

RULES AND REGULATIONS OF THE CIVIL SERVICE BOARD OF OXFORD, ALABAMA

CHAPTER 1. BASIC PURPOSE OF THE CITY OF OXFORD CIVIL SERVICE BOARD RULES AND REGULATIONS

It is the policy of the City of Oxford to promote, support, implement, and maintain a program for coordinated development of municipal services and facilities. High quality services are mandatory for the health, safety, and welfare of the citizens of the City of Oxford. The ability of the City to provide high quality services to its citizens is dependent on the employees of the City performing at a consistently high professional level. Therefore, employees of the City of Oxford are expected to do their best in their work assignments, to be regular in their attendance on the job, and to respect the rules, regulations, policies and procedures of the City of Oxford. The purpose of these rules and regulations is to bring into the City of Oxford's municipal government the high degree of understanding, cooperation, unity, and efficiency which comes through systematic application of sound personnel administration policies and procedures, administered uniformly for all employees. The rules and regulations set forth herein promote equal employment opportunities for all qualified individuals, provide fairness and impartiality in all personnel matters, promote the morale and well being of City of Oxford employees, and promote the efficiency and economy of the municipal government. The policies as stated herein provide guidelines for all personnel of the City of Oxford; however, they do not include all policies, procedures, rules, or regulations contained in the City Employee Handbook and policies and procedures for each individual department that are necessary at an operational level. Therefore, when necessary to enhance efficiency and effectiveness at the operational level, departmental policies and procedures may be supplemented. However, no such departmental policy, procedure, rule, or regulation shall be in conflict with these rules and regulations.

CHAPTER 2. EQUAL EMPLOYMENT OPPORTUNITY

The City of Oxford recognizes that, as a public body, it is responsible for the general well being of its residents. As one of the major employers in Calhoun County, this responsibility extends to providing job opportunities and employment. The City of Oxford shall take necessary and affirmative action to eliminate equal opportunity barriers and to prohibit discrimination and/or preferred treatment concerning any individual on the basis of political or religious affiliations; on the basis of race, creed, color, disability, national origin, sex, or age (except where age or physical requirements constitute a bona fide occupational qualification necessary for proper and efficient functioning in the job); and, on the basis of any other non-merit factor. Public notices shall be given for all regular, full-time vacancies, except those vacancies to be filled by intra-city transfer or promotion of current City employees, by properly advertising such vacancies within the community. Such notice shall be distributed to various education and training centers, as well as other organizations, agencies, institutions, and services that may reasonably provide sources of personnel. The methods of advertising will depend upon the nature and requirements of the position being filled. Notices of promotional vacancies may be limited to circulate only within an organizational unit of the City, may include competition from all organizational units in the City, or may be circulated to the general public.

CHAPTER 3. APPLICABILITY OF POLICIES

It shall be the responsibility of all supervisory/department head personnel to be knowledgeable of and to properly support and administer fairly and equitably to all employees the rules and regulations of the City of Oxford stated herein and hereafter adopted. Furthermore, it is the responsibility of

supervisory/department head personnel to keep all employees cognizant of all policies, rules, and regulations and to assist employees in understanding the policies, rules, and regulations; thereby ensuring that the objectives of the rules and regulations are achieved. A supervisor/department head is defined as "an employee who supervises at least one (1) regular, full-time employee, and, on fairly frequent occasions, additional part-time or temporary employees, such that two (2) or more employees are supervised for a total of 80 (eighty) hours during a one (1) week work period." Supervisory functions include, without limitation, assigning and directing work; appraising productivity and efficiency; administering or recommending discipline, assist in hiring, promotion, reassignment, pay adjustment, and other status changes; and providing for safety of personnel and property.

CHAPTER 4. EMPLOYMENT OF CIVIL SERVICE PERSONNEL

Section 1. Vacancies

(A) Whenever a vacancy exists in any position under Civil Service, the appointing authority shall notify the Oxford Civil Service Board within seven (7) days from the date the vacancy occurs.

(B) A notification of an existing vacancy shall state:

- 1) The position vacant
- 2) The date that it became vacant
- 3) The name of the person last holding such position
- 4) The reason for the vacancy

Section 2. Application for Employment and IRC Act

(A) All applicants for admission to examination for positions in the City of Oxford must be legally authorized to work in the United States and in the state of Alabama, and in addition; they must meet such moral, educational, professional, and physical requirements as may be required for the position.

