

**CITY OF NEW LONDON**

**PERSONNEL AND ADMINISTRATIVE  
POLICIES, RULES AND PROCEDURES**

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## P R E F A C E

### MANAGEMENT ORDER

#### Personnel Policies, Rules and Procedures

This Management Order re-establishes the comprehensive personnel management and merit system for the City of New London, Connecticut. It supersedes all other directives inconsistent with it.

#### Section 1 – GENERAL POLICY

- (a) This order re-establishes a Personnel Management and Merit System for the City of New London and is adopted pursuant to Section 40 of Special Act No. 330 of the General Assembly of the State of Connecticut, 1921 Session (the Charter of the City of New London), as amended, most particularly by voter referendum November 8, 1977 and Section 2-38, Code of Ordinances, concerning the Personnel Board and Merit System.
- (b) Under the authority granted to the City Manager and/or Personnel Board by the City Charter and Code of Ordinances, the following personnel principles and policies are established and/or confirmed:
  - (1) This order is to promote efficiency and economy in the operation of the city government of New London.
  - (2) All appointments and promotions made by the appointing authorities shall be based on job fitness and merit and shall include, but not be limited by, considerations of education, training, competitive examination, experience and the recommendation of the immediate supervisor, and shall give some weight to seniority or tenure, and shall in no way be influenced by race, color, age, religion, creed, gender, national origin, disability status, marital or civil union status, veteran's status, sexual orientation, citizenship, or political affiliation.
  - (3) The personnel system shall provide the means to recruit, select, develop and maintain an effective and responsive work force and shall provide plans for employee hiring and advancement, training and career development and other personnel activities. Additionally, and often in conjunction with collective bargaining agreements, the personnel system shall provide plans for job classification, salary administration, fringe benefits, discipline, discharge and retirement, etc.

- (4) Tenure of employees covered by the personnel management system shall be subject to good behavior, satisfactory work performance, necessity for performance of work and the availability of funds.

## **Section 2 – COVERAGE**

All permanent positions in the administrative service of the municipal government shall be classified, except for the following:

- (a) The City Manager, (until December 5, 2011), The Mayor, The Chief Administrative Officer and other immediate Mayoral Staff; all City Council Staff; The Director of Law and all such assistants and subordinates as may be appointed by the Director of Law. (*hereinafter, all references to the City Manager are changed to Chief Executive Officer*)
- (b) Effective December 5, 2011, all Department Heads, except the City Clerk who by Charter is a member of the classified service
- (c) Persons employed to make or conduct a temporary and special inquiry, investigation or examination on behalf of the City Council, a committee thereof or the Chief Executive Officer.
- (d) Volunteer personnel who receive no regular compensation from the City.
- (e) The following positions are also exempted:
  - (1) Individuals contracted by the City to perform professional oversight work or conduct special inquiry on behalf of the City within any fiscal year.
  - (2) Seasonal and temporary positions of less than one year's duration.
  - (3) Members of boards, agencies, committees and commissions, appointed by the Chief Executive Officer or the City Council and the Registrars of Voters are neither in the administrative service nor are they classified.

## **Section 3 – ORGANIZATION**

The Chief Executive Officer, together with the Personnel Board and in accordance with the Code of Ordinances, Section 2-38, will be responsible for the development and maintenance of, including approving recommended changes to, personnel orders, policies, rules, regulations and instructions to install and implement a personnel management system conforming to the personnel policies and principles re-established by this order.

The Personnel Office is hereby delegated the responsibility for:

- (a) Administration of the personnel management system.
- (b) Proposing and effecting approved changes to the personnel policies and rules necessary for the effective administration of the personnel system.
- (c) Selecting and appointing a Personnel Officer (Director, or similar title) and other Staff responsible for the technical direction and the operation of the personnel management system is the function of the Chief Executive Officer, who may delegate to the Personnel Office Staff the following responsibilities:
  - (1) Administering the personnel management system as set forth in this order and personnel policies.
  - (2) Encouraging and exercising leadership in the development of effective personnel management within the departments of the city government.
  - (3) Advising in concert with department heads on the utilization of manpower resources throughout the city.
  - (4) Fostering and developing programs for the improvement of employee effectiveness, including general training and safety, health, supportive services and employee welfare.
  - (5) Establishing and maintaining comprehensive personnel records of all employees in the municipal service.
  - (6) Preparing, recommending to the Personnel Board, and maintaining apposition classification plan for all positions in the career service, based upon the level and difficulty of duties performed and the responsibilities assumed.
  - (7) Preparing and recommending equitable employee pay plans, in accordance with collective bargaining agreements, where applicable.
  - (8) Developing and recommending to the Personnel Board programs for the recruitment, examination, selection and placement of persons which will determine the relative fitness of applicants for positions in the career service.
  - (10) Certifying to the appointing authority names of persons who are categorized as "best qualified" or "qualified" for a vacancy. The appointing authority should make the selection of the person to fill the vacancy from the highest possible category. If, however, less than three (3) available persons are in the highest category, then the appointing authority may appoint any person certified as being qualified and appropriately forwarded to the appointing authority.

- (11) Developing and administering plans for promotions which give appropriate consideration to applicants' qualifications, records of performance and abilities in relation to the highest level work to be performed.
- (12) Developing and administering a program of employee performance evaluations which can serve as a basic factor in such personnel transactions as determining salary increments or increases for meritorious services, promotions, establishing the order of layoffs due to of lack of funds or lack of work, reinstatement, reemployment, demotions, transfer or discharge.
- (13) Establishing and administering a plan for resolving employee grievances and complaints, in accordance with collective bargaining agreements, where applicable.
- (14) Administering procedures for disciplinary actions such as suspensions, demotions in rank or grade or discharge which provide for presentation of charges, hearing rights, and appeals for all employees in the career service.
- (15) Initiating and certifying all payroll and benefit entry and change orders.
- (16) Making regular but not less than annual reports to the Chief Executive Officer and the Personnel Board regarding the work of the Personnel Office and the condition of the overall personnel management system.
- (17) Certifying the appointment, removal, suspension and discipline of all employees of the municipal government, subject to the policies set forth in this order, provisions of the New London City Charter, State Statutes and Collective Bargaining Agreements.
- (18) Administering the provisions of employee benefits and supportive services, plans and programs.
- (19) Coordinating all aspects of collective bargaining, including contract negotiation and administration for the City.

#### **Section 4 – APPOINTMENTS**

- (a) The Chief Executive Officer (Mayor) shall be the appointing authority for all city positions, including directors and heads of administrative departments, agencies and offices, and the officers specifically enumerated in the Charter: Treasurer, Assessor, Tax Collector and Purchasing Agent.
- (b) If so authorized by the Chief Executive Officer, the head of a department, agency or office shall be the appointing authority for all other positions in such department, agency or office and shall have the power to remove, suspend, lay-off or reduce in

grade any employee s/he appoints as provided for in Section 46 of the City Charter. Appeals of the personnel actions of an appointing authority are provided for in the Personnel Policies and/or in the appropriate Collective Bargaining Agreement.

- (c) The appointing authority shall be responsible for all personnel actions subsequent to the date of this order that affect employees in his/her department, agency or office.

#### **Section 5 – PERSONNEL POLICIES**

- (a) The Personnel Office Staff shall present to the Chief Executive Officer and the Personnel Board, personnel policies, rules and procedures as well as changes to such, to be approved or disapproved.
- (b) Personnel policies, rules and procedures, or revisions thereof, shall be approved by the Chief Executive Officer and/or Personnel Board and upon such approval and adoption shall be filed in the Personnel Office and be open for public inspection during normal business hours. The policies shall include specific procedures to govern the following phases of the personnel system:
  - (1) Administration of a classification plan.
  - (2) Administration of a pay plan.
  - (3) Announcement of employment vacancies and the acceptance of applications for employment.
  - (4) Preparation and conduct of examinations.
  - (5) Establishment and use of Eligibility Lists and Certified Eligibility Lists.
  - (6) Establishment of promotion policies and procedures.
  - (7) Certification of names of persons to fill vacancies.
  - (8) Transfer, promotion and reinstatement of employees.
  - (9) Performance evaluations of employees, including those in probationary periods.
  - (10) Separation from the classified service of employees by resignation, suspension, dismissal, lay-off and incapacity to perform required duties.
  - (11) Appeals procedures.
  - (12) Establishment of hours of work, holidays, vacations and attendance and leave regulations and procedures.

- (13) Outside employment of municipal employees.
- (14) Relations with employee organizations.
- (15) Establishment of a probationary period for all employees prior to final appointment.
- (16) Establishment of grievance procedures.
- (17) Development of employee morale as well as general safety and training programs.
- (18) Such other matters as may be necessary to carry out the intent and purpose of this order.

**Section 6 – PROHIBITION AGAINST POLITICAL ACTIVITY**

- (a) No employee in the administrative service shall be a candidate for elective office in a political partisan election. Any administrative service employee who wishes to accept or seek election or appointment to political office shall resign from the administrative service upon indicating such intention by formal declaration or other evidence of candidacy.
- (b) Employees in the administrative service shall be free to participate actively in political management and campaigns, except that no administrative employee shall engage in such activity while on duty or within any period of time during which such employee is expected to perform services for which s/he receives compensation from the Municipality and no such employee shall utilize municipal funds, supplies, vehicles or facilities to secure support for or oppose any candidate, party or issue in a political partisan election.
- (c) No employee in the administrative service may:
  - (1) use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
  - (2) Directly or indirectly coerce, attempt to coerce, command or advise a state or local office or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- (d) No members of Boards, Agencies or Committees or Commissions appointed by the Chief Executive Officer or City Council, nor the Registrars of Voters shall be a candidate for elective public office in a political partisan election in the City.



### **Section 7 – UNLAWFUL ACTS PROHIBITED**

- (a) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any employee's application, test, certification, evaluation or appointment, held or made, under this Personnel Management System, or in any manner commit any fraud that prevents, or intends to prevent, a proper or impartial execution of the Personnel Management and Merit System.
- (b) No person seeking employment or promotion shall give, render or pay any money, service or other valuable thing to any person for, or on account of, or in connection with his/her test, appointment, proposed appointment, promotion or proposed promotion to, or for any advantage in, a position in the classified career service.
- (c) No city employee shall give, render or pay any money, service or other valuable thing to any person for, or on account of, or in connection with, his/her test, appointment, proposed appointment, promotion or proposed promotion to, or for any advantage in, a position in the classified career service.

### **Section 8 – PENALTIES**

- (a) Violation of the provisions of Section 6 of this order shall be punishable in accordance with Section 147 of the City Charter.
- (b) Any person who violates the remaining sections of the order shall be punishable in accordance with the provisions of Section 46 of the Special Acts of the General Assembly of the State of Connecticut, 1921 Session (City Charter).

### **Section 9 – INTERGOVERNMENTAL COOPERATION**

The Personnel Office Staff, acting in behalf of the Chief Executive Officer, shall cooperate with other governmental agencies charged with public personnel administration in conducting personnel tests, recruiting personnel, training personnel, establishing lists from which eligible candidates shall be certified for appointment and for the interchange of personnel and their employee benefits.

### **Section 10 – PREFERENCE**

The Personnel Policies shall provide preference points, where appropriate, in initial appointment and promotion for:

- (a) Veterans (initial appointment only)
- (b) Seniority or tenure (promotions only)

(c) New London residents (initial appointment only)

**Section 11 – EMPLOYEE ORGANIZATIONS**

All employees in the Administrative Service, except employees exempted by Connecticut Statutes, shall have the right to organize, join and participate in any employee organization freely and without fear of penalty or reprisal as provided for in the General Statutes of the State of Connecticut and amendments thereto.

**Section 12 – SEPARABILITY OF PROVISIONS**

If any section, subsection, subdivision, sentence, clause, or phrase of this order for any reason be held to be invalid, such decisions shall not affect the validity of the remaining portion of this order.

**Section 13 – EFFECTIVE DATE**

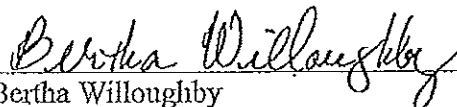
This order supersedes the September 21, 1982 Management Order issued by City Manager and incorporates the attached Personnel Policies, Rules and Procedures..... by reference.



Denise M. Rose  
City Manager

Effective November 29, 2011

Recommended by the Personnel Board:



Bertha Willoughby  
Chair, Personnel Board

**POLICY 1  
PERSONNEL POLICIES**

**POLICY 1.01:       GENERAL PROVISIONS**

**Section 1, Purpose:**

Consistent with the City of New London Charter, City Ordinances and the Management Order that created and established a Personnel Management System, it is the purpose of this Personnel Manual to update existing Rules and to establish relevant policies and procedures for the proper administration of various personnel actions.

All Policies and Procedures related to the City's merit system of recruitment and selection, including but not limited to position descriptions, classification systems, position announcements, and valid selection procedures for initial hiring, promotional selection, and movement within a classification range (e.g. transfers, demotions, etc.) shall be established and/or updated under the direction and approval of the City's Personnel Board as established by Ordinance, consistent with the Municipal Employees Relations Act of the State of Connecticut..

All Policies and Procedures related to the development and maintenance of an effective and responsive work force, as well as salary administration, benefits, work environment, retirement administration, recognition and/or discipline, dismissal and other related personnel activities, except as specifically superceded by a provision of a collective bargaining agreement shall be established and/or modified by Management Order.

**Section 2, Positions Covered:**

Unless specifically noted, these Policies and Procedures shall cover all employees in the classified service of the New London municipal government except for the following:

- The Chief Elected Official and his/her immediate staff
- The Chief Administrative Officer
- The Director of Law and all such assistants and subordinates as may be appointed by the Director of Law
- All members of City boards, agencies, committees and commissions, appointed by the Chief Elected Official or the City Council
- Registrars of Voters
- Contractors or other persons employed temporarily to conduct an inquiry, investigation, examination or similar professional function on behalf of the City Council, a committee thereof or the Chief Elected Official
- Volunteer personnel who receive no compensation from the City.

- Other positions that are also exempted include Police or Fire auxiliary personnel, non-permanent appointments of less than a year's duration and other non-permanent temporary personnel as defined by union contract.

The Board of Education and the Housing Authority of New London are also exempted from these Policies and Procedures. Nothing herein shall conflict with federal, state or local laws as such apply to City employees. In the event that a policy or administrative procedure conflicts with a provision of a collective bargaining agreement, the contract language shall prevail.

### **Section 3, Administration:**

The Rules, Policies and Procedures shall be administered by the Personnel Department, under the direction of the Chief Elected Official and in conformity with the order establishing a Personnel and Merit System.

### **Section 4, Change and Revision of Rules, Policies or Procedures:**

Suggested changes, additions and revisions to these Policies may be made by any interested party and shall be submitted through the Personnel Coordinator to the Personnel Board for review and recommendation. Should such a proposal be recommended, the Personnel Coordinator shall forward the information to union leadership at least five (5) days prior to the formal review by the Personnel Board. These recommendations shall also be posted for not less than five (5) consecutive days in locations determined by the Personnel Coordinator and at all position announcement posting locations.

During the process of consideration, the Personnel Board and/or the Personnel Coordinator may consult with any affected bargaining unit or unaffiliated employee group and they or any other interested party may appear and be heard by the Personnel Board. Changes or additions shall become effective upon approval by the Personnel Board and the Chief Elected Official. In accordance with MERA regulations, any impact shall be negotiated with the appropriate union(s).

From time to time, and in accordance with federal, state and local laws, regulations and ordinances, Policies and administrative procedures may be added or updated, as established by law or by Management Order by the Chief Elected Official. Once drafted, such new or revised policies and/or procedures shall be forwarded to any affected bargaining unit, for comment and recommendations prior to finalization and adoption by the Chief Elected Official. In accordance with MERA regulations, any impact of the adopted Policy or Procedure shall be negotiated with the appropriate union(s).

**Section 5, Appointing Authorities:**

The Chief Elected Official may delegate his/her authority to make appointments to the administrative service, as provided for in Section 40 of the City Charter, to heads of departments, agencies and offices. Section 46 of the City Charter provides for appointing authorities to remove, suspend, lay off or reduce in grade their appointees.

Appendix B to Policy 1 lists officials to whom appointing authority may be delegated. The Personnel Coordinator shall keep this list current, and shall issue authorized revisions as necessary.

**Section 6, Administration of the Personnel Management and Merit System:**

The Personnel Board is responsible for the development and administration of the City's Merit System and all related policies and procedures. It also serves as an advisory board to the Chief Elected Official with regard to personnel management policies and procedures. Board Members are appointed by the Chief Elected Official.

The Personnel Board recommends new, revised or amended Personnel Policies and /or Procedures to the Chief Elected Official for his approval. Prior to such recommendation, the Board conducts hearings for employees, bargaining units and other interested parties relating to new, revised or amended rules, policies and/or procedures.

