

RESOLUTION NO. 92-207

A RESOLUTION AMENDING SECTION 9 OF THE PERSONNEL POLICY MANUAL FOR THE CITY OF DELTA, UTAH FOR THE PURPOSE OF CLARIFYING POSITIONS EXEMPT FROM PERMANENT SERVICE.

The City Council of the City of Delta, Utah, referred to herein as the "City Council", hereby recites the following as the basis for adopting this resolution:

A. The City Council has by Resolution 81-41 dated July 13, 1981 adopted a Personnel Policy Manual for the City of Delta, which has been amended from time to time.

B. The City Council has determined that Section 9 of the Delta City Personnel Policy Manual entitled "Employment Status" should be amended to clarify those positions which are exempt from permanent service so as not to have the status of a permanent employee.

C. The City Council has directed that the Personnel Policy Manual be amended to clarify said Section 9 and by this Resolution intends to adopt said amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Utah:

Section 1. Amendment to Section 9 of the Delta City Personnel Policy Manual. Section 9 of the Delta City Personnel Policy Manual entitled "Employment Status" is hereby amended by deletion of the materials marked with an overstrike and by addition of the shaded material, to read, in its entirety, as follows:

SECTION 9. EMPLOYMENT STATUS

A. All employees, officers and other personnel not exempted herein, who, prior to the effective date of this act have served continuously for a period of three (3) months (six (6) months for Public Safety Officers) or more shall be deemed fully qualified permanent employees.

B. All employees, officers and other personnel not exempted herein, who, prior to the effective date of this act, have served continuously for a period of less than three (3) months (six (6) months for Public Safety Officers) shall be required to meet such standards as are prescribed by ~~the~~ this policies and procedures manual before obtaining regular status and being deemed fully qualified under the City service permanent employees.

C. Exempted Positions - The following types of positions have been designated as exempt from permanent service:

1. Elected officials
2. Members of policy, advisory, review and appeal boards, or similar bodies who do not perform administrative duties as individuals.
3. Attorneys serving as legal counsel.
4. Part-time professional health and related personnel.
5. Time-limited positions established for the purpose of conducting a special study or investigation.
6. Appointed officers ~~(such as the City Administrator)~~ who serve at the discretion of the Mayor, with the advice and consent of the governing body, for appointment to and for removal from such office, include but are not limited to the Recorder, Treasurer, Public Works Director, Superintendent of Roads, Librarian, Chief of Police, Chief of Fire Department and City Manager.

D. ~~The Governing Body shall specify in writing those positions which fall under the exempt categories listed above.~~ Exempt positions should be reviewed annually or more frequently as necessary to determine whether or not their exempt status should be withdrawn based on changes in duties and related factors.

E. Temporary Employees - Temporary appointments, such as summer help, are made by department heads with the approval of the ~~City Administrator~~ Mayor to carry out necessary seasonal or temporary work. Temporary employees shall not qualify for regular benefits. New employees will be sent to the City Recorder to sign up on the payroll, etc.

F. Permanent Employees - If an employee has satisfactorily met the requirements for employment and has been employed continuously by the City for three (3) months or more, (s)he becomes a permanent employee and is eligible for all the benefits of permanent City employees.

G. Probationary Employees - All employees, whether new or promotional, are required to serve at least a three-month (six month for Public Safety Officers) probationary period. This period is designed to acquaint the new employee with his/her position and allow the supervisor to measure fairly the employee's ability and aptitude to the job. If an employee's performance is inadequate,

(s)he may be terminated at any time during this period or may be reassigned in the case of a promoted employee. Upon approval of the ~~City Administrator~~ Mayor, an employee may be assigned an extended probationary period if his/her supervisor deems it appropriate.

H. Part-Time Employees - Employees who work less than ~~thirty (30)~~ twenty (20) hours each week shall be considered part-time employees and shall not qualify for regular benefits.

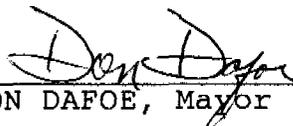
I. Permanent CETA Employees - Permanent employees hired under the Comprehensive Employment and Training Act (CETA) shall, after three (3) months of continuous employment be eligible for regular benefits.

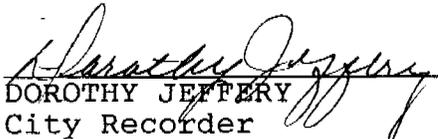
Section 2. Effective Date. This resolution shall become effective upon adoption.

Section 3. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

Section 4. Repeal of Conflicting Resolutions. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED this 28TH day of JANUARY, 1992.


DON DAFOE, Mayor

Attest: 
DOROTHY JEFFERY
City Recorder