(B) All applicants except those applying for positions designated as common laborer must fill out applications on the form prescribed by the Oxford Civil Service Board when applying for any Civil Service position.

(C) Application forms may be obtained from the office of the Oxford Civil Service Board.

(D) All written applications for Civil Service positions shall be filed with the Oxford Civil Service Board.

(E) Applications to take examinations for Civil Service positions must be filed within such time limit as the Board may designate.

(F) All new employees, regardless of employment status, are required by the Immigration Reform and Control Act of 1986 to complete a government form I-9 before, or immediately following employment. This form attests to the individuals' eligibility for employment in the United States. Certain documents, which will prove an individual's eligibility for employment in the United States, must be presented to the person processing the employment papers. Each newly hired employee must present either an original document which establishes both employment authorization and identity or an original document which establishes employment authorization and a separate original document which establishes identity. Establishing and maintaining eligibility for employment in the United States and the state of Alabama is a condition of employment.

Section 3. Examinations

- (A) Examinations for all Civil Service positions shall be conducted by the Oxford Civil Service Board.
- (B) Examinations shall take place at a location deemed appropriate to hold the number of applicants who have applied.
- (C) Examinations may be oral or written or both and may contain performance test where the Board deems necessary.
- (D) Public Notice of all examinations shall be given by the Oxford Civil Service Board at least two weeks prior to the holding of such examinations. The notice shall state the position, qualifications, and such other information as the Oxford Civil Service Board may deem pertinent.
- (E) Grading of examinations shall be done on the basis of 100 as perfect score; and all applicants taking examinations must make a score of 70 or better in order to make a passing grade.
- (F) Any candidate for examination under Oxford Civil Service who is found to have cheated on an exam shall be dismissed from employment with the City and shall be disqualified from participating in any civil service examination for a period of no less than two years, as determined by the Board.

Section 4. Eligible Rosters.

- (A) The names of all persons who successfully pass examinations shall be entered on an eligible roster. The eligible roster shall show the name of each candidate in the order of final score in the examinations, the address, grade made on the examination, date of examination, additional examination points and such other information as may be necessary in keeping a thorough record of successful applicants.
- (B) No applicant shall be entered on the eligible roster of the position applied for who fails to make a passing grade on the examination relative to the position.
- (C) A roster shall be active for a period of two (2) years unless the names have been depleted before the expiration of two (2) years and the Board may abolish the roster in order to administer the examination again. Whenever an eligible roster is abolished, the Oxford Civil Service Board shall notify each remaining eligible that his/her name has been dropped.
- (D) The name of any person taking an examination for a position in more than one department may appear upon as many eligible rosters as he/she shall qualify for under the rules of the Board.
- (E) Whenever an appointing authority shall present satisfactory evidence to the Oxford Civil Service Board that an eligible cannot be located for appointment, or whenever the Oxford Civil Service Board is unable to locate an eligible, the name of the eligible shall be dropped from the eligible roster.

Section 5. Appointments

- (A) All appointments, except temporary appointments and transfers, shall be made by the appointing authority, after he/she has consulted with and received recommendations from the department head, who must, except where a single name of the ranking layoff is certified to him/her for appointment, select one of the six persons certified to him/her from the appropriate eligible roster by the Oxford Civil Service Board; where the single name of the ranking layoff is certified to him/her from the appropriate eligible roster such person must be appointed by the appointing authority after he/she has consulted with and received the recommendation from the department head.
- (B) Temporary appointments shall be made by the appointing authority after he/she has consulted with and received the recommendation from the department head, but no such appointments shall be made without prior authorization by the Oxford Civil Service Board.

(C) In determining Civil Service Benefits, the date of employment for all employees initially receiving temporary appointment shall be deemed to have begun on the date of such temporary appointment if such employee later receives a permanent appointment.

(D) All appointments, other than temporary appointments shall be probationary for a period of (12) twelve months. The probationary period is an integral part of the selection procedure allowing the supervisor and/or department head to train, observe, and evaluate an employee's skills, conduct, and attitude, in order to determine fitness for permanent status in the position. Each new employee hired to fill an authorized regular, full-time position shall be evaluated and counseled during the probationary period to determine his/her abilities to perform the duties required for the position.

