-2 nor any action instituted against an employee before the Municipal Court.

(c) Nothing contained in Section 6-7-4 or herein shall authorize the providing of legal services to any employee to prosecute or defend any claim or action in any court or administrative tribunal or agency except as herein expressly provided. (Ord. No. 3755, 9-24-73)

Editor's Note: Sections 6-7-6 and 6-7-9 were repealed by Ord. No. 6041, passed and approved 11-27-95.

Sec. 6-7-7. Educational incentive awards.

In addition to any other compensation, sworn police personnel having at least one (1) year of service with the City shall receive an annual education incentive in accordance with the table set forth below, provided that those initially hired on or after January 1, 1996, are not eligible to receive any education incentive at the thirty (30) semester hours level:

30 semester hours	\$200.00
Associate Degree	400.00
Bachelor's Degree	600.00
Master's Degree	800.00

An employee shall be paid only the amount of money listed for the highest of the levels he or she attains. (Ord. No. 3755, 9-24-73; Ord. No. 4536, 11-13-78; Ord. No. 6041, 11-27-95)

Sec. 6-7-8. Tuition refund.

Upon recommendation of the department head and after prior approval of the City Manager, the City may reimburse a permanent, full-time employee upon successful completion of an approved

course or courses in educational or vocational training. The course or training must be related to the work, be designed to improve competence in the job and be of value to the employee's service to the City. The amount to be reimbursed will not exceed eighty percent (80%) of the cost of tuition, fees and books. (Ord. No. 3755, 9-24-73; Ord. No. 6041, 11-27-95; Ord. No. 6894 §1, 10-15-02)

Sec. 6-7-9. Separation agreements.

(a) If the City Manager determines that it would be in the best interest of the City to provide for the separation from employment of an employee of the City, the City Manager may, in his or her sole discretion, cause separation benefits in addition to those provided by the personnel ordinances of the City ("Additional Separation Benefits") to be paid to or for the benefit of the employee pursuant to programs and procedures adopted by the City Manager, subject to the employee entering into a separation agreement forever releasing and discharging the City, its officers, employees and agents, from any and all claims and causes of action, except claims which cannot be released by law, arising out of or in any way relating to his or her employment or separation from employment with the City. The City Manager is authorized to execute separation agreements in the name of the City which have been approved as to form by the City Attorney.

(b) Additional Separation Benefits for any employee may not exceed sixty percent (60%) of the employee's annual salary unless otherwise specifically authorized by City Council by resolution or ordinance.

(c) The City Manager may transfer any unencumbered appropriation balance or portion thereof within the department in which the employee is assigned for payment of Additional Separation Benefits, or direct that Additional Separation Benefits be paid out of other funds budgeted and appropriated therefor. The Director of Finance shall certify that there is a balance of appropriated and available funds for payment of an employee's Additional Separation Benefits.

(d) Information regarding amounts paid or benefits provided under a separation agreement are public records open for inspection.

(e) This Section 9 is repealed effective December 31, 2010. (Ord. No. 8053 §1, 8-24-09)

CHAPTER 8

Positions; Established; Abolished; Appointed

Sec. 6-8-1. Establishment of positions.

New positions shall be established by the City Manager after investigation of the need therefor and the duties thereof, by amendment to the pay schedule, with the approval of the City Council. (Ord. No. 3755, 9-24-73)

Sec. 6-8-2. Number of positions.

The number of positions in each class shall be determined by the City Manager as a part of the budget. Department heads shall be responsible to see that this number is not exceeded except by direction of the City Manager. (Ord. No. 3755, 9-24-73)

Sec. 6-8-3. Abolition of position.

Whenever the City Manager determines that the requirements of the City change to the extent that a particular position is no longer necessary, the City Manager shall, with the approval of the City Council, declare the same abolished. Any employee with civil service status in such abolished position shall, with approval of the City Manager and pursuant to these rules, be:

- (1) If a vacancy exists, transferred to another position in the same class;
- (2) Promoted if a vacancy exists in a class of positions for which such employee is eligible;
- (3) Laid off and placed on a reinstatement list for the class of position for which he or she is qualified;
- (4) Demoted; or
- (5) Allowed to replace another employee in accordance with Section 6-9-3 of this Title. (Ord. No. 3755, 9-24-73)

Sec. 6-8-4. Reclassification.

(a) When a position is reclassified, the incumbent shall remain in the reclassified position if the Director, with the approval of the City Manager, determines that he or she is qualified to perform the duties of the reclassified position.

(b) If the Director determines that the incumbent lacks the qualifications for the new classification, the incumbent shall with the approval of the City Manager be:

- (1) If a vacancy exists, transferred to another position in the same class;
- (2) Promoted, if a vacancy exists for which such employee is eligible as a result of examination;
- (3) Laid off and placed on a reinstatement list for the class of position for which he or she is qualified;
- (4) Demoted; or
- (5) Allowed to replace another employee in accordance with Section 6-9-3 of this Title. (Ord. No. 3755, 9-24-73)

Sec. 6-8-5. Vacancies.

(a) A vacancy shall exist whenever the number of positions established by the budget exceeds the number of employees in such positions.

(b) The City Manager may, upon written notice to the Director, declare that a vacancy shall remain open for a period not to exceed six (6) months.

(c) The City Council may at any time declare that any portion of all existing or future vacancies shall remain open for such period or periods as the City Council shall determine by resolution.

(d) Unless held open as provided in Subsections (b) and (c) above, vacancies shall be filled as soon as the Director can certify to the department head as provided in Section 6-8-6.

(e) During the time a vacancy is held open, the eligible list pertaining to such vacancy shall remain frozen and no new eligible list shall be established until action is taken on such vacancy. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73; Ord. No. 4019, 5-26-75; Ord. No. 4930, 1-11-82)

Sec. 6-8-6. Notification of vacancy, appointment.

When a vacancy occurs in any position in the classified service, the involved department or bureau head shall so notify the Director and City Manager in writing. Unless such vacancy is declared open, or the position is abolished, the vacancy shall be filled from the appropriate reinstatement list, if possible; otherwise by any of the other following methods at the discretion of the involved department or bureau head with the approval of the City Manager:

(1) From a reinstatement list. Due to a reduction in force or other cause not involving resignation, unsatisfactory work or other fault of the employee, a former certified employee who separated in good standing may be appointed to a position in the class from which he or she was separated pursuant to Civil Service Rules 34, 36 and 37. Such appointments must be made within four (4) years after such separation;

(2) From a reemployment list;

(3) By transfer of a classified service employee from one (1) position to another position in the same class, subject to the requirements of Section 6-8-11;

(4) By voluntary demotion for the convenience of the City or the employee, but only with the approval of all involved department heads and the City Manager; or

(5) From a civil service eligible list in the following manner:

a. The Director shall forward a copy of the appropriate class specification to the Civil Service Commission, with a request for certification of the names of the three (3) highest ranking persons on the appropriate eligible list.

b. The Director may also request from the Commission further information relating to the persons certified and to their application, examination or certification process.

c. If any person so certified fails to accept, qualify for or meet any requirement of the position, the Director may request removal of that person from the eligible list and certification of the name of the person next highest on the appropriate eligible list.

d. If more than one (1) vacancy is to be filled from an eligible list, the Director may request certification of an additional name for the second and each subsequent vacancy.

e. If less than three (3) names appear or remain on an eligible list, the City Manager may either request that the Commission establish a new eligible list, or may accept a certification of less than three (3) names.

f. If a person certified for appointment from an eligible list is rejected or passed over twice, the City Manager may request removal of the person from that eligible list.

g. After a certification, the Director shall select a committee of at least three (3) persons to evaluate the persons certified.

h. After consultation with the involved department or bureau head and the committee, the Director shall forward the names of all persons certified and recommendations to the City Manager, who shall make the final appointment.