The Personnel Board meets monthly or at the call of the Chairperson, submitting minutes and reports as appropriate. In accordance with the City Charter and the Code of Ordinances, the Board also meets at least twice each year with the Affirmative Action Advisory Committee.

The Personnel Coordinator will prepare and distribute copies of the Management Order, the Personnel Policies and Procedures, the Position Classification Plan and other documents related to the Personnel Management and Merit System. Each such document will be serially numbered and shall be accounted for and maintained in the Personnel Department, where the complete annotated document of each will contain a "Record of Changes". These complete documents and/or the annotated documents shall be made available for inspection upon request by any employee, bargaining unit or other interested party.

Once approval for a change, addition or update is granted and when the Personnel Coordinator desires to make minor authorized revisions, s/he will prepare and distribute the change, addition or revisions to all holders of the Policies and Procedures Manual. Such holders will ensure that the new pages are entered into their copies. A record of all changes shall be maintained in the Personnel Department, in accordance with Section 4 of this Policy.

### **Section 7, Forms:**

The Personnel Coordinator will obtain and/or develop such personnel forms as s/he deems necessary for the efficient functioning of the Personnel Management and Merit System. All forms shall be made available throughout the Personnel Management and Merit System of the City, and to any interested party. Administrative Forms used by Personnel and Payroll may be altered and/or updated at any time, consistent with computer system and/or departmental needs.

In accordance with MERA, forms specific to employee assessment and evaluation may be altered or updated, however the impact of such change must be negotiated with the affected bargaining unit.

All forms currently in effect shall be contained at the end of this Manual, listed in numerical order and in accordance with the related rule number, with instructions for their use.

### **Section 8, Management Rights:**

The City reserves all of its rights, powers and authority heretofore existing, including but not limited to the following:

- Determining the standards of service to be offered by all Departments and Divisions;
- Determining the methods, means and personnel by which the City's operations are to be conducted;
- Determining the content of all job descriptions and level of classification;
- Determining the standards of selection for employment;
- Directing its employees;
- Issuing rules and regulations;
- Maintaining the efficiency of governmental operations;
- Taking disciplinary action;
- Relieving its employees from duty due to lack of work or for other legitimate reasons
- Exercising complete control and discretion over its organization and the technology and methods of performing its work;
- Fulfilling all of its responsibilities.

These rights, responsibilities and prerogatives are inherent in the Council of the City of New London and the Chief Elected Official by virtue of Statutory and Charter provisions.

### **APPENDIXES TO POLICY 1.01:**

Appendix A – Distribution Lists for Personnel Announcements

Appendix B – List of Appointing Authorities

Appendix C – Personnel Management & Merit System Forms

**APPENDIX A TO POLICY 1.01**

**DISTRIBUTION LIST FOR INTERNAL POSTINGS AND EXAMINATIONS**

Affected Department Head

Affected Union President

Building Department

City Clerk

City Hall, Municipal Building

- Glass Posting Case

Development & Planning Office

Finance Department Building

- Finance
- Assessor's Office
- Tax Office
- Personnel

Fire Department

- Headquarters,
- North Station
- South Station

Lead Hazard

Police Department

Public Works

- Administration
- Building Maintenance
- Highway Maintenance Shop
- Mechanical Maintenance Shop
- Parks Maintenance Shop
- Solid Waste Collection

Recreation Department

- Senior Center

Registrars of Voters

**APPENDIX A TO POLICY 1.01 (continued)**

**DISTRIBUTION LIST FOR OPEN-COMPETITIVE EXAMINATIONS**

**All internal postings as listed above, plus:**

President, NAACP, New London

Community Enterprises, Inc.  
ICE Employment & Training Services, Gales Ferry

Executive Director, OIC, New London

Department of Veterans Affairs, Newington

Women's Center, New London

Human Rights Commission, Norwich

Division of Vocational Rehabilitation, New London

Older Worker's Program, TVCCA, Norwich

Executive Director, Centro de la Comunidad, New London

Child and Family Agency, New London

United Community and Family Services, New London

Urban League of Greater Hartford

Employment Specialist, Madonna Place, Norwich

DHS/State Personnel Employment, Hartford

Career Services, Eastern Connecticut State University, Willimantic



**APPENDIX B TO POLICY 1.01**

**LIST OF APPOINTING AUTHORITIES**

**Appointing Authority**

**Appointment Jurisdiction**

City Council

Registrar of Voters, Council Office staff.

Chief Elected Official

All Department Heads, immediate staff, Chief Administrative Officer, Personnel Coordinator and & Personnel Office staff. Treasurer, Assessor, Tax Collector, Purchasing Agent. Director of Civil Preparedness; City Boards., Commissions and Agency members per City Charter and State Statutes.

**Appointment Jurisdiction as authorized by the Chief Elected Official:**

City Clerk

City Clerk's Office Staff, except Asst. City Clerk

Director of Finance

Finance Department Staff except Assessor, Treasurer and Tax Collector, but including Assessor, Tax Collector and Treasurer's Staff.

Office of Development & Planning

All Department Staff, including Planning & Zoning, Economic Development, CDBG, Neighborhood Enhancement, Lead Hazard Reduction, and Housing Conservation Divisions.

Director of Public Works

All Department of Public Works Staff, including Administration, Building Maintenance, Highway Maintenance, Mechanical Maintenance, Parks Maintenance, Solid Waste Collection and Building Inspection Divisions.

Director of Recreation

Recreation Department Staff, Senior Center Staff and Youth Services Division staff.

Fire Chief

All Fire Department personnel, except Fire Marshall.

Police Chief

All Police Department personnel.

Public Utilities

All Department personnel.

**APPENDIX C TO POLICY 1.01**

**PERSONNEL MANAGEMENT & MERIT SYSTEM FORMS**

This appendix lists each form currently in use for Personnel management and for the City's Merit System. Instructions for their use are contained in a Forms Manual. It is the responsibility of Personnel to maintain current and updated forms, issuing revisions as needed.

<b><u>FORM #</u></b>	<b><u>FORM TITLE</u></b>	<b><u>ORIG. OR REV. DATE</u></b>
1080	Personnel Action Form	2/2012
1083	Notice of Intent to Hire	1/2012
1085	Notice of Selection	12/2011
1086	Employee Orientation Checklist	2/2010
1087	Initial Employment Equipment List	2/2010
1088	Pension Enrollment Form	4/2010
1089	Direct Deposit Authorization	7/2010
1090	Position Action Recommendation	2/2010
1091	Employee Information Verification	2/2010
1092	Management Evaluation Form	12/2009
1093	Employee Performance Evaluation	2/2010
1094	Management Evaluation – Short Form	1/2009
1095	Non-exempt Evaluation Form (Unaffiliated)	1/2009
1097	Voluntary Separation Notification	2/2010
1098	Separation Check-Out List	2/2010

*continued next page*

<u>FORM #</u>	<u>FORM TITLE</u>	<u>ORIG. OR REV. DATE</u>
1100	Notice of Vacancies	11/2009
1101	Recruiting Announcement	2/2010
1102	Employment Application Form	2/2010
1103	Employment Application, Short Form	7/2012
1104	Application Acknowledgement Letter	2/2010
1106	Position Eligibility List	12/2011
1107	Certified Eligibility List	12/2011
1108	Interview Evaluation Record	2/2010
1109	Criminal Conviction History	7/2011
1110	DOT Drug/Alcohol Testing Check	2/2010
1111	Verification of Employment	2/2010
1112	Personal Reference Verification	2/2010
1113	Education Verification	2/2010
1115	City Vacancy Report	7/2008
1120	Payroll Authorization and Change Form	2/2010
1130-A	Daily Time Sheet – Exempt	7/2010
1130-B	Daily Time Sheet – Non-Exempt	7/2010
1131	Personnel Absence Request	7/2010
1132	Monthly Personnel Absence Report	TBE – 2012
1133	Annual Employee Leave Record	TBE – 2012

*continued next page*

<u>FORM #</u>	<u>FORM TITLE</u>	<u>ORIG. OR REV. DATE</u>
1136	Out of State Travel Advance Request	7/2010
1137	Travel/Expense Voucher	7/2010
1200	Position Control Report	1/2008
1201	Job Description Format	10/2008
1202	Position(s) Appointment/Promotion Plan	2/2010
1205-A	Job Classification Listing – Police	2/2010*
1205-B	Job Classification Listing – Fire	2/2010*
1205-C	Job Classification Listing – MEU	2/2010*
1205-D	Job Classification Listing – Public Works	2/2010*
1205-E	Job Classification Listing – Unaffiliated	2/2010*

\*Classification Plans are regularly updated as needed or as altered by contractual agreement.

**POLICY 1.02:      MERIT SYSTEM CLASSIFICATION PLAN**

**Section 1, Purpose:**

The Merit System's Classification Plan provides a complete inventory of all positions in the city's merit system service and accurate descriptions and specifications for each class of employment. Specifically excluded from the Classification Plan are all Elected Officials, the Chief Elected Official, the City Clerk and Assistant City Clerk, and the Registrars of Voters. The Plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and which have the same meaning throughout the classified service.

**Section 2, Adoption, Amendment and Revision of Plan:**

The classification plan as adopted may be amended from time to time by action of the Personnel Board. During the process of amendment, any recognized employee organization affected and any other interested party may request to be heard. Amendments and revisions of the Classification Plan may be suggested to the Personnel Board by any interested party, including any recognized employee organization, and shall be submitted through the Personnel Division/Department, who will consult with the pertinent Department Heads on any proposed changes. Notice of Personnel Board consideration of the proposed classification plan amendments or revisions shall be publicly posted prior to Personnel Board meetings in accordance with the Freedom of Information Act, in locations determined by Personnel. Changes adopted by the Personnel Board may require union negotiation, should such change affect the wages, hours of work and/or working conditions of a represented employee.

Whenever a position is reclassified in accordance with Section 7 of this Policy, if such reclassification shall result in an increase to an employee's salary during a fiscal year, the City Council must be notified of such classification change and no salary adjustment may be made without Council approval.

**Section 3, Composition of the Classification Plan:**

A Classification Plan shall consist of:

- a. A grouping in classes of positions which are approximately equal in difficulty and responsibility and/or which call for the same general qualifications and work under similar working conditions, and which can be equitably compensated within the same range of pay;  
And
- b. Class titles, descriptive of the work of the class, which identify the class;  
And

- c. Written specifications for each class of positions that provide sufficient information to determine the essential functions of the work and the knowledge, skills, abilities and physical agility required to adequately perform the duties of the class.

#### **Section 4, Use of the Classification Plan:**

The Classification Plan is designed to be used:

- a. As a legal document and guide in recruiting and selecting candidates for employment;
- b. In determining salary or salary range to be negotiated and/or paid for various types of work.
- c. In determining lines of promotion and career ladders for employees interested in upward mobility.
- d. In determining the need for and developing employee training programs.
- e. In providing uniform terminology for all positions in the Merit System, definable and understandable by all city officers and managers, union officers and employees, and by the general public.

#### **Section 5, Administration:**

The Personnel Division/Department, under the direction of the Chief Elected Official, is charged with maintenance of the classification plan so that it will accurately reflect the essential functions and duties performed by each employee in the Merit System Classified Service and the class to which the position is allocated. It is the duty of Personnel to examine the nature of the positions as proposed to recommend allocation to an existing class or the creation of new classes in conformity with Section 7 of this Policy, or to oversee such an examination by a qualified professional. Further, it is the Department's duty to promulgate approved changes in the classification plan and to periodically review the entire classification plan and recommend appropriate changes in allocations or in the classification plan. This review shall be conducted by Personnel or a qualified designee and approved by the Personnel Board every five (5) years if possible, but not less frequently than every ten (10) years.

#### **Section 6, Classification of Position:**

Whenever a new position is proposed, or duties of an old position are significantly changed, Department Heads shall submit in writing a comprehensive job task listing, on forms available from the Personnel Office, describing in detail the duties of such a position and any recommended requirements. Personnel shall thereupon investigate the actual or suggested duties and recommend the appropriate class allocation or, if deemed necessary, the

establishment of a new class. Necessary action shall be processed in accordance with Section 2 of this Policy.

**Section 7, Reclassification:**

When the duties of an existing position have changed materially so as to necessitate reclassification, a request shall be made to Personnel by the Department Head for an allocation review. A review and subsequent allocation to the appropriate class shall then be processed in accordance with Section 2 of this Policy.

**Section 8, Authorized Position Table:**

The number of positions authorized to be filled are established by the City council when budgets and appropriations are approved or modified and adopted. On the basis of these actions, Personnel shall maintain the Authorized Position Table by class and union as appropriate. (Form No. 1200) This complete set of class tables shall be updated annually in accordance with the fiscal year budget. Personnel shall provide each appointing authority a copy of that segment of the Table under his/her jurisdiction and advise them of all changes thereto, and shall make the information available to others upon request.

**POLICY 1.03: RECRUITMENT AND TESTING**

**Purpose:**

The City of New London is an equal opportunity, affirmative action employer dedicated to hiring and promoting employees on the basis of candidate qualifications for each specific position and in accordance with all federal, state and local laws and ordinances related to employment actions. Recruitment efforts shall be designed to ensure that candidates sufficiently qualified to competently fill positions and to create a culturally diverse workforce are the result of a process that is equitable and without discrimination.

The Personnel Coordinator is responsible for the administration of all employment policies and procedures including those related to filling position vacancies, such as posting, advertising and other recruitment measures, applicant screening, examinations and other selection methods, certification of candidates, selection interviews, reference checking, assisting with hiring and conducting benefit orientation.

**Section 1: Job Vacancies and Examination Announcements**

When a position becomes available the Department Head shall submit a requisition to fill the position opening (on Form 1080). Once budgetary approval is verified, the position description is reviewed for accuracy and the position is posted and advertised.

**a:** Examinations and job vacancy announcements for entry into the classified service shall be promoted by public announcement on official bulletin boards and in at least one newspaper and one public venue (computer web site, classified ads, etc) having a general circulation in the recruitment area and in such other manner as deemed necessary to properly fill the position and to create a diverse workforce. Such announcement shall specify the title and salary range of the class or classes, the time, place and manner of making application, the minimum qualifications or requirements for eligibility to participate in the examination process and other pertinent recruitment information. Position information shall be posted in locations listed in Appendix A of Policy 1.0 for a minimum of ten (10) workdays prior to the closing date for filing applications and/or in accordance with the requirements contained in related collective bargaining agreements.

**b:** The qualifications required should be the minimum needed for entrance into a given class rather than desired standards or qualifications attainable only after some experience in the class. In certain entry classes it is allowable to place more emphasis on potential for development than on present performance capabilities.

**c:** Competitive examinations for a given class may be held on a continual basis when there is a continuing need for applicants in that class. Only one announcement need be issued, but supplements providing specific information concerning the time and



place of the next scheduled examination must be posted and distributed in the same manner as that prescribed for examination announcements.

**d.** For examinations containing more than one part, the posting announcement is to contain the explanation that candidates must pass each portion of the exam in order to continue on and participate in other parts of the examination. If there is to be a cut-off score or a limit to the number of examinees allowed to participate in any subsequent part of the examination, this is to be noted in the posting announcement.

## **Section 2: Appointment/Promotion Recruitment & Examination Plans**

The Personnel Coordinator will maintain and update a specific listing with each position description or similar groups of positions that outlines the method(s) of testing or qualifying examinations and/or other selection procedures to be used for determining eligibility for such position(s), as authorized by the Personnel Board. Selection of personnel for all vacancies within City Departments will be made in accordance with the provisions of an Appointment/Promotion Plan and in conformance with collective bargaining agreements.

Upon a written request by the Chief Elected Official, the Personnel Board may waive the testing requirements for Department Head and Deputy positions, for those candidates who meet the minimum qualifications.

## **Section 3: Acceptance of Applications**

Whenever any Application for Employment is received in the Personnel Office, it shall be stamped or noted received, and the Department shall acknowledge the application.

**a.** Unsolicited applications may be received at any time. If so noted, with a single application a candidate shall be considered for all classes of positions for which s/he is potentially qualified. The applicant will be notified that his/her application shall be maintained as "on file and active" for a period of one year. Applications are maintained in the appropriate exam file, alphabetically by surname.

**b:** Applications received in response to specific recruitments shall be reviewed against the minimum qualifications and the applicant will be advised of the disposition of his/her application. The Personnel Department may also solicit additional information from the applicant or provide the applicant specific instructions regarding actions to be taken.