Section 6. Allocation and Classification of New Positions

(A) Wherever the need arises to increase the number of employees within a given classification and wherever a need arises to create a position not already classified, a notice of such need shall be given the Oxford Civil Service Board by the appointing authority, after he/she has consulted with and received the recommendation from the department head. Such notice shall contain qualifications and job duties that will be entered into the job description written by the Civil service Board. The Oxford Civil Service Board shall assign the position to its proper classification if such classification already exists. If an appropriate classification does not exist, the Board shall prepare a new classification for the position.

CHAPTER 5. WORK ABSENCE

Section 1. Vacation

All full time employees shall be entitled to vacation leave. Service will be computed from an employee's anniversary date of employment.

(A) Purpose-Vacation is an earned benefit designed to provide rest and relaxation for employees. Therefore, the City requires the employees to take at least forty-eight (48) vacation hours per year. Employees will be allowed to be paid money in lieu of vacation time in hardship or unusual circumstances with consent and approval of the department head. Employees may also sell back to the City, for money, vacation time not used provided they have taken at least forty-eight (48) vacation hours for time off. This is to be done the first pay period of December with department head approval.

(B) Rate of Earnings- (1) All employees assigned to permanent positions shall earn vacation time according to the following schedule:

- One (1) year to (2) years.....forty-eight (48) hours
- Two (2) years to five (5) years..... ninety-six (96) hours
- Five (5) years to ten (10) years.....one hundred twenty (120) hours
- Over ten (10) years.....one hundred sixty-eight (168) hours

(C) Vacation leave shall be pro-rated in the case of all employees whose normal work week requires a lesser number of hours to be worked than the standard work week.

(D) Vacation period is elective pending the approval of his/her appointing authority and shall begin with an employee's anniversary date of any given year. For payroll purposes it is necessary that an employee give at least five (5) days notice prior to the time he/she desires to take his/her vacation.

(E) Annual time allowed for vacations shall in no event be cumulative, and if time allowed for vacation is not taken within the allotted time after it is earned, it shall be lost.

(F) Employees are required to call in to their department head and/or supervisor at least thirty (30) minutes before their scheduled shift prior to their being absent for the day unless otherwise stated in an individual department's policies and procedures. Any employee who has not reported to work or

contacted his/her supervisor for a period of three (3) working days will be subject to disciplinary action and/or termination. A record of all absences of all employees shall be kept by the respective supervisors/department heads. Such record shall state the name of all employees, the date of any work absences by any employee and the reason for such absence. This information will be entered on such record at the time of the absence. Within ten (10) days after the end of the employee's work year the supervisors/department heads shall transmit a copy of the required absence record on such employee. Failure of the supervisors/department heads to keep such record or make such report shall create presumption that the employee did not have any absences. This rule shall not be construed so as to allow any unauthorized absences whatsoever or prevent proper disciplinary action by an appointing authority because of any unauthorized absence.

Section 2. Holidays

(A) All employees may, in the discretion of their appointing authority, be granted a total of eleven holidays during each year. The allowance shall rest solely in the discretion of the appointing authority, provided however, that holidays may be granted only for those days that are recognized legal holidays as follows: New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the Friday following, Christmas Eve and Christmas Day. When a holiday falls on Saturday, the previous day shall be observed. When a holiday falls on Sunday, the following day shall be observed. The appointing authority can designate extra holidays as they deem necessary.

Section 3. Sick Leave and Leave of Absence

(A) Sick Leave Sick leave is a benefit provided only to full time employees. Employees are eligible to accrue sick leave after one month of service. Sick leave is provided to ensure that an eligible employee who is unable to work due to illness or injury does not feel compelled to do so for financial reasons. Abuse of sick leave privileges by any employee will be severely dealt with up to and including dismissal. In addition, accrued sick leave may be used due to the short-term illness of a member of the employee's immediate family. The Family Medical Leave Act defines Immediate Family to include an employee's Spouse (husband or wife); Child (a biological son or daughter, adopted or foster child, or a stepchild); a Legal Ward under the age of 18 or above 18 years of age incapable of self care due to mental or physical condition; Parent (the biological mother or father or an individual who stood in loco parentis to an employee when the employee was a son or daughter), and also includes a grandchild who is a son or daughter of an employee's child, as defined above.