(6) Notwithstanding the provisions of Subsection (5) above, if a recruitment to fill a vacancy in a position in the classified service has been opened to persons who are not employees of the City, or, in the case of any recruitment to fill a vacancy in a position in a promotional class which is not included in the police officers, fire fighters or other classified employees bargaining units, and the vacancy is not filled by one (1) of the methods set out in Subsections (1) through (4) above, the vacancy shall be filled from a civil service eligible list in the following manner:

a. The Director shall forward a copy of the appropriate class specification to the Civil Service Commission, with a request for certification of the names of the five (5) highest-ranking persons on the appropriate eligible list, except for administrative assistant which will be a request for the certification of the names of the fifteen (15) highest-ranking persons on the eligible list, and except for entry level firefighters which will be a request for the certification of the names of the twenty (20) highest-ranking persons on the eligible list.

b. The Director may also request from the Commission further information relating to the persons certified and to their application, examination or certification process.

c. If any person so certified fails to accept, qualify for or meet any requirement of the position, the Director may request removal of that person from the eligible list and certification of the name of the person next highest on the appropriate eligible list.

d. If more than one (1) vacancy is to be filled from an eligible list, the Director may request certification of an additional name for the second and each subsequent vacancy.

e. If less than five (5) names appear on the eligible list, or fifteen (15) names on the administrative assistant eligible list or twenty (20) names on the entry level firefighter eligible list, the City Manager may either request that the Commission establish a new eligible list or

may accept a certification of less than five (5) names, or fifteen (15) names in the case of administrative assistant, or twenty (20) names in the case of entry level firefighter.

f. If a person certified for appointment from an eligible list is rejected or passed over twice, the Director may request removal of the person from that eligible list.

g. After a certification, the Director shall select a committee of at least three (3) persons to evaluate the persons certified.

h. After consultation with the involved department or bureau head and the committee, the Director shall forward the names of all persons certified and recommendations to the City Manager, who shall make the final appointment.

(7) Notwithstanding any provision of Subsection (6) above, any recruitment for a vacancy in a position in a class included in the police officers or fire fighters bargaining units which is limited to employees of that bargaining unit shall be subject to the Rule of Three procedure set out in Subsection (5) above rather than the Rule of Five procedure set out in Subsection (6) above.

(8) Notwithstanding any provision of Subsection (6) above, any vacancy in a position in a class included in the other classified employees bargaining unit which is not filled by one (1) of the methods set out in Subsections (1) through (4) above shall be subject to the Rule of Three procedure set out in Subsection (5) above rather than the Rule of Five or Rule of Fifteen or Rule of Twenty procedures set out in Subsection (6) above, unless otherwise provided in the collective bargaining agreement covering the other classified employees. (Ord. No. 3755, 9-24-73; Ord. No. 4987, 7-12-82; Ord. No. 5202, 1-28-85; Ord. No. 6652 §1, 2-12-01; Ord. No. 7066 §§1—3, 10-27-03; Ord. No. 7217 §§1—3, 10-12-04; Ord. No. 7600 §§1—3, 6-11-07; Ord. No. 7723 §1—3, 1-28-08)

Editor's Note: Provisions regarding administrative assistants in paragraphs 6(a) and 6(e) shall be repealed on 12-31-09 per Ordinance No. 7600, passed and approved on 6-11-07.

Editor's Note: The provisions of Ordinance 7723 shall be automatically repealed effective January 1, 2011, thereby reinstating the sections as the same previously existed, thereby eliminating all references to the Rule of Twenty and list of twenty names.

Sec. 6-8-7. Appointment probationary.

All entrance appointments shall be probationary for a period of one (1) year. All promotional appointments shall be probationary for a period of six (6) months; provided that any employee who is temporarily promoted to a higher class of position may be credited toward completion of his or her probationary period with such temporary service up to one hundred fifty (150) days with the approval of the Director. (Ord. No. 3755, 9-24-73)

Sec. 6-8-8. Part-time appointments.

Part-time appointments not to exceed the equivalent of eight (8) months in any year of persons who meet the minimum qualifications of a vacant position may be made by the City Manager without regard to the regulations as to appointment in this Title and the civil service rules. (Ord. No. 3755, 9-24-73)

Sec. 6-8-9. Oath; required; exceptions; refusal.

(a) All employees of the City, whether or not within the civil service, are required, before entering upon the duties of their employment, to take the oath required by the Charter. The taking of such oath shall be a condition of employment, and no payment shall be made by the City until such oath has been taken; provided, however, that the provisions of this Section shall not apply to temporary or special services, or to day laborers or extra and supply men whose employment is to be for less than sixty (60) days.

(b) Failure to take the oath as required herein shall be grounds for discharge. (Ord. No. 3755, 9-24-73)

Sec. 6-8-10. Medical examinations, requirements; condition precedent to appointment.

(a) A medical examination shall be required as a condition precedent to every initial appointment and to such other appointments as the Director or City Manager may designate.

(b) All such medical examinations shall be conducted by such physician and in such manner and form as are established by the Director with the approval of the City Manager, for the purpose of determining the physical qualifications of a candidate to perform the duties of the position, and shall be at the expense of the City. Examination results shall be submitted to the Director by written report, which shall include the opinion of the examining physician as to the physical qualifications of the candidate to perform the duties of the position, and a statement from the examining physician of any condition of the candidate which might substantially affect performance of the duties of the position. If an examination report discloses any such condition, the Commission and the involved department head shall evaluate the condition in relation to the duties of the position. Based upon such evaluation, if the Commission determines that the candidate is otherwise qualified and can perform the duties of the position with reasonable accommodation, the Commission, in accordance with the requirements of Section 6-1-7 of this Code, may certify the candidate as eligible for appointment. (Ord. No. 3755, 9-24-73; Ord. No. 4757, 6-23-80)

Sec. 6-8-11. Transfer.

(a) The City Manager shall have power, whenever the interest of the City requires, to assign any employee of one (1) department to temporary performance of similar duties in another department.

(b) Any employee in the classified service desiring a transfer shall file the request in writing with the Director. If a vacancy exists, the request may be granted subject to approval of the department heads and the City Manager, and provided that it is in the best interest of the City to grant the request. No employee shall be permitted to apply for a transfer within the six-month period immediately following his or her transfer. The opportunity for transfer shall be opened to all qualified employees. (Ord. No. 3755, 9-24-73; Ord. No. 3780, 11-26-73)

Sec. 6-8-12. Drug screening.

(a) Definitions. For purposes of this Section, unless the context otherwise requires:

(1) *Positive evidence* means the presence of a drug or drug metabolite in a urine sample at or above the test levels listed in the United States Department of Transportation Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. Part 40.