## **Section 4: Rejection of Applications**

The Personnel Coordinator shall remove from further consideration, at any time, the application of a candidate who:

- a. Did not file the application by the announced closing date for the receipt of applications, or
- b. Does not possess the minimum qualifications for the position under consideration, or
- c. Has established an unsatisfactory employment or personnel record of such a nature as to demonstrate unsuitability for employment, or
- d. Has made a false statement or omits any material fact in his/her application, or
- e. Fails to pass any pre-employment drug and/or alcohol screening, or
- f. Has been convicted of a felony or a crime which would cause doubt as to the suitability for the specific position applied for, or
- g. Fails to accept appointment within five (5) working days from the date of offer, or fails to report to duty at the time prescribed in the offer or agreed upon, or
- h. Is not a Citizen of the United States and does not possess proper employment documents or whose right to be in and/or work in the United States has been questioned by the proper authorities.

Whenever an application is rejected, written notification shall be mailed to the applicant by the Personnel Department stating the reason.

If it is later discovered that an employee has made any false statement of a material fact or practiced any deception or fraud in his/her application, s/he shall be subject to termination

#### **Section 5: Employment Examinations**

It is the policy of the City to utilize tests and examinations to assist in establishing the relative qualifications and potential of candidates for vacancies, based upon the following principles:

- a. Relevancy
- b. Economy
- c. Compliance with the City's Affirmative Action Goals and with Equal Employment Opportunity
- d. Validity
- e. Reliability
- f. Relative Skill and Ability

In accordance with standards established by the Personnel Board, an examination may include any or all of the following:

- a. Evaluation or rating of training, experience and/or education.
- b. Written examination
- c. Oral Panel Board
- d. Performance test

Additional forms of testing may be used for all or a portion of an examination, such as psychological evaluations, polygraphs, technical examinations, assessment centers, etc., as deemed appropriate to the position and approved by the Personnel Board.

Members of the Personnel Department shall oversee examinations, and shall make provision and/or take necessary action to maintain the integrity of the examination process. Inasmuch as possible, all reasonable precaution shall be taken to protect the identity of applicants, examiners and all examination papers in order to preserve the validity of examinations.

### **Section 6: Examination Scoring**

- a.** The method or methods of examination, the various portions and weight of such test portions shall be determined prior to the commencement of the examination process, in accordance with Section 2 of this Policy, and shall be posted in the full examination announcement. Subject matter experts, both within and outside of the City, may be used to assist in examination development, however use of subject matter experts must be in accordance with federal regulatory requirements.
- b.** Numerical scores will be established on a 0 to 100 scale, converting raw scores and other scales into percentages by using standard statistical techniques. The total of all portions of all tests shall be 100%, prior to adding any final preference points, however, at no time shall any candidate's score exceed 100%. In all tests the minimum performance by which eligibility is achieved will be established by the Appointing Authority and the Personnel Coordinator. Candidates may be required to attain at least a minimum performance on each portion of an examination in order to receive a passing grade on the exam, or in order to be rated on the remaining parts of the test.
- c.** Numerical scores of all eligible candidates who achieve a passing grade shall be converted into the category of "qualified" and shall be listed in rank order on an Eligibility List. Ineligible candidates will be assigned an adjective rating of "not qualified".

### **Section 7: Notification of Examination Results**

Each person examined shall be given written notice of his/her final grade, indicating whether or not s/he qualified to attain a standing on the Eligibility Listing. Candidates meeting the Rule of Three and thereby qualifying for placement on a Certified List and obtaining a Departmental interview shall be so notified. In consideration of the fact that the remaining candidates' rank order may change over time, eligible candidates in open-competitive examinations will not be advised as to their rank on the Eligibility List except in response to specific inquiry; such response will indicate the relative standing as of the particular date.

There shall be a six (6) month waiting period for any open-competitive candidate who does not achieve a passing grade on an examination and who wishes to re-test for the same position.

### **Section 8: Inspection of Examination Papers**

The Personnel Coordinator shall keep the examination score sheets available for their inspection for a period of 30 days after the date of test result notification, or, for rented or consultant-provided exams, in accordance with the established procedures of the testing company. Each person who participated in an examination shall be entitled to inspect his/her scores and any written examination papers, or, for rented or consultant-provided exams, such paperwork as allowed under the testing company regulations. At no time shall examination papers or score sheets be open to the general public.

The Personnel Coordinator shall establish procedures for inspection of examination papers; such inspection shall be permitted only during regular business hours and at the Personnel Office, or in accordance with the provisions allowed by the testing agency. The Personnel Coordinator may permit the extension of the period during which papers may be examined, but shall not permit the inspection of test papers between the time of announcement and holding of another test for a similar position. Candidates may not copy any paperwork reviewed, nor, if viewing is permitted, write down any of the examination questions during the review period.

### **Section 9: Correction of Grades**

The Personnel Coordinator may adjust grades if it is discovered that an error in calculations has occurred. Candidates for examinations may appeal to the Personnel Coordinator or to the Chief Elected Official for correction of their grades upon presentation of reasonable evidence that their examinations may have been incorrectly rated. Any correction shall not, however, invalidate appointments made prior to the correction from open-competitive Certified Lists.

### **Section 10: Veterans' Preference**

- a.** In any examination for *initial* employment in the City service, an honorably discharged Veteran who has met the requirements of examination and has achieved a passing grade shall have an additional five (5) points added to his/her final score, if said Veteran is currently eligible in accordance with the parameters outlined in CT Gen. Stat. 91-407. Proof of eligibility for veterans' preference shall be provided at the time of application by inclusion of the applicant's discharge papers (Form DD214), or a copy thereof.
- b.** In any examination for *initial* employment in the City service, an honorably discharged Disabled Veteran who has met the requirements of examination and has

achieved a passing grade shall have a total of an additional ten (10) points added to his/her final score, if said Disabled Veteran meets all eligibility standards in accordance with CT Gen. Stat. 91-407. Additionally, Disabled Veterans shall provide appropriate forms as may be required to adequately establish that such disability meets the specifications outlined by law.

- c. These preference points are available only for an examination for *initial*, full time employment and are added to the final score in order to increase the applicant's ranked standing on the Eligibility List for original full-time employment. Once the candidate has been hired as a regular employee, no further veterans' preference shall be given.

### **Section 11: Incumbents' Preference**

In those cases where employees who are already in the City's service as full-time regular employees and outside applicants compete together in a promotional and open-competitive examination for a vacant position, a City employee who has passed all portions of an exam shall have five (5) points added to his/her final score in establishing his/her ranked Eligibility List standing. In examinations with an established numerical cut-off limiting the number of candidates allowed to participate in secondary portions of the exam, the preference points may be added after completion of the initial portion of the exam, in order to afford the internal candidate the highest possible ranking prior to cut-off.

### **Section 12: Other Preference Points**

In an effort to encourage diversity in the City's service, the Personnel Board may determine that specific points shall be added to applicants who are residents of the City, or who possess a highly preferred qualification, such as a specific second language. Such points shall be added in the same manner as for the incumbents' preference; however the availability of such preference points must be posted in the formal recruitment announcement.

For promotional police and fire examinations, a City employee who has passed all portions of a promotional exam shall have seniority points added to his/her final score in establishing his/her ranked Eligibility List standing. Seniority points shall consist of one-quarter point (.25) per full year of service to a maximum of five points (5.0) for all years of service as established in the recruitment announcement.

### **Section 13: Eligibility List**

The Personnel Coordinator shall establish and maintain such Eligibility Lists for classes of positions in the City's administrative service as are necessary or desirable to meet the needs of the service. The full Eligibility Lists shall contain the names of all candidates who have

successfully qualified for the position by achieving a passing score on the examination, listed in the rank order of their final score (with preference points added, where appropriate).

- a. Availability of Eligibles: It shall be the responsibility of eligible candidates to notify the Personnel Office in writing of any change of address, condition of employment or other change affecting availability of employment.
- b. Duration of Eligibility: Eligibility shall remain in effect for the duration of the life of the Eligibility List, which shall be established for a minimum of one year and a maximum of two years from the date of creation (unless extended in accordance with Section 13, d)

Additionally, an eligible candidate may be removed from the List pursuant to any one or more of the following:

- a. A new examination with new standards is held and eligible candidates are notified of the new examination results;
- b. An eligible candidate submits a written statement specifying conditions of employment which are inconsistent with those established for the position s/he is seeking;
- c. Appointment through certification from such lists to fill a regular position;
- d. Appointment through certification from the eligible list for another class at the same or higher compensation. In such cases at the request of the appointee, his/her name may be continued on , or restored to, any or all lists other than the one from which his/her appointment was made.
- e. Refusal to accept three (3) offers of appointment under conditions not previously listed by the eligible candidate as unacceptable.
- f. Filing of a statement by the eligible candidate that s/he is not willing to accept appointment. Any eligible candidate may renew this eligibility by filing a new statement as to the time, place or other conditions under which appointment will be accepted.
- g. Failure to respond, within the time specified in the notice, to any inquiry of the Personnel Office or Department Head if satisfactory evidence is not furnished justifying such failure to respond.
- h. Failure to report for work after accepting appointment.
- i. Notice by postal authorities of their inability to locate the eligible candidate at his/her provided address.

- j. Loss of citizenship and/or right to work in the United States.
  - k. Death of the eligible candidate.
  - l. Failure of the eligible candidate to satisfactorily pass the required pre-placement physical and/or drug/alcohol screening.
  - m. Failure of the eligible candidate to satisfactorily pass the required pre-employment background check.
  - n. Any cause specified in these rules for rejection of any application can likewise be cause for removal of a name from an Eligibility List.
  - o. Expiration of the term of the Eligibility List. The Personnel Coordinator may also cancel an Eligibility List once less than three eligible candidates are contained on the List or upon request for a complete Certified List by a Department Head.
- c.** Transfer to a Lower Class: The name of any eligible candidate, upon his/her written request, may be transferred to the Eligibility List for a lower class in the class series requiring qualifications of the same general characteristics, providing the job description includes the work of the lower level and the examination passed by the candidate tested similar knowledge, skills and abilities at a higher level. (e.g. Sr. Parks Maintainer to Parks Maintainer, Administrative Assistant to Secretary).
- d.** Extension of Eligibility Lists: The Chief Elected Official may extend the life of an Eligibility List for not more than two (2) six-month periods, upon a request from either a Department Head or the Personnel Coordinator, and with approval by the Personnel Board.

#### **Section 14: Certification of Eligibles**

Upon receipt of a request to fill a vacancy, the Personnel Coordinator shall certify, using Form 1107, the proper number of eligible names willing to accept the appointment, from the appropriate Eligibility List, or will authorize some other kind of appointment as provided for in these Policies.

- a.** Whenever there are fewer than three names of individuals willing to accept appointment and rated "qualified" on a relevant employment list, the appointing authority may either make an appointment from the Certified List, or s/he may request that a new Eligibility List be established to provide a Certified List with three candidates rated "qualified". When so requested, Personnel shall hold a new examination and establish a new Eligibility List.

- b.** Candidates whose names remain on the earlier Eligibility List may either participate in the new examination, or may request, on a one-time basis that their scores be blended, in rank order, with the new Eligibility List produced by the new examination. This provision may be allowed only when the new test is composed of the same questions/materials as the earlier exam.
- c.** Eligible candidates shall be certified in order of standing (rank order), noting only that each candidate is "qualified". Groups of eligible candidates from employment lists shall be certified to appointing authorities in order of receipt of request, however, when two or more different departments concurrently request a Certified List of eligible employees, duplicate Certified Lists shall be issued.
- d.** Certified Lists shall be valid for not less than 60 nor more than 90 days from the date of issuance. Should the Appointing Authority not appoint a candidate during the 60-90 day period, a new Certified List must be requested from the Personnel Coordinator, with an explanation for the delay in appointment.

The Personnel Board has established a "Rule of Three" for all hires and promotions in the City service. Therefore, Certified Lists contain:

- a.** The top three (3) names in rank order from the current Eligibility List for the position for each vacancy;
- b.** When two (2) vacancies exist in the same Department, the Certified List shall contain the top-ranking four (4) names, thereby providing three (3) names for each vacancy.
- c.** In the event of tied or banded scores, all candidates with the same score or band shall be listed on the Certified List and considered equally for appointment, even though such listing may result in the provision of more than three (3) names.
- d.** The Certified List is valid only for the position and Department to which it has been provided. New vacancies in the same or another department shall require a new Certified List.
- e.** The Rule of Three selection criteria may be set aside with regard to Public Safety Officer recruitment and a larger number of candidates (where possible, 3-5 candidates per vacancy) who have successfully passed the examination portion of the recruitment procedure sufficient to fill current vacancies shall be included in the Certified List for further processing. The Police or Fire Chief may be authorized by the Personnel Board to hire any candidate that successfully completes all phases of the process, regardless of rank, in an effort to enhance diversification of the Department.



**Section 15: Candidate Selection**

Upon receipt of the Certified List for open-competitive examinations, the Department Head and/or the Division Head shall schedule a departmental interview of all applicants certified, with the assistance of Personnel Staff. Personnel will supply the department with copies of all application materials and, inasmuch as possible, interviews are to be held within five (5) working days of the receipt of the Certified List. Interviews shall be conducted in accordance with acceptable personnel practices in a manner designed to determine each applicant's potential for success and compatibility in the relative department and division.

- a.** If any applicants are rejected and a request made to remove the applicant from the Certified List, the Personnel Coordinator will be notified of the reasons for removal and may approve or reject such request, consistent with Policy 1.3, Sections 4 or 13.
- b.** Candidates removed from the Certified List shall be so notified by the Personnel Coordinator.

Upon completion of interviews, the appointing authority will make a selection and report the selection via form, memo or e-mail to the Personnel Coordinator. All applications of candidates not selected shall be returned immediately to the Personnel Office.

**POLICY 1.04:        **PROMOTIONS****

**Purpose:**

The principle of promotion from within is a basic tenet of personnel management, in that it reduces recruitment costs and enhances employee morale. It is based upon the premise that it is most beneficial to an organization for all qualified employees to be afforded the opportunity to advance within their organization.

Federally funded programs which finance employees from outside of the General Fund may also require that the City provide for the transfer or promotion of such employees who qualify for permanent, regular positions within the City.

Therefore, the following procedures shall be adhered to when vacancies occur in positions that are classified higher than entry-level grade or when the Personnel Coordinator considers that qualified employees could beneficially transfer to entry-level positions available to them.

**Section 1:    Promotion Request:**

Appointing authorities may request the promotion of a classified employee who has permanent status, provided that the employee:

- a.**     Meets at least the minimum qualifications for the vacant position as shown in the current job announcement and job description;
- b.**     Has agreed to promote into the vacancy in question;
- c.**     Ranks as one of the certified candidates, if a promotional examination was given;
- d.**     Meets the requirements of bargaining unit agreements.

**Section 2:    Advance Notice**

- a.**     Employees covered by collective bargaining agreements will be afforded advance notice of vacancies as provided in those agreements.
- b.**     No less than seven (7) calendar days' advance notice of vacancies will be afforded other city employees by posting notices of vacancies in places listed in Distribution Lists 1 and 2 of Appendix A to Policy 1.0.

**Section 3: Rating Promotional Candidates**

- a.** Candidates will be rated as “qualified” or “not qualified”.
- b.** Determination of category ratings will be made in a manner consistent with Policy 1.3, Sections 5 & 6.
- c.** All candidates rated “qualified” will be certified to the appointing authority in rank order in accordance with Policy 1.3, Section 14.
- d.** Employment records will be forwarded to the appropriate appointing authority, by copy of the employment application or through use of the appropriate personnel form. The Personnel Office will notify those candidates considered not qualified, indicating wherein they lack qualifications whenever possible. If no candidate is determined to be qualified, the Personnel Coordinator will proceed with recruitment as specified in Policy 1.3, allowing three working days to elapse to permit employee appeal of the decision.

**Section 4: Post-Exam Advisory Promotion Panels**

To ensure that the process of selection of personnel at all non-entry levels within City Departments will be made equitably and without discrimination, for any position below Department Head advisory promotion panels may be set up by the Chief Elected Official to interview the candidates and make recommendations to the appointing authority. Such panel shall consist of:

- a.** The immediate supervisor for the position to be filled;
- b.** One person equal in performance or equivalent in grade level to the position to be filled;
- c.** A disinterested party who will be non-supervisory if the position to be filled is non-supervisory, and who will be a female or minority evaluator if women or minorities are among the applicants.

**Section 5: Promotional Selection:**

Upon receipt of the Certified List for a promotional position, the appointing authority may request the applications of any candidate from a Department/Division outside his/her own. If an advisory panel was utilized as part of the promotional process, those recommendations shall also be forwarded to the appointing authority.

- c. Appointing authorities and/or their designees will review promotional applications received from the Personnel Coordinator and may interview any and/or all candidates forwarded.
- d. If a selection is made, appointment will be effected in accordance with procedures approved by the Personnel Board.
- e. If any applicants are rejected and a request made to remove the applicant from the Certified List, the Personnel Coordinator will be notified of the reasons for removal and may approve or reject such request, consistent with Policy 1.3, Sections 4 or 13.