(1) Accrual of Sick Leave An eligible employee on an eight (8) hour work day will earn sick leave with pay at the rate of eight (8) hours of leave per month for a total of 96 hours of sick leave per year. Eligible employees whose normal work day is twelve (12) hour per day will earn sick leave with pay at the rate of twelve (12) hours of leave per month for a total of 144 hours of sick leave per year. Eligible employees whose normal work day is twenty four (24) hours per day will earn sick leave with pay at the rate of twenty four (24) hours of leave per month for a total of 288 hours of sick leave per year.

(2) Use of Sick Leave Sick leave with pay will be granted to an eligible employee for any of the following types of reasons: (a) When he/she is unable to work due to personal illness; injury incurred off-duty, or when his/her presence may endanger the health of fellow workers; (b) Keeping a doctor, dentist, chiropractor, or optometrist appointment; (c) Any impairment related to pregnancy, and/or actual confinement. (d) To care for any family member as stated above in Section A. A female employee who requests time away from work for pregnancy, maternity and childbirth will be treated equally to other employees with other forms of disability or sickness who request leave.

(3) Requirements for Use Generally To be granted sick leave, an employee will notify his/her supervisor of his/her inability to report to work at least 30 minutes before his/her normal work begins or as soon as possible thereafter. Failure to do so may be cause for denial of sick leave for the period of absence. Denial of sick leave may result in an employee's being charged with vacation leave, or placed in some non-pay status, at the discretion of the supervisor.

(4) Requirements for Extended Use The City may, at its discretion, require a certificate from the employee's doctor if the sickness is for more than one day. For a period of absence in excess of three (3) consecutive days, an employee will be required to submit a medical report signed by a licensed physician stating that the employee has been incapacitated for work for the period of absence, and when it is anticipated that the employee will again be physically able to perform his/her duties.

(5) Separation When an employee terminates his/her employment, in good standing, he/she will be entitled to be paid for accumulated sick leave as follows:

Years of Service		% of 960 Hour Base	Maximum Sick Leave Pay
At Least	But Less Than		# Hours
10	15	30%	288
15	20	40%	384
20	25	45%	432
25	Plus	50%	480

(6) Fraudulent Use Prohibited Any unjustified or fraudulent use of sick leave may result in loss of pay, may be charged as vacation leave, and/or may be punished by disciplinary action (to include dismissal when appropriate).

(7) Coordination With Worker's Compensation When an employee is placed in a worker's compensation status, he/she may coordinate such absence with sick leave in accordance with the following guidelines (vacation leave or compensatory time also may be used in lieu of sick leave, if he/she does not have accrued sick leave.): (1) The first three (3) days that the employee is absent from work will be charged as sick leave. If the employee does not have accrued sick leave, annual leave, or compensatory time to cover his/her absence for these days, he/she will be placed in a leave without pay status; (2) If the absence is less than twenty-one (21) days and worker's compensation does not provide benefit payments for the first three (3) days, he/she will be charged for three days of sick leave or annual leave; (3) If the absence is for over twenty-one (21) days and worker's compensation provides benefits payments for the first three days, he/she will reimburse the city the amount of benefit he/she receives from worker's compensation for these days.

(8) Emergency Sick Leave Policy: The Mayor is hereby authorized to declare an "employee sick leave emergency" whenever an employee of the city shall have an extended period of illness or terminal illness as evidenced by hospitalization or a physician's statement. Such employee shall have exhausted all of his/her accumulated sick leave and vacation leave prior to being eligible for receipt of donated time. The employee must submit a completed Emergency Sick Leave Form to his/her Department Head who will in turn forward to the Mayor. All emergency sick leaves must be approved by the Mayor and the Civil Service Board. (Emergency Sick Leave Form may be obtained in the Civil Service Office)

(9) Employee Transfers When an "employee sick leave emergency" is declared as provided within this policy, any employee may transfer to another employee all or part of his/her accumulated sick leave, annual leave or compensatory time hours (in eight (8) hour increments) to any employee designated by the Civil Service Board as provided in the preceding paragraph by completing Sick Leave Donation Request Form. (Form may be obtained in the Civil Service Office)

(10) Department Approval The "Sick Leave Donation Request Form" must be completed and approved by the employee donating leave, his/her immediate supervisor and the Department Head. The

Department Head will submit the form along with the leave adjustment to be made to the Payroll Department.