(2) *Prohibited drug* means marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines or a substance specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 811, 812, unless the drug is being used as authorized by a legal prescription or other exemption under federal, state or local law.

(3) *Passing a drug test* means that the test result does not show positive evidence of the presence of a prohibited drug or drug metabolite in an applicant's system.

(4) *Failing a drug test* means that the test result shows positive evidence of the presence of a prohibited drug or drug metabolite in an applicant's system.

(5) *Refusal to submit* means refusal by an individual to provide a urine sample after he or she has received notice of the requirement to be tested in accordance with this Section.

(b) All persons who become eligible for initial hire into any position in the classified service or any other position listed in Section 6-5-16 of this Code shall be required as a part of the final selection process and as a condition of initial employment with the City to pass a drug screen conducted in compliance with federal regulations and guidelines for workplace drug testing programs under 49 C.F.R. Part 40 and 14 C.F.R. Part 121 Appendix I.

(c) Any person who refuses to submit to such drug screen or who fails such drug screen shall be removed from the eligible list forthwith and shall be ineligible for employment by the City for a period of one (1) year from the date of removal.

(d) The drug screen procedures shall be approved by the City Manager, the Director of Personnel and the Civil Service Commission.

(e) The City shall include written notice on all employment application forms that preemployment testing under this Section will be conducted to determine the presence of controlled substances, including marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines or a metabolite of those drugs in the applicant's system.

(f) Any person removed from an eligible list under this Section may appeal such determination to the Civil Service Commission under Civil Service Rule 31.

(g) Nothing contained in this Section shall be construed to limit the authority of the City to require drug testing as a condition of continued employment, nor to limit the authority of the City to discipline or discharge employees for drug usage or for refusal to submit to drug testing. (Ord. No. 5702, 8-26-91; Ord. No. 5785, 12-28-92)

CHAPTER 9

Reduction in Force; Replacement

Sec. 6-9-1. Notice.

Whenever it becomes necessary as determined by the City Manager to reduce the number of employees in a given class, the department head shall, at least three (3) days prior to such reduction, notify the Director of the number of positions in the class to be vacated. The Director shall then furnish the department head the names of the employees who are to be laid off. (Ord. 3755, 9-24-73)

Sec. 6-9-2. Order of reduction.

(a) A reduction of the number of employees in any class shall be made in the following order: part-time, probationary, permanent.

(b) Probationary and permanent employees shall be terminated on the basis of service in the position being reduced, computed in accordance with Rule 37 of the civil service rules, employees with the least service being laid off first. (Ord. 3755, 9-24-73)

Sec. 6-9-3. Replacement.

Any employee laid off shall, with the approval of the City Manager, have the right to replace another employee without prejudice to the right of either to reinstatement, provided that the following requirements are met:

- (1) The employee to be replaced occupies a class having the same or lower pay grade;
- (2) The employee laid off has more total service in the class involved, together with service in a higher class within the same line of promotion, than does the employee to be replaced;
- (3) The employee laid off is qualified for the duties of the lower class of position as determined by the Director; and
- (4) The employee to be replaced occupies a lower position in the line of promotion to the position from which the employee has been laid off. (Ord. 3755, 9-24-73)

Sec. 6-9-4. Replacement appeal.

Any employee replaced or desirous of replacing another, who believe he or she is aggrieved, shall have the right to initiate a grievance procedure under the provision of Chapter 11 of this Title. Such grievance shall not involve or include the decision of the City Manager to abolish a position or to reduce the number of positions. Such grievance shall be conducted in general conformity to the provisions of Section 6-11-2 of this Title. (Ord. 3755, 9-24-73)

CHAPTER 10

Removal; Discipline; Appeal

Sec. 6-10-1. Removal of probationary employees.

(a) The department head may terminate an employee prior to completion of his or her probationary period without filing formal charges if, in the opinion of the department head, the probationary employee is not qualified, able or willing to fulfill the requirements of a position; provided, however, that if the employee so terminated has civil service status in another class, he or she shall automatically revert to the former position in which he or she has such status.

(b) A probationary employee shall have the right to appeal from a removal. The decision and action of the department head shall in such case be sustained unless the Commission shall find that the department head abused his or her discretion in terminating said probationary employee. (Ord. 3755, 9-24-73)

Sec. 6-10-2. Limited disciplinary action.

In accordance with the provisions of Section 8-4 of the Charter, a department head may impose a suspension not to exceed forty-eight (48) hours or may reprimand any of the employees under his or her supervision. Such limited discipline must be uniformly and fairly imposed; that is, similar treatment must be imposed for similar infractions, and only after a complete investigation by the department head including opportunity for the employee to state his or her case. In such case, the department head shall notify the employee of the action in writing, which statement shall include a brief statement of the reason for the disciplinary action. A copy of such statement shall be forwarded to the Director for inclusion in the employee's service file. (Ord. 3755, 9-24-73)

Sec. 6-10-3. General discipline and discharge.

Any department head may suspend for more than two (2) days; demote, remove, demise or impose such other reasonable disciplinary action as he or she may deem desirable upon any employee under his or her supervision by giving to such employee written notice of the charges preferred, which shall contain a brief statement of the action taken and the reasons therefor. Such notice shall be signed by the department head and forwarded in triplicate to the Director. The Director shall serve a copy of the same on the employee either personally or by certified mail. If not successfully appealed, such action shall be effective from and after service of notice upon the employee. (Ord. 3755, 9-24-73)

Sec. 6-10-4. Grounds for discipline or discharge.

Grounds for discipline or discharge shall include the following:

- (1) Refusal or inability to follow orders;
- (2) Inefficiency;
- (3) Violation of this Title, civil service rules, departmental regulations, general regulations or law;

(4) Conduct unbecoming an employee of the City;

(5) Immoral or indecent conduct; and

(6) Any personal delinquency which renders the employee unfit or undesirable for a particular position in the classified service or employment by the City. Repeated failure to make reasonable payment of just debts or garnishments may be considered such a personal delinquency. (Ord. 3755, 9-24-73)

Sec. 6-10-5. Appeal from general discipline or discharge.

An employee disciplined or discharged under the provisions of Sections 6-10-3 and 6-10-4 herein may, if he or she desires, appeal the action to the Commission pursuant to Chapter 12 hereof. (Ord. 3755, 9-24-73)

CHAPTER 11

Grievance Procedure

Sec. 6-11-1. Definitions.

In the construction of this Chapter the following definitions shall be observed:

(1) *Grievance* means any request or complaint by an employee with reference to a written condition of employment or the interpretation or application of the ordinances, civil service rules or department rules and regulations of the department in which the employee is employed, except matters relating to discipline or dismissal and except matters relating to classification, reclassification, allocation of positions, abolition of positions, creating new positions or transfer.

(2) *Employee* means any employee of the City, except department heads and except probationary and part-time employees, in the classified service regardless of status.

(3) *Immediate supervisor* means the individual who assigns, reviews, directs or appraises the performance of an employee.

(4) *Superior* means the individual who assigns, reviews, directs or appraises the activities of an immediate supervisor.