  - a. Candidates removed from the Certified List shall be so notified by the Personnel Coordinator.
- f. If all Certified candidates are rejected, the Personnel Coordinator will be notified of the valid reasons for rejection, consistent with Policy 1.3, Sections 4 or 13. Upon approval of such rejection, the Personnel Coordinator will proceed with recruitment as specified in Policy 1.3, allowing three working days to elapse to permit employee appeal of the decision.

**Section 6: Exceptions**

In cases where appointing authorities consider that no city employees are likely to meet the minimum qualifications established in the classification plan, or in the extraordinary cases where they consider that the expertise and experience to be brought to the City's service by appointment of an individual outside of the career service outweighs the benefits of promoting from within they may, with prior approval of the Chief Elected Official, request the Personnel Coordinator to commence immediate recruitment as specified in Policy 1.3. In such cases any city employee so desiring may compete for appointment as outlined in Policy 1.3, Section 11 and in accordance with relevant collective bargaining agreements.

**POLICY 1.05:        APPOINTMENT**

**Purpose:**

The goal of the examination process is to provide Department Heads with sufficient candidates for employment who are qualified to competently fill positions and who will represent the City in a positive, respectable manner. Appointments made or authorized by the appointing authority shall be in accordance with the provisions of the City Charter and applicable Collective Bargaining Agreements.

**Section 1:    Types of Appointments:**

Following are types of appointments authorized by the appointing authority for each position in the City Service (see Management Order, Section 4), and defined below. All appointments are subject to position authorization and budgetary appropriation by the City Council.

- a.**     **Regular, Full Time:** A regular full-time employee works thirty-five (35) or forty (40) hours per week on a continuing basis. S/he is subject to all rules and regulations and, upon completion of his/her probationary period, receives all benefits and rights as provided by the Management Order, Personnel and Administrative Policies, Collective Bargaining Agreements, other City Policies and pertinent directives.
- b.**     **Seasonal and Temporary:** These employees are appointed for a specific "season" or to perform specific "seasonal" work, or are appointed to perform work of any nature for a short-term, temporary, duration of time, in accordance with the limitations prescribed in the applicable Collective Bargaining Agreement. Appointment is made after the Personnel Office conducts both a public recruitment process and an evaluation of candidates. As with regular employees, seasonal or temporary appointments are subject to background screenings and medical evaluations including drug/alcohol screenings.
- c.**     **Part-time:** Employees hired to work in a part-time position, which in accordance with Connecticut General Statutes is defined as one where services are normally required on a regular basis for a period of less than 30 hours per week.
- d.**     **Student:** Student appointments afford students studying Public Administration and other specific professional areas the opportunity to gain actual work experience in a municipal setting. Students from colleges and universities majoring in fields of value to the City may be appointed on an "internship" basis for a specified period of time that is not to exceed twelve (12) months. Student internship appointments require the approval of the Chief Elected Official.

- e.** Emergency: If the Chief Elected Official deems that an emergency situation exists, s/he may authorize the temporary appointment of any qualified person to prevent stoppage of public business or loss of serious inconvenience to the public. However, a vacancy of which the Department Head has had reasonable notice, or an employment condition of which he had, or might with due diligence have had, previous knowledge, shall not be considered an emergency under this section. Emergency appointments shall be limited to a period not to exceed thirty (30) days.
- f.** Limited Term: Limited term appointments may be made for a period not in excess of six (6) months, with the approval of the Chief Elected Official, when services are required for a special job or project. Limited term appointments may be extended by the Chief Elected Official in additional six month increments, however the total work period of any limited term employee may not be more than two (2) years.

Limited-term appointments may also be made to fill vacancies resulting from extended leave of a regular employee, provided that additional funds are not required by appointing authorities. The duration of such a limited term appointment shall be for not longer than the period of absence of the regular employee on such leave of absence. If their performance is satisfactory or better, limited-term appointees may, at their request and with the approval of the Chief Elected Official, be placed on a re-employment list.

## **Section 2: Residency**

All appointments made or authorized by the appointing authority shall be in accordance with residency provisions as outlined in Section 45a of the City Charter, or applicable Collective Bargaining Agreements, whichever prevails.

## **Section 3: Source of Appointment**

- a.** Regular full-time and regular part-time vacancies shall be filled from three (3) sources:

  1. Promotion, re-employment or original appointment Certified Eligibility Lists;
  2. Employees to be transferred;
  3. Employees to be demoted.
- b.** When an appointing authority wishes to fill a vacancy or prospective vacancy, a Personnel Action Form (1080) shall be submitted to the Personnel Office.

1. As far as practical, each vacancy shall be anticipated sufficiently in advance to permit Personnel to determine eligible candidates available for appointment, or, if necessary, to establish an Eligibility List.
- c. When original appointment vacancies are to be filled from a list of eligible candidates, the lists shall be applied in the following order: re-employment list, original appointment list.
- d. Promotional appointments shall be filled from promotional lists.

#### **Section 4: Pre-Employment Verifications:**

Once an applicant has been selected from a Certified List, the Department Head shall notify Personnel on the Certification List Form. Personnel will then arrange for a Police Record Check of the candidate, and for a pre-employment physical which includes a drug/alcohol screening. Appointing authorities may also request that the Personnel Office contact references to verify information and statements given in the application. A record of such inquiries shall be maintained with the pertinent application.

At any time throughout the probationary period of an employee or through the duration of any applicant's or employee's status on an Eligibility List, or at any time there is reason to believe that an eligible applicant or employee has committed a crime for which the statute of limitations has not expired, the Personnel Coordinator may make lawful inquiries into the background of such applicant or employee, in accordance with governing state statutes and federal regulations.

- a. Police Record Check. Prior to the employment of any applicant, the Personnel Department shall request that a Police Record Check be conducted through the City's Police Department or other authorities, and that a report of any convictions be returned as allowed by law. In accordance with legal requirements related to hiring, any conviction of the following will be reviewed and may result in disqualification.
1. Adult convictions for felonies within the last ten (10) years.
  2. Adult drug convictions within the last five (5) years.
  3. Adult misdemeanor convictions within the last three (3) years.
  4. Juvenile drug convictions within the last five (5) years.
  5. Juvenile convictions for felonies and/or misdemeanors within the last year, if such information is available from State Authorities.
  6. Traffic offense convictions resulting in significant fines, loss of license or other penalty, or three (3) or more traffic convictions in the previous three (3) years, for positions utilizing City vehicles.

- b. If no reportable acts as defined above are recorded, the Chief of Police or authorized State agency will respond to requests for record checks with the following or similar statement: "No reportable convictions."
- c. Motor vehicle verification and traffic offenses may also be checked by the City's Police Department as part of the overall background review for applicants under consideration for positions that include driving a city vehicle as a function of the job.

#### **Section 5: Appointment Processing:**

Upon receipt of the completed Form 1085 (Notice of Selection) indicating a proposed hire date for the selected candidate, the Personnel Office shall send a written notice of selection to the chosen candidate. This letter will also contain instructions regarding the prescribed pre-employment physical examination.

- a. A Personnel staff member will work with the supervisor to determine the effective date of the appointment.
- b. The written conditional offer of employment shall be sent by Personnel to the selected candidate, and the selected candidate shall be required to sign the letter as an indication of acceptance of the position, based upon satisfactory completion of the pre-employment physical, background review and any other required documentation.
- c. Orientation documentation is completed upon the initial date of hire. Should the candidate accept the appointment, satisfactorily complete all remaining requirements and present himself to Personnel at the appointed time on the initial date of hire to finalize the orientation paperwork, s/he will be deemed appointed. Otherwise, s/he shall be deemed to have declined the appointment.

#### **Section 6: Transfer:**

A current employee may be transferred to a position of equal grade for which he possesses the minimum qualifications if a vacancy exists.

- a. Within a Department, an appointing authority may request to the Personnel Coordinator for an employee to be transferred to another position under his/her jurisdiction which is of a comparable class.
- b. Upon agreement between two (2) appointing authorities at any time, they may request to the Personnel Coordinator that an employee be transferred from one position to another (vacant) position in a comparable class.



- c. For transfer purposes, a comparable class is one with the same salary scale and grade in the same pay plan, involves the performance of notably similar duties and requires substantially the same basic minimum qualifications.

**Section 7, Voluntary Demotions:**

An employee may be voluntarily demoted to a vacant position of lower grade for which he is qualified for any of the following reasons:

- a. When s/he would otherwise be laid off because his/her position is being abolished or his/her position is being reclassified to a higher grade; or because of the return to work from authorized leave of another employee to such a position in accordance with the rules of leave.
- b. When s/he does not possess the requisite qualifications to render satisfactory service in the position s/he holds or is graded unsatisfactory on two successive performance evaluations at least two months apart, or, in lieu of termination during his probationary period if an appropriate vacancy exists.

All requests for demotion must be approved by the appointing authority or appointing authorities where more than a single department is involved and must be in compliance with any contractual language in the controlling collective bargaining agreement.

**Section 8, Reemployment Policy for the City of New London:**

This policy shall apply to all positions in the administrative service of the City of New London to which appointments are made by the Chief Elected Official or his/her designee as provided in Section 40 of the City Charter and full-time employees of the City Council and other Boards and Agencies of the City, except the Board of Education.

“Employees” as defined in this policy shall refer solely and exclusively to persons who formerly occupied regular full-time positions, who have satisfactorily passed their probationary period and who voluntarily resign in good standing from a full-time, permanent position in the administrative service of the City.

- a.** Any employee who has resigned in good standing by virtue of a written resignation submitted to the appointing authority, and who has neither applied for nor is drawing a City pension, may request reemployment. This request must be made in writing and shall be filed with the Chief Elected Official, Personnel Coordinator or other appointing authority for application to an existing vacancy.
- b.** The Chief Elected Official, upon request and approval of an appointing authority, shall determine, at his/her pleasure, whether or not the requesting employee voluntarily

resigned in good standing, had a satisfactory work record and whether or not it is in the best interest of the City government to consider the applicant for reemployment.

1. If such determination is favorable the City may, at its convenience, reemploy the former employee to fill any vacant permanent position in the administrative service of the City for which the applicant qualifies, provided such action does not impede the City.

c. Employees wishing to become eligible for reemployment under this policy must pass any applicable physical examination as required by the City as a condition of proposed reemployment and, further, must comply with any requirements for employment set by the Personnel Board under the City of New London's merit system as provided by Section 40 of the Charter and by Ordinances passed subject to that Section as well as any applicable collective bargaining agreement.

d. Employees reemployed pursuant to this policy shall, upon their reemployment, commence work as probationary employees in the rank, grade or classification to which they are reemployed, in a manner identical to newly hired employees appointed to such positions without any prior service with the City and shall receive compensation and benefits available to newly hired employees, with the following exception only:

1. For purposes of pension rights, including credit toward vesting and for required pension contributions, persons reemployed pursuant to this policy shall, upon their reemployment, be credited with the period of service worked prior to their voluntary resignation, in addition to the period worked after the break in service.

- a. Employees in the City Pension must reimburse the City for any employee pension contribution and interest paid out upon his/her resignation for the period prior to the break in service. Such payment must be made on the date of reemployment.

- b. Employees in a City defined contribution plan (401a) must reimburse the City for any employee and/or City pension contribution and interest paid out upon or after his/her resignation for the period prior to the break in service. Such payment must be made on the date of reemployment.

e. Notwithstanding Collective Bargaining Agreements or City Codes of Ordinances to the contrary, there is hereby established for reemployed employees a "service computation date", which shall be a date computed by adding to the last date of employment all prior full-time City service time exclusive of service breaks, and shall be used to determine pension eligibility and benefits only. Seniority rights as it relates to all other employment applications and situations will be interpreted and applied as defined in the applicable Collective Bargaining Agreement.

## **POLICY 1.06:      PROBATION**

### **Purpose:**

The probationary period shall be regarded as an integral part of the examination and appointment process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position and for disqualifying any employee whose performance or conduct is not completely satisfactory.

### **Section 1: Application and Duration of Probationary Status:**

All original, promotional and re-employment appointments shall be tentative and subject to a probationary period as provided within these policies, or in accordance with the position's collective bargaining agreement.

- a. Duration: The probationary period shall be a minimum of sixty (60) days to a maximum of 365 days (12 months). If not established within the collective bargaining agreement, probation shall be determined as follows:

The Personnel Coordinator, in consultation with the appointing authority, shall establish a probationary period for each position classification.

- b. Extension of Probation: An appointing authority may request an extension of an established probationary period (using Form 1080), however such request must be made prior to ten (10) working days before the expiration of the original probationary period. The Personnel Coordinator may then extend the probationary period of a particular employee for up to an additional three (3) months beyond the end of the regular probationary period. However, in no case shall the total period of probation exceed twelve (12) months.

### **Section 2: Evaluation of Performance:**

It is vital that an employee's performance be evaluated and recorded during the probationary period. To achieve that goal, the appointing authority shall provide Personnel with the appropriate Employee Performance Evaluation form, indicating observations of the employee's work and the appointing authority's judgment as to the employee's willingness and ability to perform the duties of the position satisfactorily.

- a. Probationary Evaluation Forms shall be completed not more often than every two months, nor less than once at the half-way point of the new employee's probation.
- b. Evaluations should be discussed with the employee prior to submission to Personnel. The employee should be encouraged to continue progressing in his/her

capabilities and the employee should be informed of any unsatisfactory performance and/or failure to meet the probationary test period requirements by the appointing authority. If a second Evaluation indicates continued issues, the employee should be provided specific recommendations for performance improvement.

- c. Not less than ten (10) working days prior to the expiration of the employee's probationary period the appointing authority shall notify the Personnel Officer (using form 1080) whether or not the employee has performed satisfactorily during his/her probationary period. At this time the appointing authority shall recommend either 1) regular appointment or 2) termination. A copy of the 1080 shall be provided to the employee, notifying him/her of the outcome of his/her probationary period.

### **Section 3: Dismissal or Demotion During Probation:**

At any time during the probationary period of a new hire, promotional employee or a re-employment appointment, an appointing authority, with concurrence of the Personnel Coordinator and supportive documentation, may remove an employee if the working evaluation indicates that:

- a. the employee is unwilling or unable to satisfactorily perform the duties of the position or
- b. the employee displays poor work habits or a lack of dependability that have not improved significantly or are such that the employee does not merit continuance or
- c. the employee has committed an offense which is considered cause for disciplinary action.

Upon such removal, the appointing authority shall immediately notify both the employee and the Personnel Coordinator of the decision to separate the employee and the reasons for the action.

- a. A probationary employee who is being terminated as a result of a disciplinary offense may be dismissed without notice.
- b. Depending on the position, a probationary employee who is to be dismissed due to a failure to adjust properly to the job or because s/he did not demonstrate the potential to perform satisfactorily may be provided up to ten (10) working days' notice of separation.

- c. A probationary employee who is found to have been appointed through personal fraud or error shall be removed within not more than ten (10) working days' of this being reported to the Personnel Coordinator.
- d. An appointing authority, subject to the approval of the Personnel Coordinator and allowance by contractual regulations, may demote an employee to a vacant lower-class position during the employee's probationary period, provided that such vacant position is not actively under the recruitment process, nor will the demotion have any adverse effect on a potential promotion. Any employee so demoted shall begin a new probationary period for the new position.

There shall be no right of appeal from any action taken against an employee during the probationary period, except for promotional appointments, where specified under the employee's collective bargaining agreement or upon an allegation of prohibited discrimination or of an illegal action.

**Section 4: Restoration of Status for an Employee with an Unsuccessful Probation:**

If a newly hired employee is removed from his/her position during or at the end of his/her probationary period, that employee may have his/her name restored to the appropriate employment listing if:

- a. the Personnel Coordinator determines that s/he is suitable for appointment for another position, and
- b. the employee was not terminated due to an inability to perform basic functions of the classification
- c. the employee was not terminated as a result of poor work habits, a lack of dependability or a disciplinary offense

A promotional employee appointed from a promotional list who does not successfully complete his/her probationary period shall be reverted to the same or equal position in the classification occupied immediately prior to his/her promotion. (See Policy 1.5, Section 7-b)

**POLICY 1.07:        CONDUCT OF EMPLOYEES**

**Purpose:**

It is understood that positions and employee interests may change during the course of employment and this policy outlines basic employment conduct and responsibilities for all employees.

**Section 1: Hours of work:**

The normal work week for regular full-time employees shall be either thirty-five (35) or forty (40) hours, as determined by the position, the Department Head or the Chief Elected Official. Hours of work shall not conflict with Collective Bargaining Agreements, where specified.

