

RULE 6 - PROMOTION, TRANSFER, VOLUNTARY DEMOTION AND RETURN TO CITY EMPLOYMENT

Section 1. Promotion

- A. When the best interests of the City will be served, vacancies in the classified service shall be filled by promotion of regular employees.
- B. Only regular employees who have completed their initial probationary period and who meet the position requirements shall be eligible to apply for an internal recruitment.
- C. Upon promotion to another class, an employee shall receive at least a 5% increase in the base rate of pay. If a 5% increase does not raise the employee's salary to the minimum of the new range, the employee shall receive the minimum of the new range. Promotions will be effective at the beginning of a pay period. Department Director's may authorize up to a 10% increase in the employee's base rate of pay. Any request to exceed 10% must be coordinated through the Human Resources Director and approved by the City Manager. In no case may the employee's base rate of pay exceed the maximum of the salary grade.
- D. If the promotion involves the movement from one department to another department, both Department Directors must agree on the effective date. However, in no case shall the effective date be delayed more than 20 calendar days from the date the Human Resources Office is notified of the appointing Department Director's decision.
- E. Upon promotion, the employee shall be given a new classification date effective at the time of appointment and begin serving promotional probation in the new class as specified in Rule 12.

Section 2. Transfer

- A. An employee may be transferred to a position in the same or different class at the employee's current salary grade.
- B. If two or more employees request transfer to the same vacant position, the Department Director shall interview the employees and decide which one should be transferred.
- C. No person shall be transferred to a position for which that person does not possess the minimum qualifications. Upon notice to the Human Resources Director an employee may be transferred within the same department by the Department Director at any time from one position to another position in a class in the same salary grade.

- D. If the transfer includes a change from one department to another, both Department Directors must consent to the transfer.
- E. An employee transferred within a department or between departments to a position in the same class or in a different class shall retain the same rate of pay and the same classification date.
- F. An employee with regular status who transfers generally shall not be required to serve a probationary period. However, if the transfer is to a different class, an initial probationary period will be required if there is a significant, distinct difference in job responsibilities and qualification requirements between the employee's current class and the class to which the employee wishes to transfer.
- G. Transfers will be effective at the beginning of a pay period.

Section 3. Voluntary Demotion

- A. Upon written request of the employee and with the consent of the Department Director, a voluntary demotion may be made to a class with a lower salary grade. If the position for which demotion is intended is in another department, both Department Directors must consent to the voluntary demotion. No demotion shall be made to a position for which the employee does not possess the minimum qualifications.
- B. When an employee is voluntarily demoted, the salary in the new class may be set by the Department Director after coordination with the Human Resources Director. The employee shall not be given a new date of classification on the effective date of the demotion.
- C. Voluntary demotions will be effective at the beginning of a pay period.
- D. An employee with regular status who voluntarily demotes generally shall not be required to serve a probationary period. However, if the demotion is to a different class, an initial probationary period will be required if there is a significant, distinct difference in job responsibilities and qualification requirements between the employee's current class and the class to which the employee wishes to transfer.

Section 4. Return to City Employment

- A. Employees who resigned in good standing and who return to City employment on or after September 1, 1997, and within two years of their resignation shall have their employment prior to their separation count as service. This applies, as appropriate, to the vacation accrual rate designated by the classification held by the employee upon return to City employment, and for seniority purposes. In

addition, sick leave forfeited at the time of separation shall be restored. If such an employee is rehired into the class held prior to the separation, the Department Director shall have the discretion in whether to require the employee to serve an initial probationary period. If the employee is not rehired into the same class, the employee will be required to serve an initial probationary period.

- B. Employees who retire from City Service and return to City employment on or after August 1, 1995, and within 5 years from the date of retirement shall have their employment prior to their retirement count as service. This applies, as appropriate, to the vacation accrual rate designated by the classification held by the employee upon return to City employment and does not apply to seniority for the purposes of a layoff register.
- C. Any employee that separates from City service under a City-sponsored incentive program, not including a layoff program shall be ineligible to work for the city on a full-time, part-time or contractual basis for a period of three years from the employee's date of separation or retirement from City service. Any employee separating from City service as provided in this subsection C may be eligible to work for the City on a temporary basis not to exceed 2 weeks in a 6 month period and in no event may that employee work on a temporary basis more than 2 weeks within a 3-month period.
- D. Except for employees hired on a temporary basis as described in subsection C and E of this section, no employee shall hire either directly or indirectly any employee who left the City pursuant to subsection C for a period of three years following the employee's date of separation or retirement from City service.
- E. Employees who perform work that is funded by the in-house capital fund (902) and who apply and are approved to separate from City service under a City-sponsored incentive program shall be exempt from the return-to-work restrictions set forth in subsection C and D, above. Employees who perform work that is funded by the in-house capital fund (902) may continue to work for the City on a full-time or part-time basis in a temporary capacity to end no later than December 31, 2013, or the completion date of assigned projects, whichever occurs earlier.

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