(5) *Weekdays* means Monday through Friday of each calendar week, inclusive; Saturdays, Sundays and holidays as set forth in Section 6-6-1 of this Title shall not be considered as weekdays. (Ord. No. 3755, 9-24-73)

Sec. 6-11-2. Grievances; step-by-step procedure.

(a) Any employee as defined in Section 6-11-1(2), who is aggrieved by any grievance as defined in Section 6-11-1(1), which cannot be resolved through informal discussions with his or her

immediate supervisor, may file a grievance within ten (10) days after the occurrence of the grievance, or at any time if the grievance is a continuing matter rather than a single event or occurrence.

(b) Similar grievances may be consolidated and processed together as a single issue. By mutual agreement of the parties, any step or steps may be bypassed. Every effort shall be made by the parties to resolve the grievance at the lowest level possible.

(c) When a grievance is filed, it shall be filed and processed in the following manner; except that time limits may be waived by mutual assent of the parties:

Step 1. The employee shall present the written grievance to his or her immediate supervisor, unless the cause of the grievance occurs at a higher level, in which case it shall commence at that higher level. The grievance shall state his or her complaint and the action requested. A written decision shall be given to the employee within three (3) working days of the date of the filing. If the grievance remains unresolved, the employee may proceed to Step 2.

Step 2. Within three (3) working days after receipt of the decision in Step 1, the employee shall present his or her written grievance and such decision to the person at the next higher level of supervision, if any, over Step 1. Such person shall, within three (3) working days after receipt of the grievance, render his or her written decision to the employee. If the grievance remains unresolved, the employee may proceed to Step 3.

Step 3. Within three (3) working days after receipt of the decision in Step 2, the employee shall present his or her grievance and the decision in the Steps 1 and 2 in writing to the department head. The department head shall, within three (3) working days of receipt of the grievance, render a decision in writing to the employee. If the grievance remains unresolved, the employee may proceed to Step 4.

Step 4. Within three (3) working days after receipt of the decision in Step 3, the employee shall present his or her grievance and the decisions of Steps 1, 2 and 3 in writing to the City Manager. The City Manager shall, within five (5) working days after receipt of the grievance, render his or her decision in writing to the employee. If the grievance remains unresolved and relates to replacement, reinstatement or alleged discrimination due to race, sex, religion or political beliefs, the employee may proceed to Step 5. In all other grievances, the decision of the City Manager shall be final.

Step 5. Within three (3) working days after receipt of the decision in Step 4, the employee shall present his or her grievance, if it relates to grievances specified in Step 4, in writing with all decisions of the previous steps, to the Civil Service Commission. The Civil Service Commission shall then conduct a hearing on the grievance and render its decision thereon pursuant to and in conformity with the provisions of Chapter 12 of this Title.

(d) Appeals shall be made only on the questions not previously satisfactorily resolved, and the body or person appealed to shall limit his or her or their consideration to appealed questions exclusively. (Ord. No. 3755, 9-24-73)

Sec. 6-11-3. Continuances and limitations.

(a) An employee who cannot make his or her request or complaint to his or her immediate supervisor, department head, City Manager or the Civil Service Commission within the required time because of authorized absence from work or other good and sufficient reason may in writing request a continuance from the individual or body to whom the request or complaint is addressed. Such individual or body shall thereupon continue the matter for a total time not to exceed thirty (30) consecutive calendar days. A second continuance not to exceed thirty (30) consecutive calendar days may be had at any other stage of the proceedings for good cause shown. Not more than two (2) such continuances may be had in the full course of any proceedings, it being the express intention hereof that all such requests are dated in no event later than ninety (90) days from the action giving rise to the request or complaint, exclusive of the time such matter is held under advisement by any individual or Civil Service Commission. The word *terminate* shall mean the final disposition of the matter.

(b) In the event the act of which an employee may complain shall occur while such employee is not at work by reason of regular days off or leave of absence, the act shall be deemed to have occurred on the date the employee shall return to work or, in matters affecting pay, the employee's next pay day for the pay period in which the act occurred, whichever is sooner. (Ord. No. 3755, 9-24-73)

Sec. 6-11-4. Failure of compliance.

(a) Failure of any individual to make a decision within the time stated shall be construed to mean that the decision of the individual is in accord with the demand of the employee.

(b) Failure by any employee to submit a statement in writing to his or her department head or thereafter to submit the matter in writing to successive individuals or bodies within the time herein set forth, including any continuances which have been properly granted by such individual or body for the purpose of submitting the matter in writing, shall create a conclusive presumption which may not be rebutted by the employee that the matter has been settled to the satisfaction of the employee, and the employee shall be forever barred from thereafter raising the matter in any manner or in any form. (Ord. No. 3755, 9-24-73)

Sec. 6-11-5. Other limitations.

A grievance shall be commenced within one (1) year from the date any claimed accrual of paid leave or compensatory time earned shall have occurred and not afterwards. Any entry in the personnel leave record or the departmental compensatory time earned record of an employee entered more than one (1) calendar year prior to the institution of any grievance concerning paid leave shall be conclusively deemed to be correct. (Ord. No. 3755, 9-24-73)

Sec. 6-11-6. Employee representatives.

Any employee may be represented before the City Council, the Civil Service Commission, the City Manager or any department head or superior, by any person, organization, representative or labor union of the employee's choice. No member of the City Manager or any department head shall attempt to interfere in any way with any employee's freedom to affiliate or disaffiliate with any organization or labor union seeking to represent such employee. (Ord. No. 3755, 9-24-73)

CHAPTER 12

Appeal Procedure

Sec. 6-12-1. Commission to hear appeals.

Pursuant to Section 8-4 of the City Charter, the Commission shall grant a hearing to any employee or group of employees who shall appeal in writing from:

- (1) Any action pertaining to classification, reclassification or allocation of positions.
- (2) Any disciplinary action involving suspension, demotion or dismissal of any employee in the classified service. (Ord. No. 3755, 9-24-73; Ord. No. 5349, 10-14-86)

Sec. 6-12-2. Appeal procedure.

An employee may appeal any action specified in Section 6-12-1 by filing a written request for hearing with the Commission within five (5) days after notice of the action was served on the employee. A hearing shall be held within five (5) days after receipt of the request for hearing by the Commission, unless this time is extended by mutual agreement of the employee, the City and the Commission. (Ord. No. 3755, 9-24-73; Ord. No. 5349, 10-14-86)

Sec. 6-12-3. Appeal hearings.

(a) All appeal hearings shall be conducted as quasi-judicial hearings in accordance with the provisions of Title I of this Code.

(b) The City shall have the burden of proof on all appeals from disciplinary actions. The appellant shall have the burden of proof on all other appeals. (Ord. No. 3755, 9-24-73; Ord. No. 5349, 10-14-86)

Sec. 6-12-4. Decision of Commission on appeal.

(a) On any appeal under Section 6-12-1(2), the Commission may sustain, reject or modify the disciplinary action taken. Where appropriate, the Commission may order reinstatement and may award or deny back pay or benefits in whole or in part.

(b) On any other appeal, the Commission may sustain or reject, but may not modify the action taken.