**Section 2: Attendance:**

Attendance at work is an essential function of any City of New London position. Employees shall be in attendance at work in accordance with these Policies and with Departmental regulations. All Departments shall keep daily attendance records of their employees, which shall be signed by the employees and their supervisors, or through automated time-keeping systems. Public Safety Departments may continue to keep daily logs, or use automated time-keeping systems. The Personnel Coordinator shall have access to all attendance records for monthly review, through attendance reports generated by the Department, or through payroll attendance reports. (See also Policy 1.10, Section 14)

**Section 3: Outside or Private Employment:**

The work of the City of New London shall have foremost priority for all City employees and it is understood that additional employment may not interfere with the responsibilities and required hours of the employee's position with the City.

- a. No employee of the city may engage in additional employment outside the official hours of duty, unless the appointing authority is notified of such employment. Such letters of notification shall be forwarded by the appointing authorities to the Personnel Coordinator for placement in the employee's personnel file.
- b. The Personnel Coordinator shall provide a set of standards and guidelines to all appointing authorities, for use in evaluating such notifications of outside employment. The standards shall take into consideration such matters as conflicts of interest, conflicts with work schedule and compatibility with the employee's duties with the City.

- i. Where a potential conflict exists, the employee may be required to sign a statement indicating that s/he will not engage in any activities that would generate even the appearance of a conflict of interest.
    - ii. Should it be determined that the duties of the employee's secondary position are in direct conflict or incompatible with the employee's duties for the City, the employee will be given notice and allowed 60 days to resolve the conflict.
  - c. Members of the Police and Fire Departments shall be governed by the following:
    - i. Private employment of members of the Police and Fire Departments shall be subject to the Ordinance Relative to Private Employment of the Police and Fire Departments, passed November 17, 1941, as amended November 16, 1964, December 15, 1969 and July 20, 1981 (New London Code of Ordinances, Section 15-8, 15-9, 15-10 and 15-11.)
    - ii. Private employment of members of the Police and Fire Departments shall also be subject to such rules as may be promulgated by Police and Fire Department Heads, including but not limited to providing an annual "second employment form" to the respective Chief.
    - iii. No private employment shall interfere with the required hours and responsibilities of the employee's public safety position.
  - d. No City official, professional or general employee shall engage in, operate or hold any financial interests in any business that would inhibit his/her ability to properly perform the functions of his/her city position or that would provide a potential conflict of interest with his/her city position.
    - i. City Officials or professional employees may not engage in outside employment arrangements with businesses, agencies, contractors or residents with whom they also conduct regulatory City work; and
    - ii. Such officials and professional employees with regulatory authority who own or perform services for outside businesses must utilize the rule of "adjacent communities plus one-town-over" in conducting such work.
      1. This standard municipal officials rule requires that no private business shall be conducted in municipalities that are adjacent to the employee's municipality and, where the communities are small, incorporates the next-town-over as well.

#### **Section 4: Pecuniary Interests**

No officer or employee of the City shall have any financial interests in the profits of any contract, service or other work performed by the City.

- a. No officer or employee shall personally profit directly or indirectly from any contract, purchase, sale or service between the City and any person or company;
- b. No officer or employee shall personally, as an agent, provide any security, bail or bond required by law or subject to approval of the City Council.
- c. No officer or employee shall encourage or accept any free or preferred service, benefit, or concession from any person or company doing business with the City.
  - i. Gifts, including holiday gifts, offered to employees may be accepted only if such gift has a monetary value of less than twenty-five dollars (\$25) and only if authorized as acceptable by the Department Head;
    1. Gifts of free attendance at widely attended gatherings that are in the interest of the City may be allowed, if approved by the Chief Elected Official.
    2. Holiday gifts may include modest refreshments such as non-alcoholic beverages, snack foods, baked items, etc. however must not include cash, checks, etc.
  - ii. Gifts of alcohol or any illegal substance shall not be accepted by any city employee at any time.
  - iii. The receipt of any gift that would raise questions in the mind of a reasonable observer concerning a possible conflict of interest is prohibited.
- d. Any employee who violates the provisions of this section shall be guilty of malfeasance in office. (See City charter, Section 148).

#### **Section 5: Political Activity**

Political activity of City of New London employees is restricted as follows:

- a. Any employee in the administrative service who wishes to be a candidate for elective office in a political partisan election must recognize the inherent and implied conflicts of interests and:



- i. Any such employee who is elected or appointed to a political office whose term requires that s/he is absent from work for extended periods of time may be required to take a leave of absence from the administrative service, depending upon the operational needs of the department.
    - 1. Such an employee is entitled to take an unpaid leave of absence for up to two terms or four years, whichever is shorter.
    - 2. When the leave expires, the employee will be reinstated to his/her most recent position, or given another position with equivalent pay, given another position or placed on a rehiring list with preference.
  - ii. Similarly, any such employee who is elected to municipal political office, the requirements of which include discussions and decisions that may impact the employee and/or the employee's department or which may be deemed to be an inherent conflict of interest should remove him/herself from such discussions, decisions and vote.
- b. Employees in the administrative service shall be free to participate actively in political management and campaigns, except that:
- i. No administrative employee shall engage in such activity while on duty or within any period of time during which such employee is expected to perform services for which s/he receives compensation from the City.
  - ii. No such employee shall utilize municipal funds, supplies, technology, vehicles or facilities to secure support for or oppose any candidate, party or issue in any political partisan election.
- c. No employee in the administrative service may:
- i. Use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
  - ii. Directly or indirectly coerce, attempt to coerce, command or advise a state or local office or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- d. Employees in the administrative service may serve on any appointed or elected government body within the city except:
- i. Bodies responsible for supervising them directly as employees;
  - ii. Boards of Finance;
  - iii. Bodies exercising zoning, land use, or planning powers, and

iv. Bodies regulating inland wetlands and watercourses

Exceptions ii, iii, and iv may be altered by a City ordinance explicitly allowing an employee to serve if he serves only in his capacity as a member of the City's legislative body.

**POLICY 1.08:        NEW LONDON PAY PLAN**

**Purpose:**

The New London Pay Plan incorporates all contractual pay plans as well as the pay plan for unaffiliated employees. This Pay Plan is intended to provide fair compensation for all classes in the classification plan. The Personnel Coordinator shall be responsible for conducting a comparable wage survey of all pay plan positions not less than every five (5) years collectively or, separately, during preparation for contract negotiations. Such comparative studies will include all factors affecting the level of salary ranges and will recommend through collective bargaining or, for unaffiliated employees to the Chief Elected Official, such changes as appear to be pertinent and appropriate to the position or classification.

**Section 1: Pay Plan Composition**

Each union or unaffiliated pay plan includes the basic salary schedule approved by the City Council as well as any subsequent amendments thereto. Each schedule consists of minimum and maximum rates of pay and intermediate steps (or a mid-point) for all classes of positions included in the Classification Plan, as adopted by the City Council either through the budget process or through approval of the various collective bargaining agreements.

- a. These salary schedules shall be maintained and updated by the Personnel Coordinator in Appendix A to Policy 1.8.

**Section 2: Employee Representation**

City employees serving in positions included in the Classification Plan shall be afforded the rights set forth in Section 7-468 and following, of the Connecticut General Statutes regarding matters pertaining to self-organization and collective bargaining.

**Section 3: Remuneration**

Except as otherwise provided in these rules or through collective bargaining, no employee shall receive pay from the City in addition to the salary authorized under the schedules provided in the pay plan or respective collective bargaining agreement for services rendered by him/her, either in the discharge of ordinary duties or for any additional duties which the employee may be required or volunteer to perform.

- a. No reward or other form of monetary remuneration in addition to regular compensation shall be received from any source by employees for performance of their duties, other than City council sponsored merit awards.

- b. Gifts, including holiday gifts, offered to employees may be accepted only if such gift has a monetary value of less than twenty-five dollars (\$25) and only if authorized as acceptable by the Department Head; and
- c. Gifts of alcohol or any illegal substance shall not be accepted by any city employee at any time.

#### **Section 4: Contract Work**

Unless otherwise covered under a collective bargaining agreement, employees may be separately paid by City Boards or Agencies of the City, or for public safety employees by outside contractors, for work performed outside their ordinary duties and/or work periods (e.g. board secretary, private duty assignments, etc.)

#### **Section 5: Pay Rates in Promotion, Demotion, Reclassification or Transfer**

When an employee is promoted, demoted, has his/her position reclassified or is transferred, the employee's rate of pay in the new position, shall be established in accordance with specific collective bargaining language or, if none exists, as follows:

- a. **Promotion:** An employee being promoted from one salary grade to any one of the next three salary grade levels will advance by having one increment of the new grade level added to his/her wage and then being placed in the next higher step of the new grade level.

If the advancement is from one salary grade level to that which is four or more grade levels higher, two increments of the new grade level shall be added to his/her wage and then the employee shall be placed in the next higher step of the new grade level.

- i. Both procedures should be modified so that the advancing employee shall be at least one increment above the salary of the next junior employee in the department within the classification of the promotion, or one increment above the maximum step of the grade level of the next junior employee, whichever is less;
- b. **Demotion:** When a regular employee is demoted to a position for which s/he is qualified, his/her salary shall be set at a step in the lower grade level range which provides for the smallest decrease in pay if the action is voluntary or not for cause; or the employee's wage may be set at any appropriate step in the lower grade level that is less than the existing salary is the action is for cause;
  - i. When a temporary employee is demoted, his/her salary shall be set at the entry step of the new pay grade level.

- c. **Reclassification:** When the position of a regular employee is reclassified by the Personnel Board to a higher classification and such a move results in a higher grade level as well, the employee(s) in that position shall be moved to a step on the new grade level range that is closest to but not less than their current wage plus one step more, unless their wage is already at the top of the grade level range.
- d. **Transfer:** When an employee is transferred from the position of one class to the position of another class within the same pay group (grade level) he shall continue to be paid at the same rate.

### **Section 6: Pay for part-time work**

Whenever an employee works for a period of less than the regular established number of hours per week, the amount of the pay shall be the product of the hours actually worked times the hourly rate for the applicable group (grade level) and step, unless such employee is able to charge the difference in hours to appropriate, accrued leave time.

If a part-time employee performs non-conflicting duties in more than one department, each department shall pay the employee the hourly rate for the applicable grade level and step of the work performed. The combined hours for such an employee may not exceed forty (40) in any given week, as overtime is triggered by the total hours worked for the City. Should overtime inadvertently occur, Personnel must be contacted to determine the appropriate hourly overtime rate and which department must be charged.

### **Section 7: Hourly Rate**

All employees of the classified service who are entitled to compensation for overtime work shall be paid on an hourly-rate basis.

### **Section 8: Overtime**

Exempt employees not covered by specific provisions in a union contract or other employment agreement shall receive compensatory time off on an hour-for-hour basis to a maximum of 84 hours in each fiscal year (96 for 40-hour employees).

- i. Such employees may carry not more than one (1) week of accrued compensatory time into the next fiscal year.

Exempt employees covered by union contracts or agreements will be compensated in accordance with the provisions of the applicable collective bargaining agreement.

Non-exempt employees not covered by specific provisions in a union contract or other agreement shall receive either straight-time pay or hour-for-hour compensatory time off for all hours worked up to 40 that exceed their normal workweek.

- i. Payment for such overtime hours is a budgetary decision made by each department head at the time of the overtime assignment.

Non-exempt employees not covered by specific provisions in a union contract or other employment agreement who work more than 40 hours in a work-week shall be compensated at time and one-half for all hours worked over 40. Such compensation may be paid or can be deemed compensatory time off, at the discretion of the employee.

### **Section 9: Work in a Higher Classification**

For individuals not covered by contract or for those where the contract language is silent, employees who work in a higher classification shall be treated as follows:

- a. An employee required to perform the work of a higher classification than his/her normal class shall be paid for all work performed in the higher classification at a step on the higher classification grade level, regardless of bargaining unit, that is closest to but more than his/her current wage rate.
- d. An employee required to perform a portion of the work of a higher classification that is three grade levels or more above his/her present classification but who is not qualified to perform the entire job of the higher classification, shall receive a wage that is two grade levels above their current hourly wage for all hours in which the higher-level work is performed.
- e. When an employee performs work in a higher classification of a different bargaining unit, but the employee is not qualified to perform all work of the position, the employee shall receive a wage that is four (4) grade levels above their current hourly wage in their own wage scale, as long as such wage is not more than the base wage of the higher position.

### **Section 10: Work in an Acting Capacity**

For individuals not covered by contract or for those where the contract language is silent, employees who work in a higher classification shall be treated as follows:

- a. An employee required to serve in an acting capacity for a position in a higher classification than his/her normal class for a full day or more shall be paid at a step on the higher classification grade level that is closest to but more than his/her current wage rate.

### **Section 11: Longevity Payments**

Where annual longevity payments continue, such payment amounts shall be made in accordance with the appropriate collective bargaining agreements, or in accordance with the Unaffiliated Employees Benefits booklet. Temporary, seasonal, part-time and per diem employees do not receive longevity pay.

- a. Unless otherwise negotiated with a bargaining unit, the total annual longevity payments shall be due and payable in two (2) equal installments; the first installment shall be due and payable by November 30<sup>th</sup> and the second installment shall be paid not later than May 31<sup>st</sup> of each fiscal year.
- b. An employee shall become eligible for his/her total annual longevity payment if s/he has completed five (5) years of service on or before November 30<sup>th</sup> of any fiscal year.
  - i. Creditable years for longevity compensation shall be based upon the employee's full-time hire date in a classified position.
  - ii. Additional longevity dates for aggregate years of service shall be predicated on the same basis.
- c. Only employees who are actively on the payroll as of the specified date of the longevity payment shall be eligible to receive the longevity compensation, except those employees who retire during the fiscal year.
  - i. Employees who retire during the fiscal year are granted the full amount or the balance of their partially paid annual longevity compensation at the time of retirement.
- d. Time served in the Armed Forces of the United States, (i.e. Army, Navy, Marine Corps, Air Force or Coast Guard) while on leave from the City shall be included in determining the number of aggregate years of service.

### **Section 12: Private Employment of Police Officers and Firefighters**

No paid member of the Police or Fire Department of the City of New London shall accept employment on private premises except as hereinafter provided:

- a. The heads of the Police and Fire Departments of the City of New London shall assign members of their departments to private duty on private premises whenever, in the Chief Elected Official's opinion, said private duty is necessary for the preservation of public health and safety.
- b. The amount of pay for those services shall be determined in accordance with the provisions of the existing collective bargaining agreements.

**Section 13: Extra Duty of Police Officers and Firefighters**

- a.** The heads of the Police and Fire Departments of the City of New London shall, upon request of the Board of Education or the Ocean Beach Park management, assign members of their departments to extra duty on the premises and/or at events of those agencies as necessary for the preservation of public health and safety.
- b.** The amount of pay for these services shall be determined in accordance with the provisions of the existing collective bargaining agreements.



**POLICY 1.09:        TRAINING AND EMPLOYEE BENEFITS**

**Purpose:**

The overall purpose of training and development programs is to improve the quality of services rendered to citizens and the general public and to assist employees in preparing themselves for advancement in the service. Similarly, to assist employees in the performance of their duties, the City is dedicated to ensuring safe and healthful working conditions and to providing benefits and other means of bettering the conditions and improving morale of City employees.

**Section 1: Employee Development:**

It shall be the responsibility of each department head to foster and promote programs of in-service and other training for employees in the career service for the purpose of improving the employees' quality of work performance and for aiding interested employees in preparing themselves for promotional opportunities within the department or city.

The Personnel Coordinator will coordinate, advise, inform, recommend and recognize (record) all training programs and assist department heads in their training responsibilities. Additionally, the Personnel Coordinator will work with department heads to ensure that subordinate supervisors are provided with required and beneficial supervisory training.

**Section 2: Administration of Training Programs**

The Personnel Coordinator shall:

- a. Recommend to the department heads, as appropriate, standards for training programs and inform them of available programs meeting those standards;
- b. Ensure that training is carried out as approved; prepare or receive certificates or other forms of recognition for persons who satisfactorily complete approved courses and programs.
- c. Carry out an orientation program for new employees;
- d. Assist department heads in developing and conducting training to meet the specific needs of their departments;
- e. Develop, administer and conduct supervisory and management training and other types of training and employee development programs common to all departments;

- f. Assist department heads in establishing standards of performance and procedures for evaluating employee efficiency;
- g. Make available information concerning job requirements and training opportunities, in order to assist employees in increasing their efficiency in their present positions and in preparing themselves for promotions in the career service;
- h. Maintain a record of all approved training programs and courses and a record of employees who successfully complete such courses and programs.

**Section 3: Employee Benefits Program:**

The Risk Manager shall cooperate with appointing authorities, department heads, employees and others in promoting measures directed toward insuring sanitary, safe and healthful working conditions. S/he shall establish safety and health committee(s), investigate issues and provide other means of bettering the conditions and improving the morale of City employees.