(11) Use of Donated Hours The total number of donated leave hours will appear on the recipients payroll check, in the sick leave hours category, and can be utilized immediately. Each "Leave Donation Request" will be processed in the order they are received with the total donated hours for any one illness restricted to 120 days. The donation of leave hours is totally voluntary. No employees will be penalized for their non-participation in the process. Donated hours are for the sole purpose of enduring a serious illness. No employee or the estate of a deceased employee will receive compensation for any unused portion of donated leave upon their separation from employment with the City. This policy is for the benefit of regular classified employees of the City of Oxford and does not extend to the illness or injury of the employee's family. Normal sick leave accrual will continue during the time the employee is utilizing donated sick leave.

(B) Administrative Leave Any fulltime employee of the City of Oxford may be granted administrative leave with pay under the following circumstances provided the absence is on a day that the employee is scheduled to work. The number of hours of leave that may be granted for each approved day of leave will not exceed the number of hours the employee would have been scheduled to work for that day.

(1) Civil/Legal Leave will be granted an eligible employee for jury duty and court attendance as a witness in a case not involving personal litigation. Attendance in court by an employee who is acting in an official capacity will not be considered as administrative leave but as regular work time. Any fee provided an employee who is attending court in an official capacity is to be turned into the City. In other situations, the employee in addition to his/her administrative leave pay may retain any fees paid an employee.

(2) Hazardous Weather When considered necessary, the City of Oxford may authorize the closure of City offices and activities and/or a late arrival or early departure time for non-essential employees. When a hazardous weather situation occurs, those employees whose presence is required to accomplish essential operations may be required to work as determined by the City. Any hours worked over normal scheduled shift hours will be at the rate of time and one-half. Emergency closing and/or late arrival times will normally be broadcast over the local radio station. However, it is the responsibility of each employee to contact his/her supervisor, if he/she is uncertain as to the situation. If a hazardous weather condition and authorized late arrival time is not declared, each employee will be expected to make a good faith effort to get to work during inclement weather conditions. An employee who is unable to get to work under such conditions will notify his/her supervisor. Any employee who misses time due to the closure of City offices or their inability to get to work due to weather conditions will be placed on vacation leave, sick leave or other accrued leave with pay or leave without pay at the discretion of the employee. If the employee is placed on leave without pay, he/she may be authorized by his/ her appointing authority to make up the missed time so long as feasible work is available and the time can be made up in the same workweek or work period, as the case may be.

(3) Bereavement Leave Employees shall be allowed three (3) consecutive working days off when there is a death in his/her immediate family. Immediate Family in this instance would be defined as an employee's Spouse, Child, Stepchild, Foster Child, Legal Ward, Grandchild, Parent, Grandparents, Brother or Sister and the like relationships of one's spouse to include Mother or Father-in- Law, Son or Daughter-in-Law and Brother or Sister-in-Law and Grandparents. Such employee will be allowed to use accrued sick leave, vacation leave, or leave without pay, at the discretion of the employee.

(C) Military Leave Military leave will be authorized in accordance with Section 31-2-13 of the Alabama Code, as summarized below:

(1) Entitlement Eligible employees who are active members of the Alabama National Guard, naval militia, or the Alabama State Guard organized in lieu of the national guard, or of any other reserve

component of the Armed Forces of the United States, will be entitled to military leave of absence from their respective duties on all days that they are engaged in field or coast defense or other training, or on other service ordered under the provisions of the National Defense Act or other federal laws governing the United States Reserves without loss of pay, time, efficiency rating, vacation or sick leave, or any other provided benefit.

(2) Limitation No persons granted such leave of absence will be paid for more than one hundred sixty-eight (168) hours per calendar year, except as provided in paragraph below regarding extended limitation.

(3) Extended Limitation An eligible employee will be entitled, in addition to the above, to be paid for no more than one hundred sixty-eight (168) hours at any one time while called to duty by the governor in the active service of the state or nation.

(4) Procedure An eligible employee who wishes to be granted military Leave, will submit a copy of his/her military orders or other documentation necessary to support the request and a leave request through his/her supervisor to the department head. Such request will be submitted as soon as the employee becomes aware of the projected dates of service.

(D) Leave Without Pay Eligible employees may be entitled to leave without pay in certain situations as described herein. All requests for leave without pay will be administered in accordance with the following guidelines and state and federal laws where appropriate. When an employee is granted leave without pay, he/ she will be placed in a non pay status.