(c) The Commission shall render its decision and findings in writing and shall serve copies thereof on the employee, department head and City Manager. (Ord. No. 3755, 9-24-73; Ord. No. 5349, 10-14-86)

Sec. 6-12-5. Decision final; judicial review.

The decision, finding or action of the Commission shall be final and binding on all parties unless within thirty (30) days thereafter it is appealed to the District Court under the provisions of Section 1-7-14 of this Code. (Ord. No. 3755, 9-24-73; Ord. No. 5349, 10-14-86)

CHAPTER 13

Civil Service Rules

*Article I
Civil Service Commission*

Rule 1. Meetings.

The Commission shall hold regular meetings at the City Hall at least once per month unless cancelled, and may hold additional meetings at any time. All such meetings shall be open to the public unless a closed meeting or executive session is required or permitted by law. Except in case of emergency, notice of each such public meeting shall be posted in the City Hall at least two (2) days in advance. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 7364 §1, 9-12-05)

Rule 2. Quorum; procedure.

(a) Two (2) Commissioners shall constitute a quorum at any meeting, and the concurrence of at least two (2) Commissioners by vote or ratification shall be required to constitute official Commission action.

(b) All Commission meetings shall follow the procedures set out in Title I of this Code, unless a different procedure is authorized or permitted by law. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 3. Office hours.

The office of Civil Service shall be open during the same hours as the office of City Manager. (Ord. No. 3781, 11-26-73)

Rule 4. Commission staff, duties.

(a) The Commission staff shall consist of such full-time positions in such classes, and such unclassified appointments as may be recommended by the Commission and approved by the City Manager and City Council. All permanent Commission staff shall be members of the classified service.

(b) A staff member or members shall be designated by the Commission to compile and maintain all Commission records, serve as secretary and clerk to the Commission, process applications, develop, conduct and score examinations, maintain eligible lists and perform all other lawful duties assigned by the Commission. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 5. Records.

(a) Records concerning Commission hearings, and applications, examination or eligibility of applicants, candidates or eligibles shall be maintained by the Commission for at least two (2) years after the date such records are received or compiled, and may thereafter be destroyed unless their retention is required by law.

(b) All other City employee personnel records, or copies thereof, shall be filed in the office of the Department of Human Resources. No such records shall be removed from either office or otherwise accessed except by express permission of the Commission or the Director of Human Resources, respectively. Inspection of such records shall be regulated as otherwise provided by law. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 7364 §2, 9-12-05)

*Article II
Applications; Regulations*

Rule 6. Waiver or modification of application requirements.

(a) No application, examination or certification requirement set forth in these Rules shall be waived, suspended or modified unless the City Manager issues a written finding that a vacancy cannot be filled by strict adherence to such requirements.

(b) No such waiver, suspension or modification shall ever be used to certify any person not otherwise qualified for appointment to any position in the classified service, except for a trainee appointment made pursuant to Section 6-2-1(8) of this Title. (Ord. No. 3781, 11-26-73; Ord. No. 4021, 5-26-75; Ord. No. 5202, 1-28-85; Ord. No. 5350, 10-14-86)

Rule 7. General qualifications.

Applicants for any class shall meet all requirements contained in the class specification as of the date specified by the Commission. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 8. Citizenship and residency.

(a) United States citizenship shall be an application requirement for Police Patrol Officer and for any other class affected with a compelling governmental interest.

(b) No person shall be appointed to the classified service as a peace officer as defined in Section 29-5-101, C.R.S., who is not at the time of appointment a bona fide resident of the State.

(c) No particular residency shall be required for admission to an examination or for probationary appointment. (Ord. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 9. Education.

The Director, with the approval of the City Manager, may establish for each class a reasonable and job-related minimum requirement of education or experience or both, which shall be stated in the class specification. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 10. History, background and moral character.

The Commission shall investigate the history, background and moral character of each applicant, candidate or eligible. If such investigation reveals that a person is unsuitable for appointment because of that person's history, background or moral character, such person shall be rejected from examination or removed from an eligible list, subject to rights of appeal as provided in these Rules. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 11. Eligibility for promotional examination.

Applicants for promotional examinations shall meet all requirements of the involved class on or before the application deadline date. (Ord. No. 3781, 11-26-73; Ord. No. 3879, 6-10-74; Ord. No. 5350, 10-14-86; Ord. No. 7364 §3, 9-12-05)

Rule 12. Additional requirements.

In addition to any requirements set forth herein, the Director, with the approval of the City Manager, may establish other requirements deemed advisable to ensure the competency of persons to perform the duties of any class, provided that no such requirement shall be arbitrary, discriminatory or in conflict with express requirements of the City Charter, this Code or other applicable law. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Editor's Note: Rule 13 was repealed in its entirety by Ord. No. 5350, passed and approved 10-14-86.

Rule 14. Disciplinary action bar to eligibility.

(a) If prior service in a particular class or classes is a requirement for admission to a promotional examination for any class, or for appointment to that class, such service shall be computed subject to Civil Service Rule 25.

(b) No classified service employee who has received any disciplinary action involving dismissal, demotion or suspension without pay in excess of two (2) working shifts or twenty-four (24) working hours, whichever is less, shall be admitted to any promotional examination held within two (2) years thereafter unless authorized by the Commission for good cause shown. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 5960, 4-24-95)

Rule 15. Application forms; filing.

(a) Applications shall be submitted on such forms and in such manner as the Commission shall determine.

(b) Applications shall be filed at the Commission office on or before the deadline date set by the Commission, unless the Commission shall extend such deadline for good cause shown.

(c) Applications shall be deemed filed when received in the Commission office, and immediately on receipt shall be marked with the date and time of receipt. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 16. Rejection of applicants.

The Commission shall be the sole judge of the qualifications of applicants for admission to an examination. Causes for rejection shall include without limitation the following:

(1) The applicant fails to meet any qualification set out in the class specification, these Rules or in other applicable law;

(2) The applicant has made any false, deceptive or misleading oral or written statement in connection with the selection process;

(3) The applicant has committed or attempted or conspired to commit fraud, deception or misrepresentation in connection with the selection process;

(4) The applicant has violated or failed to comply with any provision of these Rules or with any lawful directive of the Commission, the Director or any examiner;

(5) The applicant or anyone acting on behalf of the applicant has solicited favoritism or preferential treatment in connection with the selection process from any commissioner or from any other City officer or employee;

(6) The applicant is physically, mentally or psychologically incapacitated or unfit to perform the duties of the class;

(7) The applicant has a history of controlled substance or alcohol abuse which would adversely affect his or her job performance;

(8) The applicant has previously been discharged from the City classified service for cause or has previously resigned from such service in lieu of discharge;

(9) The applicant has previously been rejected from examination or removed from an eligible list by the Commission for reasons which continue to warrant rejection;

(10) The applicant has a record of unsatisfactory service in previous employment, including prior City employment;

(11) Any candidate or eligible may be rejected or removed for any reason which would have warranted rejection of such person as an applicant under these Rules. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 5801, 4-26-93)

Rule 17. Rejection and appeal.

(a) Any applicant who is rejected from admission to an examination shall be given written notice specifying the reasons for rejection and advising the applicant that he or she may obtain review of the rejection within ten (10) days after the date of mailing of the notice.