Personnel shall administer and coordinate all service-wide employee benefit programs which may include a, b, c, d, e, f, and g, listed below. The Finance Department shall administer h, i, j, k, and l, listed below.

Together they shall administer and coordinate all service-wide employee benefit programs. Recognizing that some may require union agreement, these benefits may include:

- a. Flexible Spending Accounts, for both medical and dependent care expenses;
- b. Defined benefit and defined contribution pension plans as described in Policy 1.15 or in applicable Collective Bargaining Agreements; this includes any Police and Fire Survivor Benefits Fund; and pre and post-tax savings plans, such as 457 and Roth IRA plans.
- c. All medical insurances, currently including complete medical, dental and prescription benefits, for employees and their enrolled dependents, with premium cost-sharing in accordance with Collective Bargaining Agreements;
- d. Applicable group life insurance(s), and group insurance discounts.
- e. A death benefit of \$300.00, to be paid to the estate of an active employee upon his/her death in accordance with a resolution adopted by the City Council on May 16, 1966;
- f. Tuition Assistance, when financially feasible, and/or in accordance with Collective Bargaining Agreements;

- g. Unemployment Compensation coverage;
- h. Federal insurance contributions (Social Security, Medicare) and/or Police and Fire survivor benefits funds contributions;
- i. Workers' Compensation coverage;
- j. Travel allowances for use of private automobile in accordance with the IRS allowances or cost reimbursement for use of common carrier (taxi, bus, shuttle, train, plane, etc) as well as highway tolls, for city business. Personnel and Finance shall be responsible for developing, negotiating where appropriate and implementing a travel policy for approved conferences, trainings and city business that includes reimbursement for lodging, meals and incidental expenses supported by receipts. Such expenses shall be filed using the Travel Expense Voucher, Form 1137.
- k. Clothing allowances, as provided for in Collective Bargaining Agreements or by City policy and reimbursement for clothing and necessary personal items, e.g. prescription glasses, watch, etc irreparably damaged in the course of business.
- l. Protective clothing and equipment, as provided for in Collective Bargaining Agreements and/or City safety policies and/or OSHA regulations.

Note: Unaffiliated employees follow the benefits outlined in the Collective Bargaining Agreement for supervisory and professional employees, unless otherwise adopted by the City Council.

#### **Section 4: Safety Program:**

The Risk Manager will work with officials and department heads charged with employee safety to identify and alleviate conditions which might cause accidents and result in economic loss for the City and cause the individual pain and suffering. Additionally, it is the responsibility of the Risk Manager to ensure that department heads provide appropriate safety training for their employees and that their departmental work standards adhere to OSHA regulations.

#### **Section 5: Return to Work Program:**

The Risk Manager, in cooperation with the Personnel Coordinator and the affected department head shall utilize the City's Return to Work program to afford injured employees an opportunity to transition back into full-duty work. This program encourages medically capable employees to return to work during their healing process so as to enhance the emotional and psychological outlook of the injured employee.

**POLICY 1.10**

**LEAVE PROVISIONS**

**Purpose:**

Leave provisions are a benefit provided to City employees and, except where noted, are granted by the appointing authority in conformance with any specific city-wide policy (see Section 2 of this manual), collective bargaining agreements and the rules and procedures established herein.

**Section 1: Types of Leave**

Listed below are the various types of leave that are presently recognized and authorized, understanding that specific leave provisions outlined in the following sections may be modified by collective bargaining agreements:

- a. Vacation
- b. Sick or Personal Injury and Family Medical Leave
- c. Holiday
- d. Funeral
- e. Union Business
- f. Compensatory
- g. Military
- h. Workers' Compensation
- i. Civil and Jury leave
- j. Administrative Leave
- k. Unauthorized leave without pay
- l. Authorized leave without pay:
  - 1. Maternity
  - 2. Prolonged Illness
  - 3. Education
  - 4. Military Service
  - 5. Other

Absolutely no leaves may be granted in excess of leave earned without permission of the Personnel Coordinator, except as provided in this Policy. All Departments shall maintain records on any absence from duty of their employees and reports specified in Policy 1.16 shall be submitted to Personnel, either by the department or through an automated payroll report.

For leave accrual purposes, an employee appointed or separated during the first fifteen (15) days of any calendar month will be considered to have been appointed or separated on the first (1<sup>st</sup>) day of that month; if appointed or separated on the 16<sup>th</sup> day or later, the appointment or separation for leave accrual purposes will be considered to date from the first of the following month.

Only sick, vacation compensatory, union business, injury and workers' compensation leaves may be granted on an hourly basis or for a single day, in accordance with department standard operating procedures or specific contract language. These leaves may be taken in increments of not less than one hour. All other leaves are to be taken in not less than full day increments.

## **Section 2: Vacation Leave**

### **a. Rate at which leave is earned:**

In each fiscal year permanent employees shall earn and accumulate during and after the employee's probationary period, vacation leave in accordance with his/her collective bargaining agreement, or, for those unaffiliated employees, in accordance with the following schedule:

1. One (1) year through five (5) years: ten (10) working days per year.
  - a. Five (5) of these ten (10) working days may be used after six months of service.
2. For all full-time, unaffiliated employees hired after July 1, 2011, one (1) additional day for each year of service after five (5) years to a maximum of twenty (20) days.

During the initial six (6) months of employment no vacation leave shall be granted. After six (6) months accrued vacation time as of June 30<sup>th</sup> shall be credited on the first day of the ensuing fiscal year. For separations, employees shall be credited with all earned time up to the date of separation, in accordance with Connecticut Wage and Hour laws. All leave balances are provided regularly to employees with their paychecks. Employees who are concerned that their balances are incorrect, and who have been unable to resolve this discrepancy with payroll, must notify Personnel not later than June 30<sup>th</sup> in any fiscal year. The Personnel Coordinator will review documents provided by the employee with the payroll documents and verify or correct the balance.

**b. Requests for leave:**

A request for vacation leave shall be submitted to the appointing authority in accordance with the provision of the employee's collective bargaining agreement, or, if not specified by contract, at least five (5) days prior to the requested time. Leaves of a single day may be requested with less than five (5) days' notice if such leave is of an emergency nature or could not be anticipated in advance.

Vacation leave may be taken only after approval by the appropriate department head, but every employee shall be encouraged and afforded the opportunity to take earned vacation leave during each fiscal year, if properly requested. Such leave requests may be made utilizing the appropriate Personnel Form, until such time as these requests may be made through the automated time-keeping system

**c. Maximum Vacation Accumulation**

For all full-time, unaffiliated employees hired after July 1, 2011, the maximum vacation accumulation days that may be carried forward into the next fiscal year shall be not more than twenty-five (25) days of unused vacation leave, plus all leave earned and not used in the prior fiscal year

**d. Maximum Vacation Leave Use:**

No employee may be allowed to use more than twenty-five (25) days of vacation in any fiscal year, regardless of accumulated leave, unless used to supplement sick leave under the city's FMLA policy or to supplement short-term military leave, in accordance with Section 8 of this Policy.

**Section 3: Sick, Personal Injury and Family Medical Leave (sick leave)**

Accrued sick leave is an insurance policy against serious illness, pre-paid by the city for all full and permanent part-time employees. When sick leave is used appropriately and judiciously, the accrued leave amounts can provide full pay and guarantee continued insurance coverage during leaves of absence for serious illness or injury. All employees should strive to accrue not less than sixty (60) days of leave time in their accrued sick leave accounts, prior to returning any time to the city in accordance with contractual agreements.

**a.** For all full-time, unaffiliated employees hired after July 1, 2011, sick leave shall be credited on the basis of one day for each month of service. For all other employees, sick leave shall be credited on the basis of one and one-half day for each month of service, or as contained in the applicable collective bargaining agreement.

1. There shall be no limit to the amount of sick leave that can be accumulated.

**b.** Sick leave shall not be granted to non-permanent employees.

**c.** Permanent part-time employees who work twenty (20) or more hours per week shall be entitled to accrue sick leave, pro-rated in proportion to the amount of time worked,

or in accordance with their applicable collective bargaining agreement. Permanent employees who work less than twenty (20) hours per week, shall not be entitled to any sick leave.

1. Permanent part-time employees are those who work year-round in a single position; this designation does not pertain to any other part-time, temporary, seasonal, student, limited term or other non-permanent type of appointment.
- d. An employee who is on leave without pay for more than two weeks in any calendar month, or who is on paid leave (other than authorized vacation leave) for the entire month shall neither earn nor be credited with sick leave for that month.
- e. Sick leave is permissible as follows:
1. For use during an employee's short-term illness or personal injury. Employees who are ill are expected to remain at home, recuperating during such absence, unless attending a related doctor's appointment. Medical documentation may be required, in accordance with the employee's collective bargaining agreement. .
  2. For use during all leave covered under the City's Family Medical Leave Act Policy, including personal illness or injury requiring longer-term leave (two plus calendar weeks) or for any serious health condition of the employee or the employee's immediate family member as outlined in the City's FMLA Policy.
  3. For medical appointments or for optical or dental treatment, only when this cannot be accomplished in off-duty hours.
  4. An employee may use up to one-hundred-twenty (120) days of accrued sick leave in any fiscal year with appropriate FMLA documentation and approval by the employee's department head.
  5. An employee may be authorized to use more than one-hundred-twenty (120) days of accrued sick leave in a single fiscal year only upon the recommendation of the appointing authority and the approval of the Chief Elected Official.
  6. Whenever an employee uses sick leave, he may be required by his department head to submit a certificate from a licensed physician or FMLA-acceptable medical practitioner to determine either actual sickness or ability to return to work. Documentation for sick leave that is not covered under the Family Medical Leave Act may be requested after three days, or sooner in cases of suspected fraud, or in accordance with the provisions of the applicable collective bargaining agreement
    - a. When a Department Head has ascertained that an employee's request for sick leave is not justified, s/he will request that the Personnel Coordinator ensure that the amount of leave charged to sick leave will be deducted from

the employee's accrued vacation leave. Documentation for payroll shall be made using the appropriate Personnel Form. (1080-1)

7. To receive compensation while absent on sick leave, the employee shall notify his/her immediate supervisor, his/her division head or the department head prior to the time set for the beginning of his/her daily duties, or in accordance with the provisions of his/her collective bargaining agreement. An employee in a department operating on a twenty-four hour basis must notify his department within the time limit established by his/her department head, or in accordance with his/her collective bargaining agreement.
  - a. This provision may be waived and delayed reporting accepted by the department head if the employee submits evidence indicating that it was impossible to give such notification
8. When earned sick leave is exhausted and an employee is out due to sickness or Family Medical Leave, s/he may use vacation or other earned leave time, or s/he may be placed on an authorized leave of absence as provided in this Policy.
9. A permanent employee who has utilized all other leave time for a serious illness or injury and is on an authorized FMLA leave may be advanced sick leave, up to a maximum of five (5) days, at the discretion of his/her department head, provided that the advance of sick leave shall not exceed five (5) days in any fiscal year.
  - a. Such an employee, or the employee's union, may also request that a sick-leave bank be established to assist the employee during his/her recovery. Sick leave banks may be authorized by the Chief Elected Official, as follows:
    - i. The employee's department head must agree
    - ii. The employee must be in good standing
      1. Consideration must be given to the leave use/abuse history of the employee
    - iii. All leave donated must be accrued *vacation leave*, which shall be converted to sick leave for the ill/injured employee.
    - iv. Leave banks shall be limited to the employee's department or collective bargaining unit, unless special permission is granted to conduct a city-wide request.
    - v. Once utilized, the employee must return to work or be placed on authorized leave without pay for the remainder of his/her FMLA leave.
    - vi. If the employee returns to work without using all leave collected in the sick leave bank, such leave shall be divided up and re-credited to the employees who made donations.



#### **Section 4: Holidays**

The following twelve (12) days are designated as regular holidays for City employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Columbus Day
President's Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

When a holiday falls on a regularly assigned day off for a full-time employee who works in a public safety department, such employee shall be compensated by appropriate time off or in accordance with his/her collective bargaining agreement. This provision does not apply to employees who normally work a five-day, Monday through Friday week.

Holidays not falling on weekend days are observed in accordance with the State of Connecticut holiday schedule. Whenever a holiday falls on a Sunday, the following Monday shall be considered the holiday. Whenever a designated holiday falls on a Saturday, the preceding Friday will be observed as the holiday, unless State observance should conflict, in which case the latter would prevail.

Holidays which occur during an employee's vacation leave shall not be charged against vacation leave. An employee who is on unauthorized leave without pay on the day before or after a holiday shall not be paid for the holiday. Non-permanent employees are not entitled to paid holidays.

- a. Permanent part-time employees who work twenty (20) or more hours per week shall be entitled to holiday leave, pro-rated in proportion to the amount of time worked, or in accordance with their applicable collective bargaining agreement. Permanent employees who work less than twenty (20) hours per week, shall not be entitled to any holiday leave.

#### **Section 5: Bereavement Leave**

- a. Bereavement leave of three (3) consecutive days, inclusive of the funeral, without loss of pay shall be granted to an employee in the event of a death in the immediate family. "Immediate family" is defined as husband or wife, father or mother, son or daughter brother or sister, grand-parents or grand-children.
  1. Such bereavement leave may be granted at the discretion of the department head for other immediate family members, e.g. step-son, step-daughter, etc. if domiciled in the employees' home.
  2. Additionally, sick leave of up to two (2) days may be authorized by the department head, as long as the employee has such time accrued.

- b. Bereavement leave of one (1) day without loss of pay shall be granted to an employee in the event of the death of a relative not considered to be a member of the employee's immediate family, namely: uncle or aunt, father-in-law, mother-in-law, brother-in-law, sister-in-law, niece, nephew, or any other relative domiciled in the employee's home.
- c. Bereavement leave additional to that provided in this Section and that is specifically for attendance at a funeral, may be granted by the department head, with the approval of the Personnel Coordinator, as long as such leave is reasonable and will not hinder the operation of the department. Such additional leave shall be charged to the employee's available leave balance for vacation, compensatory time, holidays or as authorized leave without pay, in the order listed.
  - 1. Such additional bereavement leave may be granted by the Chief Elected Official for attendance at the funeral service of a city co-worker, without charge to employee leave balances.

#### **Section 6: Union Business Leave**

The appointing authority shall authorize, upon receipt of an appropriate request form, reasonable leave so that designated bargaining agents for recognized employee organizations may bargain collectively for rights and privileges. Where designated, such leave shall be in accordance with the provisions of the applicable collective bargaining agreement.

#### **Section 7: Compensatory Leave**

All supervisory personnel, including department heads, who are not covered by formal written contract and are not entitled to payment for overtime as specified in Policy 1.08, Section 8, shall be granted compensatory leave for overtime worked, subject to the following conditions:

- a. Compensatory leave shall be granted at the rate of one (1) hour of leave for one (1) hour of overtime, but shall not exceed twelve days (84 or 96 hours) in any fiscal year.
- b. Compensatory leave shall be earned and taken only with the approval of the appropriate department head or appointing authority.
  - 1. The appointing authority for Department Heads shall be the Chief Elected Official.
- c. Accumulated compensatory leave shall not be carried from one fiscal year to the next, unless specific authorization has been granted by the Chief Elected Official.
  - 2. Compensatory leave will be requested as prescribed in Section 2-b of this policy.

All non-exempt, full-time employees shall be granted compensatory leave at the rate of one (1) hour of leave for one hour of overtime, up to thirty-five (35) hours per year. Thereafter, additional overtime hours worked beyond thirty-five (35) in any fiscal year shall be compensated at the rate of 1-1/2 hours of pay for each hour of overtime worked.

### **Section 8: Military Training Leave**

Annual military training leave may now take many forms and occur over many weeks throughout the course of a year. It is the City's policy to ensure that employees receive all rights provide by USERRA and to provide, for a period not to exceed thirty (30) work days in any calendar year, full benefits and the difference between the employee's military wage and his/her regular compensation.

- a. In order to claim such compensation, employees are required to provide two (2) weeks' notice of scheduled drills or of any activation date and to annually submit a monthly drill/training schedule for their prospective units or assignments and unit contact information that identifies the branch of service, Reserve or National Guard . This information must be provided as soon as received by the employee.
- b. Such employees must also provide proof of military wages to their department head. And employee who is designated to receive compensation for military activities that exceeds his/her compensation or salary as a city employee shall have no salary paid to him/her during the period involved.
- c. Employees who are locally activated for training, drills, etc., and who leave the City's service for more than thirty (30) days in any calendar year shall be placed on authorized leave without pay provided unpaid military leave is requested and subsequently approved.

### **Section 9: Workers' Compensation**

An employee who sustains an injury on the job, or who claims an injury arising from or while on the job, shall immediately notify his/her supervisor. The supervisor shall complete a First Report of Injury for the City's worker's compensation provider within twenty-four (24) hours of the reported incident. If the employee does not immediately notify his/her supervisor, s/he must provide evidence that it was impossible to give such timely notification.

