Agenda Item Form

Agenda Date: 08/24/04

Districts Affected: All
Dept. Head/Contact Information: Human Resources, Terry A. Bond, (915) 541-4509

Type of Agenda Item:

- ☐ Resolution
- ☐ Tax Installment Agreements
- ☐ RFP/ BID/ Best Value Procurement
- ☐ Application for Facility Use
- ☐ Interlocal Agreements
- ☐ Other _____
- ☐ Staffing Table Changes
- ☐ Tax Refunds
- ☐ Budget Transfer
- ☐ Bldg. Permits/Inspection
- ☐ Contract/Lease Agreement
- ☐ Board Appointments
- ☐ Donations
- ☐ Item Placed by Citizen
- ☒ Introduction of Ordinance
- ☐ Grant Application

Funding Source:

- ☐ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☐ Other Source: _____

Legal:

☒ Legal Review Required Attorney Assigned (please scroll down): Lupe Cuellar ☒ Approved ☐ Denied

Timeline Priority: ☐ High ☐ Medium ☐ Low # of days:_____

Why is this item necessary:
After approval by the Civil Service Commission on August 12, 2004. This amendment to Rule 12, Section 8, would clarify when an employee will be charged with a non-appointment.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:
.N/A

Statutory or Citizen Concerns:
None anticipated

Departmental Concerns:
None anticipated

Human Resources Department

MEMORANDUM

August 19, 2004

To: Mayor & City Council Representatives

From: Terry A. Bond, Director

Subject: Amendments to Civil Service Rule 12, Section 8, Eligible Lists

---

An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, Section 8, Removed on Account of Non-Appointment, to clarify when an employee will be charged with non-appointment. This Rule was amended by the Commission to define the circumstances when a non-appointment is counted as one of the three non-selects allotted before removal from the list.

The amendment states that non-appointment occurs only when the person selected for appointment is lower on the list than the one not selected. At that time the person not selected who is higher on the list is charged with not being accepted.

AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 12, ELIGIBLE LISTS, SECTION 8, REMOVAL ON ACCOUNT OF NON-APPOINTMENT, TO CLARIFY WHEN AN EMPLOYEE IS CHARGED WITH A NON-APPOINTMENT

WHEREAS, the Civil Service Commission is given the authority under Section 6.1-5(A) of the City Charter to recommend amendments to the City's Civil Service Rules; and,

WHEREAS, the City Council is the approving authority for amendments to the Civil Service Rules; therefore, the Civil Service Commission presented their recommended changes to City Council; and,

WHEREAS, both the Civil Service Commission and the City Council have determined that Civil Service Rules should be amended by changing Rule 12, Eligible Lists, Section 8, Removal on Account of Non-Appointment, to clarify when an employee will be charged with a non-appointment;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, Section 8, Removal on Account of Non-Appointment, is amended as follows:

Section 8 Removal on Account of Non-Appointment.

Certification for temporary appointment and certification on which waiver is requested and approved will not count as one of the certifications under Article VI, Section 6.7-9a of the Charter. The selection of the top ranking eligible in preference to other eligibles on the eligible list will not count as to the other eligibles as one of the certifications under the Article and Section of the Charter aforesaid. Only eligibles ranking higher on an eligible list than the eligible selected will be charged with not being accepted for appointment under Article VI, Section 6.7-9a.

2. Except as expressly herein amended, all provisions of Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, remain the same and are in full force and effect.

PASSED AND APPROVED this day of _____ September 2004.

THE CITY OF EL PASO

_____
Joe Wardy
Mayor

ATTEST:

_____
Richarda Duffy Momsen
Municipal Clerk

SIGNATURES CONTINUE ON FOLLOWING PAGE

APPROVED AS TO FORM:

Guadalupe Cuellar
Deputy City Attorney

APPROVED AS TO CONTENT:

Terry Bond
Human Resources Director

APPROVED BY THE CIVIL SERVICE COMMISSION ON AUGUST 12, 2004.

By
SECRETARY