(b) The Commission shall review the objections and issue a ruling thereon within ten (10) days after they are filed, provided that the Commission may in its discretion conduct a formal or informal hearing on the objections and issue its ruling within ten (10) days thereafter.

(c) Such applicant shall be admitted to the examination unless the Commission rules against the applicant before the examination is given. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

*Article III
Examinations*

Rule 18. Examinations; general.

(a) All appointments and promotions in the classified service shall be made according to merit and fitness to be ascertained, so far as practicable by competitive examination.

(b) Examinations shall be practical and shall relate to those matters which will test fairly the capacity and fitness of the candidates to discharge efficiently the duties of the class or classes for which examinations are held. Each applicant shall be treated equally and tested solely on ability. Under all circumstances the Commission or the examiner shall exercise due diligence to prevent collusion, fraud or discrimination throughout the examination process.

(c) All examinations shall be given pursuant to procedures to be adopted by the Commission. Examinations may consist of any of the following or any combination of the following which validly serves the need to discover the relative fitness of applicants:

- (1) Written job-related aptitude or job knowledge tests;
- (2) Appropriate professional licenses or certificates issued by proper authorized licensing authorities;
- (3) Scored oral examinations or interviews designed to determine general fitness for the class;
- (4) Nonwritten performance tests of skills or abilities, required by the class;
- (5) Scored evaluations of education and experience. Such evaluations shall be objectively and uniformly applied and may be based on such factors as quantity, remoteness in time, quality and relevancy of the education and experience;
- (6) Physical tests or strength, agility, stamina or dexterity appropriate to the class requirements; or

(7) Other forms deemed appropriate depending upon the duties of the class involved.

(d) Time of Examinations. Regular promotional examinations for which there are applicants shall be given at least once a year for all ranks in the uniformed police and fire services, except for Deputy Police Chief, Police Captain, Deputy Fire Chief, Assistant Fire Chief and Fire Inspector. Regular promotional examinations for which there are applicants shall be given at least once every two (2) years for Assistant Fire Chief. Such examinations shall be given at times to be determined by the Commission. All other entrance, promotional and special examinations shall be given when necessary as determined by the Commission or at the request of the City Manager, and shall be scheduled at times determined by the Commission, but in no event more than sixty (60) days after a request for such examination has been given by the City Manager.

(e) Notice. The Commission shall give notice of the time and place for all examinations by posting the same in a conspicuous place in all departments, by notices published in newspapers of general circulation in the City, and by giving notice to the Colorado Department of Employment and such other governmental or private not-for-profit employment or referral agency as shall be designated by the Commission. Notice shall be given at least thirty (30) days prior to any regular promotional examination and at least fifteen (15) days prior to all other examinations. Each applicant shall be notified by mail by the Commission of the time and place of the examination.

(f) Time Limits. The time allowed applicants to complete any one (1) subject and the time allowed to complete the entire examination shall be fixed by the Commission, or its designated representative conducting the examination, and shall be stated on the examination and announced prior to the commencement of the examination. Examination time will in no case be extended except upon special direction of the Commission.

(g) Large Groups May Be Divided. When the number of applicants is in excess of the number that can conveniently be examined at one (1) time, the Commission may provide for separate examinations at another time and place. In such case, the applicants shall be given prior notice within a reasonable time of the time and place for examination, and different but equivalent examinations shall be given to each group.

(h) Applicants Identified by Number Only. Applicants shall be admitted to an examination only on presentation and surrender of the official card of notification sent them by the Commission. Upon entrance, each applicant shall receive an examination number which shall be unknown to the Commission. This number shall be placed by the applicant in a sealed envelope and shall remain unknown to the Commission until all test grades have been completed, at which time the envelopes shall be opened and examination papers identified by name. No applicant shall in any manner attempt to identify his or her paper other than by his or her examination number.

(i) Form and Method. The form, manner and method of examining all applicants shall be determined by the Commission in accordance with the provisions hereof.

(j) Substance and Preparation. Under the direction and supervision of the Commission, examinations shall be prepared in such manner as to secure the highest possible level of competence among the City's personnel. Toward this end, the Commission staff shall continually make studies to correlate testing procedures and position requirements, and advise the Commission of improvements needed in the examination procedure.

(k) Discrimination prohibited. No aspect of any examination shall in any manner relate to the political or religious beliefs or other affiliations of the applicants. Nor shall any appointment, retention, removal or promotion in any manner be influenced by such beliefs or affiliations.

(l) Examiner. The Commission staff, and such other persons or agencies as the Commission shall authorize, may act as examiners to conduct all examinations, and shall act under the direction and supervision of the Commission. (Ord. No. 3781, 11-26-73; Ord. No. 3906, 8-26-74; Ord. No. 5350, 10-14-86; Ord. No. 6879 §1, 8-26-02; Ord. No. 6970 §1, 4-14-03; Ord. No. 7364 §4, 9-12-05)

Rule 19. Conduct of written examination.

The examiner shall see that all examinations are carried out in accordance with the following rules and any special directives of the Commission:

- (1) Examinations shall be held in the presence of one (1) or more examiners.
- (2) Time limits for tests or complete examinations shall be announced to the candidates at the beginning of the examination.
- (3) Writing paper furnished by the Commission shall be used exclusively by the candidates. Unless otherwise specified in the announcement, pens, pencils, etc., shall be furnished by the candidates.
- (4) Books of reference or data of any kind shall not be brought into the examination room or used by any candidate unless otherwise specified in the announcement.
- (5) Written tests shall be done with pen and ink unless otherwise directed by the Commission or the examiner. Mathematical work may be required to be shown in full.
- (6) Individual explanations to candidates are prohibited.
- (7) Communication between candidates is prohibited.
- (8) Candidates shall not leave the examination room without permission from an examiner.
- (9) All examination papers shall be taken up upon expiration of the time limit set.
- (10) Should a candidate withdraw from an examination, he or she shall turn in all papers he or she has received.
- (11) In case of irregularity in an examination, the examiners shall make a written report thereof, to be filed with the working papers of the examination and submitted to the Commission. (Ord. No. 3781, 11-26-73; Ord. No. 4032, 6-9-75; Ord. No. 7364 §5, 9-12-05)

Rule 20. Examination papers confidential.

(a) No examination papers or questions shall be carried away by the applicant. All such material shall be returned to the examiner upon completion of the test.

(b) No material relating to, or a part of, any examination shall be copied, reproduced, carried off or displayed to anyone without the permission of the Commission.

(c) No applicant shall offer or solicit aid from any other person during the course of an examination. (Ord. No. 3781, 11-26-73)

Rule 21. Reapplication.

(a) No person who has failed an examination for any class shall be allowed to take any subsequent examination for that class nor be allowed to reapply for that class for a period of six (6) months after the date of the prior examination, except with the approval of the Commission for good cause shown.

(b) If an existing eligible list is cancelled or withdrawn pursuant to Rule 32, and new eligible list is to be certified before the former list would have expired, any eligible on the former list, in lieu of reapplication for the class, may elect to be placed on the subsequent eligible list and remain thereon until the expiration date of the former list on the basis of the score achieved on the previous examination.