- a. Employees who are injured on the job must follow standard city procedures for workers' compensation related to medical examinations, providing documentation, etc, and shall cooperate fully in the investigation and processing of their workers' compensation claim.
- b. Where not defined in an applicable collective bargaining agreement, employees shall be charged sick leave during the initial processing period of their claim, however this

leave will be converted to injury leave once the claim is accepted. Employees whose claims are not deemed compensable by the workers' compensation carrier shall have their time charged to leave accruals, sick, compensatory, vacation or holiday, in that order. Should the employee pursue the claim and it later be accepted by the carrier, then the City will reinstate all time reimbursed to the City for that claim.

- c. Employees sustaining or claiming a job-related injury shall participate in the City's Return-to-Work program, as outlined in the Return to Work policy.

#### **Section 10: Civil and Jury Duty Leave:**

An employee submitting appropriate documentation at least one week in advance of the need shall be provided time off, without loss of pay, for the performance of jury duty or when subpoenaed to appear before a court, public body or commission for other than testimony for a personal claim or court appearance.

#### **Section 11: Administrative Leave:**

An employee may be placed on administrative leave by their department head, in concurrence with the Personnel Coordinator and/or the Chief Elected Official. Such leave shall be paid leave without charge to his/her leave accounts and may be authorized for the following reasons:

- a. When an employee's medical fitness for duty is deemed uncertain by the department head after an accident, personal illness or injury, work incident or personal incident sufficient to affect his/her work ability, the employee may be placed out of work on administrative leave while undergoing a city-required and city-paid medical or psychological evaluation. Such administrative leave shall conclude once the evaluation is complete, the results are provided and the employee is either returned to work or deemed unfit-for-duty.
- b. When an employee is being formally investigated by the department or City and it is agreed by the department head, Personnel Coordinator and Chief Elected Official that removal from active employment is in both the employee's and the city's best interest. Such leave shall conclude upon completion of the investigation.
- c. When an employee is charged with a crime, or whose conduct outside of work is such that it would bring disrepute to the City and/or affect the employee's work for the City, that employee may be placed on paid administrative leave, only until such time as a hearing on the issue can be held. At the conclusion of the hearing the employee will either be returned to work or placed out of work in accordance with Policy 1.12, on an appropriate paid or unpaid leave.

### **Section 12: Unauthorized Leave without Pay:**

An absence of an employee from duty, including any absence for a single day or portion of a day, that is not authorized by a specific grant of leave of absence under the provisions of these policies shall be deemed to be an absence without leave.

- a. Any such absence shall be without pay and may be subject to disciplinary action.
- b. Any employee who absents him/herself for three (3) consecutive days without leave shall be deemed to have resigned.
  1. Such action may be reconciled by a subsequent grant of authorized leave without pay by the appointing authority if the conditions warrant, however, an employee's anniversary date shall be changed by the Personnel Coordinator to reflect such unauthorized leave without pay.

### **Section 13: Authorized Leave of Absence Without Pay**

A department head, with the approval of the Personnel Coordinator, may grant a permanent employee a leave of absence without pay, for the leave needs specified below. Leaves of absence without pay for a period of more than three (3) months and less than one (1) year may be granted, with the approval of the Chief Elected Official upon recommendation of the appointing authority and the Personnel Coordinator. Such leave shall be granted only when it will not result in harm to the interests or operations of the City as it is weighted against the potential benefits to be realized as an employer. Unless otherwise noted in the appropriate collective bargaining or union agreement, employees must utilize all paid leave prior to going on authorized leave without pay.

An employee on an authorized leave without pay shall maintain status as follows:

- a. The employee's anniversary date shall not change.
- b. Retirement credit may be maintained, provided the employee pays both his and the City's share of his Survivors' Benefit and/or retirement plan premiums.
- c. Life and medical insurances may be maintained, provided the employee pays the total cost of insurance premiums during the period of leave of absence or is covered by a spouse's policy.
- d. No compensation, vacation leave or sick leave will accrue during the period of absence without pay.

#### **Maternity Leave:**

Maternity Leave shall be granted in accordance with the regulations for birth, adoption and/or placement in Family Medical Leave Act policy of the city. In addition, specific

maternity leave may be extended for an additional twelve (12) weeks, for a combined period of up to six (6) months by the Personnel Coordinator upon recommendation by the department head. Any such supplemental leave beyond the twelve (12) weeks provided by FMLA must be taken consecutive to the FMLA leave.

1. For positions requiring specific physical stamina or conditioning, a physician's statement as to the fitness of the employee for the performance of duties may be required prior to a return to full duty.

Prolonged Illness:

A permanent employee with at least three (3) years of service and who has completed FMLA leave may request a medical leave of absence for up to one year from the inception of the illness/injury, for a prolonged illness or injury recovery, providing all leave time has been exhausted.

1. The request must be accompanied by a physician's certification of illness and must include a statement and recommendation as to the probability and timing of the employee's return to work.
2. A physician's certification and recommendation will be required before the employee may be allowed by the department head and the Personnel Coordinator to return to work.
3. The department head, in conjunction with the Personnel Coordinator may request that the employee undergo a fitness-for-duty evaluation prior to returning to work from any long-term illness/injury.

Educational Leave:

A full-time, permanent employee with at least five (5) years of service may be granted up to one (1) year of educational leave for the purpose of taking courses directly related to his/her work, as determined by the appropriate department head and the Personnel Coordinator.

1. Request for such leave must be approved in advance by the department head and the Personnel Coordinator.
2. No employee may be approved for leave without pay until/unless all acquired, accrued leave is exhausted, other than sick leave.

Educational leave for a longer period may be granted in specific cases of unusual merit and of significant benefit to the City government, or in connection to specialized, work-related professional development programs.

1. Request for such leave must be approved in advance by the department head, the Personnel Coordinator and the Chief Elected Official.
2. Prior to being granted such leave, the employee must agree in writing to return to work after the expiration of the educational leave, for a minimum period equal to at least the full length of his/her educational leave.

Military Service:

A permanent employee who, having completed his/her probationary period, is involuntarily activated by the President of the United States, or during time of war or other national emergency as determined by the President or Congress, shall immediately provide proof of such military activation to his/her department head and the Personnel Coordinator. In accordance with the City Council vote of May 5<sup>th</sup>, 2003, such an employee shall be afforded the following benefits:

1. Compensation for lost wages by payment of the differential between the employee's City of New London compensation and military service compensation, if any.
2. Maintenance of Health Insurance benefits at same terms and conditions as provided for regular full-time employees.
3. The benefits above shall be provided for a period of six (6) months, and may be extended for an additional six (6) months at the discretion of the City Council.
4. To qualify for such compensation, the employee must:
  - a. Present evidence of military compensation to the City prior to, or just after leaving for military duty in order for the City to pay the compensation differential on a bi-weekly or monthly basis.
  - b. Upon the return of the employee to work for the City, the employee may make claim for such salary differential; such claim must include military compensation documents received during active duty.
5. Should the activation last more than one (1) year, the City Council, at its sole discretion, may continue to provide health benefits only on a month-by-month basis until the employee's return.
  - a. To qualify for such continued benefits the City must have been provided documentation indicating a date of completion of active service, and
  - b. The employee must return to work within the time frames provided under USERRA.

The city shall ensure that all rights provided under the USERRA are afforded to activated employees. Upon return to City service, such an employee shall be entitled to be restored to his/her position, in accordance with USERRA. In the event that a position vacated by an employee who has been activated to military service no longer exists at the time of his/her return to work, such person shall be entitled to be re-employed in another position of the same class in the City service, provided such re-employment does not necessitate the laying off of another employee with more city-seniority.

Other Leave:

When not covered by the above list of categories, leave of absence may be granted by the department head and Personnel Coordinator, with the approval of the Chief Elected Official.

**Section 14: Reports**

All former monthly payroll absence reports are now incorporated into the City's payroll system and processed bi-weekly. Employees shall sign off on their paper time sheets and/or their automated time sheets to attest to the accuracy of time worked and leave time as noted. Reports of leave time accrued and taken for all city employees are to be provided to the Personnel Coordinator on a monthly basis, by the end of each month.



**POLICY 1.11**

**EMPLOYEE PERFORMANCE EVALUATIONS**

**Purpose:**

Performance evaluations are conducted for many purposes, primary of which is to serve as an indicator to the employee and, ultimately the city, as to how s/he is doing on the job. When used properly, it can also be a tool for:

- a. Initiating awards through a formal award program or providing rewards such as a special, short-term assignment; and improving employee morale.
- b. Encouraging the improvement of an employee's performance;
- c. Counseling employees regarding certain areas of behavior;
- d. Differentiating between equally ranked or the top three ranked employees for promotional positions;
  - 1. Serving as a basis for compensation changes for unaffiliated employees, or in concurrence with collective bargaining agreements.
- e. Serving as a basis for transfers, reductions in force, layoffs, dismissals and re-hires, or as outline in the applicable collective bargaining agreement.
- f. Serving as a basis for retention or termination of a probationary employee.

**Section 1: Annual Employee Performance Evaluations:**

Each employee in the classified service will be given an annual performance review and evaluation, generally in December and covering the period from the prior December through November 30<sup>th</sup>. This time period may be changed by the Chief Elected Official or by union agreement, however the actuality of annually evaluating each city employee shall continue.

- a. The Personnel Office will distribute Employee Performance Evaluation forms (generally form 1093), to Department Heads at the beginning of the evaluation period (December 1<sup>st</sup> or as otherwise determined)
- b. Department Heads will ensure that each employee is evaluated, that the performance evaluation is reviewed with the employee and that the final evaluation is reviewed by him/herself or a designated superior. The form shall then be returned to personnel for review by the Personnel Coordinator and filing in the employee's personnel file, within thirty days from receipt of the evaluation form. (unless by December 30<sup>th</sup>)
  - 1. Employees who are deemed to need improvement will be provided with a performance improvement plan, which shall be developed with the assistance of the Personnel Coordinator.
- c. From time to time and always when a new evaluation system is initiated, the Personnel Coordinator will convene instruction sessions to assist evaluators in making meaningful and appropriate evaluations.

- d. Each employee will be evaluated not less than annually, in accordance with this Policy and the forms and instructions provided by Personnel.

### **Section 2: Grading and Comments**

Evaluators will grade subordinates on individual categories and on overall performance.

- a. When an employee is given either the highest or lowest rating, (on form 1093, Superior or Unsatisfactory) the rater must also provide explanatory reasoning behind such a rating.
- b. For ratings that are less than Satisfactory, a performance improvement plan (as outlined above) must be implemented.

### **Section 3: Discussion of Evaluations**

Supervisors and department heads will hold a face-to-face meeting in order to discuss their evaluation with the subordinate and for the purpose of helping the subordinate recognize the impression s/he creates with his/her supervisor.

- a. This meeting shall be used to recognize and/or encourage improvement of the subordinate's performance and to keep him/her appraised of his/her status.
- b. Employees shall be provided a copy of their evaluation and the employee shall sign the evaluation form to indicate that s/he has been evaluated and received a copy of the evaluation form.
  - 1. The signature of the employee does not indicate agreement with the evaluation, only receipt of the process and form.

### **Section 4: Evaluation during Probationary Period**

During an employee's probationary period, evaluations will be made and submitted to the Personnel Office in accordance with the provisions of Policy 1.06, Section 2.

### **Section 5: Special Evaluations**

Supervisors and department heads are encouraged to create and submit documentation of special situations, outstanding service or unsatisfactory service in the following manner:

- a. Recognition by letter or other department form of superior service, or outstanding service provided during a special situation;

- b.** Documentation by letter, instructional memo or disciplinary memo for employees with unsatisfactory performance and in accordance with the appropriate collective bargaining agreement.
  
- c.** The Personnel Coordinator may request special evaluations or documentation from department heads for individual employees or groups of employees.
  
- d.** Upon termination of an employee, a department head will provide to Personnel documentation or a formal evaluation covering the period from the employee's last annual evaluation to the employee's termination or enforced separation date.

**POLICY 1.12      DISCIPLINARY ACTIONS**

**Purpose:**

The City Charter, under Section 46, authorizes an appointing authority to remove, suspend, lay off or reduce in grade any officer or employee of the city, for any reason which, in the opinion of the appointing authority, will promote the efficiency of the service.

- a. Such action, once decided upon, may require the approval of the Chief Elected Official and, where appropriate, must be for cause and must follow any specifically-related provisions included in the appropriate collective bargaining agreement.

**Section 1: Causes for Disciplinary Actions**

Reasons which may be cause for disciplinary action include but are not limited to:

- a. Conviction of a crime;
- b. Insubordination (disobedience);
- c. Absence without leave (unauthorized leave);
- d. Abuse or theft of city property;
- e. Knowingly giving false statements to supervisors or the public;
- f. Violation of city ordinances, administrative, department or management rules and/or policies;
- g. Drinking alcoholic beverages on the job, being intoxicated or being under the affects of alcohol abuse on the job;
- h. Working under the influence of illegal drugs or under the influence of legally prescribed drugs not prescribed for the employee;

- i. Confirmed positive drug or alcohol tests, in accordance with the appropriate drug and alcohol testing program;
- j. Acceptance of gratuities not in accordance with Policies 1.06 and 1.08;
- k. Refusal to be examined by a city-authorized physician when so directed by a department head, or for causing such an appointment to be rescheduled without the pre-approval and/or knowledge of the department head;
- l. Loss of job requirements such as necessary licenses, certifications, ability to drive in Connecticut, etc., through neglect or through culpable conduct;
- m. Failure to adhere to published standards of conduct and example required of all employees by the city or by the employee's department and/or division;
- n. Malfeasance in office (wrongful conduct by a public official)
- o. Use of a derogatory epithet
- p. Harassment or bullying in the workplace

## **Section 2: Disciplinary Record**

An employee's disciplinary record may be used in determining his/her performance evaluation and in determining his/her qualifications for personnel actions, such as promotions and transfers.

## **Section 3: Procedures**

Except as otherwise provided for by statute or collective bargaining agreement, the provisions listed below shall govern disciplinary actions affecting permanent part-time and full-time city employees. In all such cases, the severity of the disciplinary action shall be related to the gravity of the offense and considering the employee's record of disciplinary action and his/her length of service.

- a. Whenever an employee's performance, attitude, work habits or personal conduct at any time fall below a satisfactory level, the employee's supervisor shall inform the employee promptly of the specific issue and give counseling, including an explanation or reminder of expectations.

1. Depending on the issue, it may be recommended that the employee seek assistance from the City's Employee Assistance providers.
- b. In situations where an oral warning has not resulted in expected improvement, or where it is determined that more severe initial action is warranted, the supervisor will initiate or recommend a written warning.
  1. Such written disciplinary warning shall be recorded on Form 1080-1, with appropriate back-up and shall be distributed to the employee and Personnel for including in his/her permanent employment file.
- c. If expected improvement does not materialize, the supervisor will bring the matter to the attention of the appropriate appointing authority, providing him/her with a copy of any previous admonitions. The appointing authority will investigate the situation and, if warranted, will issue a written reprimand to the employee on Form 1080-1, with backup, and forwarding a signed copy to Personnel for the employee's personnel record.
- d. In severe cases and, if within a two-year period, an employee has been issued a formal, documented reprimand and the appointing authority believes that further disciplinary action is warranted, s/he may suspend the employee without pay for a period not to exceed twenty (20) working days, or by reducing the employee's wages in an amount equivalent to the amount of time suspended, in accordance with the employee's collective bargaining agreement.
  1. Such suspension shall be documented on Form 1080-1 and shall specify the reasons for the suspension or reduction in wage and its duration. Except as provided in subsection e, employees will be given twenty-four (24) hours notice of the effective time of the suspension or wage reduction.
- e. An employee who reports to work intoxicated or otherwise unfit or unprepared for work, or whose conduct on the job is detrimental to the service, may be temporarily suspended without pay, immediately, by the appointing authority for a period not to exceed three (3) days.
  1. A Form 1080-1, specifically setting forth the reasons for such suspension shall be furnished to the affected employee and a signed copy forwarded to Personnel for placement in the employee's personnel record.
- f. In cases where an employee is charged with a crime and the appointing authority determines that the charge, if proven, will be deleterious to or bring discredit to the service, s/he may suspend the employee with pay until final determination of the court is announced.

1. If an employee suspended with pay is found guilty, s/he may be liable for all pay, credited leave accumulated and fringe benefits for the period of suspension with pay. Personnel may prepare and process a Form 1080-1 to accomplish this.

#### **Section 4: Dismissal**

In those situations where the severity of the employee's offense makes it necessary to discharge the employee from the career service, action will be taken in accordance with the provisions of Policy 1.14, Separation.