(c) No person who has been discharged or resigned in lieu of discharge from any position in the classified service shall be allowed to apply for any class therein for two (2) years following the date of discharge, nor thereafter except with the approval of the Commission and the City Manager. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 22. Notice of results.

Immediately after completion of grading and scoring of an examination, each candidate shall be given written notice of his or her score, rank, passing or failing status and right of appeal, if any, under Rule 23. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 23. Appeal of promotional examinations.

(a) Any candidate who has taken a promotional examination may obtain review of the content or conduct of such examination by filing specific written objections thereto with the Commission within ten (10) business days after the date of examination. Any such candidate may obtain review of the scoring or ranking of such examination by filing specific written objections thereto with the Commission within ten (10) business days after the date of mailing of examination results. No such review shall extend further than to determine whether such examination violated an express requirement of these Rules.

(b) The Commission shall review such objections and issue a ruling thereon within ten (10) business days after they are filed, provided that the Commission may in its discretion conduct a hearing on the objections and issue its ruling within ten (10) business days thereafter. Until such determination is rendered, no appointment shall be made from the eligible list established by the examination under review unless eligibility for such appointment would be unaffected by any ruling which the Commission might lawfully issue. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 7985 §1, 3-23-09)

Article IV
Grading Procedure

Rule 24. Rating.

(a) General Rating Required. Examinations shall be rated on the basis of one hundred (100) points for all entrance examinations and for promotional examinations unless otherwise specified by the Commission. The scores on each part of an examination shall be determined by applying recognized testing procedures. The passing point of an examination may be applied to each part of an examination or the combined scores on the total examination. Any such specified requirement shall be announced prior to the examination. For purposes of determining passing grades, computations shall be made without credit for veteran's or seniority preferences, such preference being utilized only to determine relative status among those declared to be eligible.

(b) General Rating Computation. General ratings shall be computed by the examiner and such other persons as the Commission may direct before submission to the Commission for correction and approval. The weights to be given each test and other matters affecting the computation of general ratings shall be determined by the Commission. (Ord. No. 3781, 11-26-73)

Rule 25. Seniority preference.

(a) Any classified service employee who achieves a passing score on an examination shall be credited with an additional one-half ($\frac{1}{2}$) point for each year of City classified service completed as of the date of examination, except for fire or police promotional examinations for those classes listed in Section 6-4-8 or 6-4-9 of this Code, where only City classified service as firefighters or certified peace officers, respectively, shall be so credited.

(b) The maximum number of seniority preference points which may be added to a passing score on a promotional examination for the rank of Police Sergeant, Police Captain or Deputy Police Chief shall be five (5).

(c) The maximum number of seniority preference points which may be added to the passing score on any examination for the civil service classes of police patrol officer, firefighter or any civil service class in the general services bargaining unit shall be ten (10).

(d) Except as provided in Subsection (b) above, the maximum number of seniority preference points which may be added to the passing score on any examination for any civil service class not included in the police, fire or general services bargaining units shall be ten (10). (Ord. No. 3781, 11-26-73; Ord. No. 4032, 6-9-75; Ord. No. 4466, 4-24-78; Ord. No. 5350, 10-14-86; Ord. No. 6773 §1, 1-28-02; Ord. No. 7415 §1, 12-12-05; Ord. No. 8124 §1, 12-28-09)

Rule 26. Veterans' preference.

(a) Grading.

(1) The passing grade on each competitive examination shall be the same for each candidate for appointment in the classified service.

(2) Five (5) points shall be added to the passing grade of each candidate on each such examination, except any promotional examination, who is separated under honorable conditions and who, other than for training purposes, a) served in any branch of the armed forces of the United States during the period of any declared war or any undeclared war or other armed hostilities against an armed foreign enemy, or b) served on active duty in any such branch in any campaign or expedition for which a campaign badge is authorized.

(3) Ten (10) points shall be added to the passing grade of any candidate on each such examination, except any promotional examination, who has so served, other than for training purposes, and who, because of disability incurred in the line of duty, is receiving monetary compensation or disability retired benefits by reason of public laws administered by the Department of Defense or the Veterans Administration, or any successor thereto.

(4) Five (5) points shall be added to the passing grade of any candidate on each such examination, except any promotional examination, who is the surviving spouse of any person who was or would have been entitled to additional points under Paragraph (2) or (3) above, or of any person who died during such service or as a result of service-connected cause while on active duty in any such branch, other than for training purposes.

(5) No more than a total of ten (10) points shall be added to the passing grade of any such candidate pursuant to this Rule.

(b) The certificate of the Department of Defense or of the Veterans Administration, or any successor thereto, shall be conclusive proof of service under honorable conditions or of disability or death incurred in the line of duty during such service.

(c) Reduction; Retention.

(1) When a reduction in the work force of the City becomes necessary because of lack of work or curtailment of funds, employees not eligible for added points under Subsection (a) above shall be separated before those so entitled who have the same or more classified service with the City, counting both military service for which such points are added and such classified service with the City.

(2) In the case of such a person eligible for added points who has completed twenty (20) or more years of active military service, no military service shall be counted in determining length of service in respect to such retention rights. In the case of such a person who has completed less than twenty (20) years of such military service, no more than ten (10) years of service under Subsection (a)(2) shall be counted in determining such length of service for such retention rights.

(d) The Commission shall implement the provisions of this Rule to assure that all persons entitled to added points and preference in examinations and retention shall enjoy their full privileges and rights granted by this Rule.

(e) Any examination which is a promotional examination, but which is also open to persons other than employees for whom such appointment would be a promotion, shall be considered a promotional examination for the purposes of this Rule.

(f) Any other provision of this Rule to the contrary notwithstanding, no person shall be entitled to the addition of points under this Rule for more than one (1) appointment or employment with the City.

(g) This Rule shall be in full force and effect on and after July 1, 1971, and shall grant veterans' preference to all persons who have served in the armed forces of the United States in any declared or undeclared war, conflict, engagement, expedition or campaign for which a campaign badge has been authorized and who meet the requirements of service or disability, or both, as provided in this Rule. This Rule shall apply to all competitive examinations, except promotional examinations, conducted on or after such date, and it shall be in all respects self-executing. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 5800, 4-26-93)

Article V
Eligible Lists

Rule 27. Eligible register.

The Commission shall maintain an eligible register consisting of all certified and unexpired eligible lists. Each eligible list shall contain the date of examination, name, address, score and rank of each person who has qualified for placement on such list. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 28. Ranking of eligibles.

The names of eligibles for each class shall be placed on the eligible list for that class in the rank order of their overall ratings. If any person with a given numerical rating is certified from an eligible list pursuant to Rule 32, then any or all other persons with that identical rating shall also be certified. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 29. Life of eligible lists.

Police entry and sergeant promotional eligible lists, and all Fire promotional eligible lists, except Deputy Fire Chief, Assistant Fire Chief and Fire Inspector, shall expire after twelve (12) months, and all other eligible lists shall expire after twenty-four (24) months, from the date of their certification by the Commission, unless a list is sooner exhausted, cancelled or withdrawn pursuant to Rules 6 and 32. (Ord. No. 3781, 11-26-73; Ord. No. 4033, 6-9-75; Ord. No. 5350, 10-14-86; Ord. No. 5795, 4-12-93; Ord. No. 6971 §1, 4-14-03; Ord. No. 7364 §6, 9-12-05)

Rule 30. Removal from eligible lists.

The Commission may remove any person from an eligible list for any of the reasons listed in these Rules or for any of the following causes:

- (1) When the person is appointed from the list;

- (2) When the person is appointed to a position with a pay grade higher than that of the eligible list class of positions, unless the person requests and the Commission approves retention for good and sufficient cause;
- (3) When the person, without valid reason, fails to report as directed for an employment interview or for an additional part or phase of an examination;
- (4) When the person, without valid reason, fails to comply with written instructions from the Commission or the Director;
- (5) When the person, without valid reason, declines appointment to a position he or she previously indicated he or she would accept;
- (6) When a person, without valid reason, fails to report for duty within two (2) weeks after referral or upon the date agreed to by the eligible and appointing authority;
- (7) On the expiration of the person's term on an eligible list;
- (8) Upon failure without valid reason to maintain a record of current address or other current contact information with the Commission as evidenced by return of mail sent to the last known address of such person or a record of unsuccessful attempts to contact such person;
- (9) From promotional lists, upon transfer of the person to another department to which the eligible list is not applicable;
- (10) From promotional eligible lists, upon termination of the person's employment, except by lay-off;
- (11) From all eligible lists, upon the person reaching mandatory retirement age;
- (12) Any eligible may be removed for any reason which would have warranted removal of such person under these rules or related ordinances. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. 7364 §7, 9-12-05)

Rule 31. Removal and appeal.

(a) Any person who is removed from an eligible list shall be given written notice of the reasons for removal, and may obtain review of the removal by filing specific written objection thereto with the Commission within ten (10) days after the date of mailing of the notice.

(b) The Commission shall rule on such objection within ten (10) days after it is filed, provided that the Commission in its discretion may conduct a hearing on such objection and issue its ruling within ten (10) days thereafter. Until such ruling is issued, no appointment shall be made from the eligible list affected unless eligibility for such appointment would be unaffected by any ruling which the Commission might lawfully issue. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 32. Certification of eligibles; number certified.

(a) When a vacancy in any position is to be filled from an eligible list, the Commission upon request of the Director shall certify the names of the three (3) persons ranking highest on the appropriate list. If any person so certified fails to accept, qualify for or meet any requirement of the position, the Commission upon request of the Director shall certify one (1) additional name for each such person.

(b) If more than one (1) appointment is to be made from any eligible list, the Commission upon request of the Director shall certify for the second and each subsequent vacancy one (1) additional name for each such vacancy.

(c) If at any time the Commission is unable to comply with a request for certification of three (3) persons from an existing eligible list, the Commission shall establish a new eligible list for the class pursuant to Civil Service Rule 29, unless the City Manager authorizes an appointment from the existing list.

(d) Each appointment from an eligible list to any position in the classified service shall be filled by a person certified by the Commission pursuant to this Rule.

(e) Names shall be certified from eligible lists in the rank order in which they appear on such lists.

(f) Notwithstanding the provisions of Subsection (a) above, when a vacancy in a position in the classified service is to be filled through the procedure set out in Section 6-8-6(6) of the Code, the Commission, upon request of the Director, shall certify the names of the five (5) persons ranking highest on the appropriate list. If any person so certified fails to accept, qualify for or meet any requirement of the position, the Commission, upon request of the Director, shall certify one (1) additional name for each such person.

(g) Notwithstanding the provisions of Subsection (c) above, if at any time the Commission is unable to comply with a request for certification of five (5) persons from an existing eligible list for a vacancy in a position in the classified service which is to be filled through the procedure set out in Section 6-8-6(6) of the Code, the Commission shall establish a new eligible list for the class pursuant to Civil Service Rule 29, unless the City Manager authorizes an appointment from the existing list. (Ord. No. 3781, 11-26-73; Ord. No. 5202, 1-28-85; Ord. No. 6653 §1, 2-12-01)

Rule 33. Appointments.

Each vacancy in the classified service shall be filled from the reinstatement list, if possible; otherwise by any of the following methods at the discretion of the involved department head with the approval of the City Manager: from the reemployment list; by transfer or demotion; or from an eligible list. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Rule 34. Reinstatement lists.

An employee who is separated from a position in the classified service due to a reduction in force or any other cause not involving resignation, unsatisfactory work or other fault of the employee shall

be placed by the Commission on the reinstatement list for the class which includes that position and shall remain eligible for reinstatement for the period specified by Rule 36. Persons shall be reappointed from reinstatement lists in the order of their length of continuous service with the City determined at the time such persons were placed on the reinstatement list and computed under Rule 37, unless a different order is required under a collective bargaining agreement. (Ord. No. 3781, 11-26-73; Ord. No. 4987, 7-12-82)

Rule 35. Reemployment lists.

Any classified service employee with a satisfactory record who resigns from a position may on request be placed on the reemployment list for any class in which the employee formerly served. (Ord. No. 3781, 11-26-73; Ord. No. 4032, 6-9-75; Ord. No. 5350, 10-14-86)

Rule 36. Duration of reinstatement eligibility.

The reinstatement eligibility of a person who has been placed on a reinstatement list after separation from the classified service shall expire four (4) years after the date of separation. The reinstatement eligibility of a person who remains employed in the classified service after being placed on a reinstatement list shall continue for the duration of such employment or four (4) years, whichever is greater. (Ord. No. 3781, 11-26-73; Ord. No. 4032, 6-9-75; Ord. No. 5350, 10-14-86)

Rule 37. Computation of service.

Wherever in these Rules reference is made to this particular Rule or wherever reference is made in general to length of service or seniority, computation of such service shall include time the employee has been on military leave, sick leave or time off with pay due to injury in line of duty, but shall not include time the employee was on special leave without pay or absence without leave. (Ord. No. 3781, 11-26-73; Ord. No. 4794, 10-18-80)

Rule 38. Refusal of appointment.

Any eligible person who fails to accept an offer of appointment within seven (7) days after the date of its mailing to his or her last known address shown in the Commission records, or within seven (7) days after contact by electronic means, shall be deemed to have refused such appointment and shall be removed from the eligible list. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86; Ord. No. 7364 §8, 9-12-05)

Rule 39. Service of notice; change of address.

(a) All persons, including City employees, whose names appear on any list maintained by the Commission including without limitation reinstatement, reemployment, transfer, eligible and interest lists, shall notify the Commission in writing of their mailing address, telephone number, any changes thereto and the list on which their name appears.

(b) Any notice required by these Rules shall be deemed sufficient if sent by certified mail to the person to be notified at the most current address in the Commission records. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)

Article VI
Revisions; Representative

Rule 40. Revision of rules.

(a) Any City officer, employee or representative of either may file with the Commission a written proposal to alter or amend all or any part of these Rules.

(b) Pursuant to Section 1-7-3(b) of this Code, the Commission shall schedule an administrative hearing on any such proposal within thirty (30) days after its receipt, and within sixty (60) days after conclusion of the hearing shall forward the proposal to the City Council for its consideration together with a Commission report on the proposal and hearing. (Ord. No. 3781, 11-26-73; Ord. No. 5350, 10-14-86)