## **POLICY 1.13**

## **GRIEVANCE AND APPEAL PROCEDURE**

### **Purpose:**

The intent of this policy is to provide a mechanism for settling employee grievances at the lowest administrative level, so as to insure efficiency and morale. Further, this policy establishes the administrative process and review process required for conformance with Section 46 of the City Charter, to ensure complete investigation and documentation of all grievances. It is not intended to replace or add to the contractual grievance procedures established in any collective bargaining agreement.

### **Section 1: Basis for Grievances:**

A grievance may result from a complaint concerning the discharge, suspension, lay off or reduction in grade of an employee, or from a conflict resulting from the application, meaning or interpretation of the Personnel Policies and Procedures, related work rules, salary and wage provisions, etc

### **Section 2: Grievance Procedure:**

- a. The aggrieved employee will present the grievance or dispute to his/her supervisor within two (2) working days of the occurrence of the incident.
- b. The supervisor will attempt to resolve the grievance informally, working within the confines of any applicable department rule, operating procedure, agreement, law or ordinance.
  1. The supervisor will make a memo report to the department head of this issue and his/her actions thereon.
- c. If the employee is not satisfied with his/her supervisor's resolution of the grievance, or if no supervisor's decision is made, or if the grievance results from actions of his appointing authority (such as removal, suspension, lay-off or reduction in grade), s/he shall present the grievance in writing to the respective appointing authority within five (5) working days of the occurrence of the incident. The aggrieved employee shall cite the following:
  1. A statement of the grievance and the facts involved.
  2. The alleged violation.
  3. The remedy requested.



- d. The appointing authority shall render his decision in writing to the employee, copy of the Personnel Coordinator, within ten (10) working days of the receipt of the grievance.
  
- e. If the employee is not satisfied with the action of his/her appointing authority, s/he may, within ten (10) working days of receipt of written notification of that action, appeal to the Chief Elected Official for a review of that action, providing the same information as in Section 3-b, above.
  - 1. If the employee so requests, s/he may be granted a public hearing or by the Appointing Authority in accordance with Section 46 of the City Charter (as modified, if applicable), or s/he may request a public appeal hearing with the Personnel Board, as outlined below.
  - 2. Regardless of such request, within ten (10) working days of the review by the Chief Elected Official, s/he shall report his/her findings related to the grievance.

### **Section 3: Grievance Appeals:**

Appeals of disciplinary actions will be processed in accordance with the provisions below or in accordance with pertinent collective bargaining agreements.

### **Section 4: Appeals to Personnel Board:**

It is a responsibility of the Personnel Board to hear appeals. In accordance with the Code of Ordinances, Section 2-38 (C)(2)(f), the Board has established an appeals process to receive evidence and to determine facts de novo and recommend affirmation, modification or reversal of the appealed administrative action made by the Chief Elected Official or his/her designee. This appeal process shall not supplement or replace other appeal processes established by law, contract or other administrative regulations.

The conduct of hearings and appeals, including notices thereof, shall be in accordance with the rules and procedures prescribed by the Board.

- a. No formal pleadings shall be required, beyond such notices as the Board provides for its rules of procedure.

- b. The Board shall make inquiry in such appeals through oral testimony and written and printed records, as is best calculated to ascertain the substantial rights of the parties and to carry out justly the provision of the Code of Ordinances for the City of New London.
- c. A record shall be prepared of all testimony and proceedings at any hearing before the Board but need not be transcribed unless an appeal of the Board's decision is undertaken.
- d. Any decision of the Board shall become final on the fifteenth (15<sup>th</sup>) day after the date on which a copy of the decision is mailed, e-mailed or personally delivered to the appealing party.
- e. No member of the Board shall appear on behalf of any party whose matter before the Board consists of an appeal to the Board. No member of the Board shall participate in the hearing or disposition of any appeal in which such member has direct or indirect interest.

Procedure:

- a. Employee: The individual him/herself, not his/her union, must request a hearing in writing through the Personnel Coordinator. The request shall be forwarded to the Personnel Board by the Personnel Coordinator within thirty (30) calendar days after the action or ruling by the Chief Elected Official or his/her designee.
- b. Personnel Office: Shall provide members of the Personnel Board with all background data and documentation relating to the aggrieved employee's complaint.
- c. Personnel Board: Shall set a date, not to exceed sixty (60) calendar days, for the subject hearing. The aggrieved employee(s) will be notified in writing of the place, date, and time that the hearing will be conducted.
- d. The Hearing Process:
  - 1. Opening remarks by the Personnel Board's Hearing Officer (which shall be established upon notification and identified in the notice of hearing to the aggrieved employee(s)).
  - 2. Opening remarks by the aggrieved employee(s) or spokesperson.
  - 3. Testimony is heard from the aggrieved employee(s) and any witnesses.

4. Board members cross-examine the aggrieved employee(s) and any witnesses.
5. Testimony is heard from the Chief Elected Official or his designee and any witnesses.
6. Board members cross-examine the Chief Elected Official or his designee and any witnesses.
7. The aggrieved employee(s) presents his/her summary.
8. The Chief Elected Official or his designee presents his/her summary.
9. The Hearing Officer summarizes and establishes a date when the Board's decision will be rendered.
  - a. This decision will be forwarded to the aggrieved employee(s) in writing on or before the thirtieth (30<sup>th</sup>) day following the appeal hearing.
10. The Hearing Officer will adjourn the hearing.

**Section 5: Records:**

All grievances and statement, written responses thereto and resulting written reports of actions shall be filed in the employee's permanent personnel record, including actions relating to removal, suspension, lay off or reduction in grade.

Copies of those actions resulting from an Appeal Hearing with the Personnel Board shall be filed as a public record in the Office of the City Clerk, as required by Section 46 of the City Charter.

**POLICY 1.14      SEPARATION**

**Purpose:**

Separation from the City of any employee in a position in the classified service shall be designated as a resignation, lay off, retirement, dismissal, disability or death and shall be processed in the manner indicated below.

**Section 1: Final Payment:**

Permanent employees who are separated shall receive payment for all earned salary and accrued leave, subject to deductions for any indebtedness and in accordance with Connecticut Wage and Hour laws.

a.      City Property: Prior to such final payment being issued, all equipment, records, assets and other items of city property in the employee's custody shall be transferred to the department head or his/her designee. Certification to this effect shall be recorded on the Separation Check-Out Listing, Personnel Form 1098.

b.      Any amount due to the city payroll as a result of a payment or leave advance, or for health insurance or as a result of a city property shortage at the time of separation shall be withheld from the employee's final compensation or collected through other appropriate action.

c.      For employees separating from the City without vesting in their pension plan, a request for a return of pension contributions may be made to the Personnel Office, who will provide the appropriate pension form.

**Section 2: Resignation:**

To resign in good standing an employee shall file with the appointing authority a written resignation stating the effective date and reasons for leaving, at least ten (10) working days prior to the effective date of resignation, unless such time limit is waived by the appointing authority. Failure to give such notice may be cause for denying future employment with the city.

a.      If the employee desires to be placed on a re-employment list, s/he should make this request in his/her resignation letter.

b. Any employee who utilizes sick leave prior to his/her date of separation, unless such leave is supported by medical documentation, shall not be deemed to have resigned in good standing.

**Section 3: Lay-Off:**

When it becomes necessary to reduce a class of employees in a department or division thereof because of lack of funds or other causes, employees shall be laid off in accordance with the appropriate contractual provisions or, lacking same, on the basis of the following three (3) factors, to be weighed equally: 1) length of service in a class; 2) length of service with the city and 3) the performance evaluations for the last three (3) years of service or for the entire period, whichever is more.

a. All temporary, emergency and probationary employees in the same class shall be separated before any permanent employee is laid off.

b. A re-employment list shall be established for permanent employees of each affected class, with employees ranked in accordance with their weighted scores as outlined above.

1. In the case of a tie rating, preference shall be given first to length of service in the class, second to length of service with the city and third to the performance evaluations.
2. Selections from the re-employment list of the affected class shall be made in inverse order of the standing of the employees on a retention list.

c. When a department head believes that a certain permanent employee is essential to the efficient operation of the department or the organization division because of special skills or abilities and s/he wishes to retain this individual in preference to a person with a higher rating as provided above, s/he must submit a written request to the Chief Elected Official.

1. This request must set forth in detail the specific skills and abilities possessed by the individual and the reasons why such an individual is essential to the effective operation of the department or organization division. If the Chief Elected Official approves the request, the individual may be retained.

d. If a permanent employee is scheduled to be laid off s/he shall be offered a transfer or demotion to an equal or lower class in accordance with his/her contractual provisions, or as follows:

1. If the laid-off employee has preference over an employee in that class in accordance with the ranking above, and
2. if the laid-off employee is fully qualified for the position occupied by the employee over whom s/he has preference.

e. Prior to a reduction in force, the names and job titles of any and all permanent employees scheduled for lay-off shall be submitted to the Personnel Coordinator on Form 1080-1, and not until the Chief Elected Official has approved and confirmed the names submitted for lay-off shall any lay-off be affected.

f. Permanent employees shall be notified in writing by the appointing authority of their prospective lay-off at least twenty (20) working days prior to the effective date of reduction.

**Section 4: Retirement:**

When an employee meets to conditions set forth in his/her retirement plan as outlined in Policy 1.15, s/he may elect to retire and receive all benefits earned. Retirement action will be initiated by the employee by letter to his/her department head and/or by the department head by submitting Form 1080-1.

**Section 5: Dismissal:**

When it becomes necessary to dismiss an employee as provided for in Policy 1.12, Section 4, the appointing authority will submit Form 1080-1 to the Personnel Coordinator, citing the reasons for such actions.

a. Upon receipt of the 1080-1 recommendation of termination, the Personnel Coordinator will assist in drafting and send to the employee, copy to the Chief Elected Official, a letter of termination from the department head, citing the reasons for such action.

b. In the absence of a request from the appointing authority, the Personnel Coordinator may initiate necessary action upon the request and/or approval of the Chief Elected Official.

**Section 6: Disability:**

An employee may be separated for disability when s/he cannot perform the essential functions or required duties of his/her position due to a physical or mental impairment, with a reasonable accommodation or without, if no reasonable accommodation is possible.

a. Requests for reasonable accommodation or related action may be initiated by the employee, his/her union or legal representative, or the city, but in all cases such request must be supported by medical evidence acceptable to the Personnel Coordinator.

b. A department head may direct an employee under his/her jurisdiction to be examined by a physician employed by the city when:

- 1) an employee has suffered a serious injury or illness that could affect his/her ability to perform the essential functions of his/her position;
- 2) an employee with a documented illness or injury becomes unable to perform the essential functions of his/he position; or
- 3) an employee shows signs of physical, mental or substance impairment while on the job.

c. If it is determined that the employee possesses a disability as identified under the Americans with Disabilities Act and such disability causes the employee to be unable to effectively perform the essential duties of his/her position or makes his/her continuance on the job a danger to him/herself or to others, the following actions shall be taken prior to dismissal:

- 1) a discussion of the issue shall take place and the affected employee may request or be offered a reasonable accommodation;
- 2) in coordination and cooperation with the employee's union, where appropriate, an attempt may be made to place the employee into another position which s/he can perform satisfactorily.
- 3) In all such cases, the Personnel Coordinator shall determine if the requested or considered accommodation is reasonable to the city, and provide a written explanation of such determination.

d. If a reasonable accommodation is not possible, or if it cannot be accomplished successfully, the appointing authority shall take the necessary steps to separate the employee from the classified service through retirement, if the employee has the necessary amount of service in accordance with the appropriate pension plan.

e. Disabled employees separated due to an inability to perform the essential functions of their position and who are able to work but cannot be placed into another position with the city, shall be afforded unemployment compensation and up to two (2) years of medical insurance upon separation.

**Section 7: Death:**

Separation shall be effective as of the date of death. All compensation due in accordance with Section 1 of this policy shall be paid to the beneficiary or to the estate of the deceased employee.

**POLICY 1.15**

**PENSIONS AND VETERANS RESERVE**

**Purpose:**

The City of New London provides pension plans for its employees in accordance with Connecticut General Statutes 7-450 and 7-425 – 7-429 (MERS) and, specifically in Sections 74, 154 and 155 of the City Charter. Details of provisions relating to the city’s pension plans are contained in various collective bargaining agreements and the City Code of Ordinances as noted below.

<b><u>EMPLOYEE GROUP</u></b>	<b><u>NON-CONTRIBUTORY PENSION PLAN</u></b>	<b><u>CONTRIBUTORY PENSION PLAN</u></b>
POLICE	Veteran Reserve Section 15-125 --131 Code of Ordinance	Code of Ordinance 15-131 replaced by Article XLII Collective Bargaining Agreement
FIRE	Veteran Reserve Section 15-132 -- 142 Code of Ordinance And Appendix B Collective Bargaining Agreement	Code of Ordinance 15-138 Article XL & Appendix C 401(a), Appendix D Collective Bargaining Agreement
MEU	Section 15-117 -- 124 Code of Ordinance	Code of Ordinance 15-124 Article 17, Sections 17.1 – 17.11 401(a), Sections 17.12 – 17.19 Collective Bargaining Agreement
PUBLIC WORKS	Section 15-117 -- 124 Code of Ordinance	Code of Ordinance 15-124 Article XIV & Appendix D Collective Bargaining Agreement
UNAFFILIATED	Section 15-117 -- 124 Code of Ordinance	Code of Ordinance 15-143 -- 153 Code of Ordinance 15-154 and Unaffiliated Benefits Overview



## **Section 1: Pension Committee and Pension Administration**

Division 3 of the Code of Ordinances, Sections 15-156 through 15-177 establishes a Pension Committee whose responsibility it is to administer the pension program and trust fund, as defined therein. Day to day administration of all defined benefit and defined contribution and 401(a) pension plans are the responsibility of the Personnel Coordinator.

## **Section 2: Continuance of Service**

- a. Although city employees are no longer required to complete “continuance of service” requests, the city has established a retirement age of sixty-five (65) as a bonafide occupational qualification for Police Officers and Firefighters. Firefighters shall retire upon attaining such age and Police Officers shall retire within six (6) months of attaining such age.
  
- b. Employees who retire and receive a pension listed in this policy are considered by City Charter to be inactive city employees. As such, any future paid work performed for the City (including the Board of Education which is a department of the city) shall be limited to not more than ninety (90) work days, or an equivalent number of work hours, per year. Additional limitations may be placed upon such work by the State of Connecticut for MERS pensions and by applicable collective bargaining agreements.

**POLICY 1.16**

**RECORDS AND REPORTS**

**Purpose:**

In accordance with established policy, the Personnel Office retains all official employment records for each employee in the service of the City. The general personnel file contains documents detailing the employee's work history and all official documents pertaining to the employee's work performance and such other information as the Personnel Coordinator or appointing authority may consider pertinent.

Additionally, separate records shall be securely maintained in accordance with federal and state labor and employment laws for all employee medical documents, drug and alcohol testing forms and employment eligibility verification (I-9) forms.

**Section 1: Access:**

Employee personnel records shall be treated confidentially, with immediate access limited to employees of the Personnel Office, the Chief Elected Official, the employee's appointing authority or designee, and to the employee.

a. The Personnel Coordinator may also provide access to an employee's personnel records for authorities providing appropriate authorization from the employee, for an agent of the city conducting an authorized investigation, or in response to a legal subpoena.

b. In accordance with the provisions of the Connecticut Freedom of Information Act (FOIA), an employee's personnel file may be viewed by any member of the public making a proper request under the act. Such access shall be limited to the official personnel file (historical) and shall not include any medical information without proper employee authorization.

1) Upon receiving a request for employee personnel information under FOIA, the Personnel Coordinator shall notify the employee of such request and the person requesting such information.

2) If the employee believes that providing such information would constitute an invasion of his/her privacy under the law, s/he may object to the release of such information.

3) Upon receipt of such objection, and if the information requested is not deemed by the State of Connecticut to be general public records as outlined in c., below, the Personnel Coordinator shall inform the person making the request of the employee

objection and shall provide such information only if ordered to do so by the Freedom of Information Commission.

- c. Other records which are deemed to be public records such as lists of employees, employee salaries, classification reports, etc., shall be open for public inspection during office hours at reasonable times and in accordance with the FOIA

**Section 2: Reports of Personnel Actions:**

Every personnel action, including appointment, transfer, promotion, demotion, change of salary rate and any other temporary or permanent change in status of employees shall be approved by the Personnel Coordinator as prescribed in these rules or as s/he may require.

**Section 3: Additional Reports and Forms:**

Appointing authorities and other employees shall comply with requests from the Personnel Coordinator for information relating to effective personnel management within the municipal service.

**Section 4: Personnel Forms:**

The Personnel Coordinator may procure and issue such personnel forms as s/he deems necessary for efficient personnel management within the municipal service.