(1) Family and Medical Leave Eligibility In order for an employee to request FML, the employee must have worked for the City for at least twelve months and for at least 1250 hours during the previous twelve month period prior to request for leave. However, the City may grant six weeks medical leave for the birth or adoption of a child prior to satisfying the eligibility requirements listed above. If while on medical leave for childbirth or adoption the employee meets the twelve month requirement, any time spent on such leave shall be counted toward the twelve week family medical leave benefit period. In the event that leave is granted during the probationary period, the probationary period will be extended by the length of the leave period. Leave shall be granted for: (1) serious health condition of a spouse, child, or parent; or (2) serious health condition of the employee; or (3) birth or placement of an adopted child.

(a) Leave Requests An employee will submit a request for leave through his/her appointing authority and the Civil Service Board, The employee must submit a completed Request for Leave Form to his/her Supervisor or designee to initiate approval of such a request. Each request will be supported by a statement from the employee's or family member's physician or other recognized authority. (Leave Request Form may be obtained in the Civil Service Office.)

(b) Coordination with Accrued Leaves with Pay A leave that is approved in accordance with the Family and Medical Leave Act will be charged against the employee's accrued leaves with pay in the following order: (1) available sick leave; and (2) available vacation leave (after the employee's available sick leave is exhausted).

When an employee is on sick or vacation leave during FML, he/she will receive his/her regular pay and benefits.

(c) Exhaustion of Accrued Leaves with Pay After an employee's accrued leave with pay are exhausted, or if he/she does not have any leave accrued, he/she will be placed in a leave without pay status for the remainder of the family and medical leave. When an employee is placed in a leave without pay status, he/she will receive no pay, but the City will continue to pay its portion of any insurance premiums (such as medical) that it normally pays on behalf of the employee. The employee will also continue to earn seniority and credit for continuous years of service.

(2) General Leave Without Pay Any fulltime employee of the City of Oxford may be granted a general leave without pay for a period not to exceed one hundred eight (180) days. A request for a leave of

absence due to childbirth or other reason associated with the FMLA will be administered in accordance with paragraph FMLA eligibility.

(a) Administrative Requirements for General leave Without Pay The following requirements will apply for the approval of any general leave without pay: (a) the leave will be for a justifiable reason; (b) the leave will not cause an undue hardship on the employee's department; (c) the employee understands that he/she may be required to return to work before his/her leave expires; (d) the employee understands that his/her failure to report for duty promptly when requested or at the end of the leave will be considered a resignation and he/she will be separated; and (e) the leave has been approved by the employee's appointing authority.

(b) Expiration of A General Leave Without Pay When an employee's leave of absence expires, he/she will be reinstated to the position held at the time the leave was granted or to a similar position, if his/her previous position is no longer available due to organization changes.

(c) Benefits While on Leave Without Pay Status No paid benefits (vacation leave, sick leave, etc.) or seniority will be earned by any employee for any month in which he/she is on general leave without pay. Insurance retainage for single or family coverage will be dependent upon payment of premiums by the employee. An employee in a leave without pay status will be provided any pay increase that other employees receive, upon returning to work, provided he/she would have otherwise been eligible for the increase.

(d) Military Duty and Reemployment Rights An employee that leaves the service of the City to enter into the armed services may, under certain conditions as contained in the Uniform Services Employment and Reemployment Rights Act (USERRA); return to employment with the City.

(e) Attendance and Leave Records An attendance and leave record will be prepared for each employee covered by the City's Civil Service system in accordance with guidelines to be established by the Civil Service Board. All required information will be kept up to date and will be posted on a timely basis.

(f) FLSA Requirements The record for each employee will contain that information required by the FLSA for hours worked, wages earned, and wages paid. All the time that an employee is scheduled to work during his/her established workweek, or work period as the case may be, will be accounted for on a departmental time and attendance report that shows the employee's work schedule, work time, and the time that he/she is absent during the workweek or work period.

(g) Leave Records A record of all absences will also be prepared for all employees by their department head in accordance with procedures to be established by the Civil Service Board. Each record will include the following information: (1) the employee's approved workweek or work period; (2) the employee's scheduled hours of duty during the established work week or work period; (3) the time that the employee worked for each day during the work week or work period; (4) the time that the employee was absent from work during the scheduled work day in the work week or work period; and (5) reason for absence. All absences will be recorded to indicate whether they were authorized or unauthorized and the type of absence to include: vacation leave, sick leave, administrative leave, military leave, leave without pay, and compensatory time taken or earned. An employee's attendance and leave record will be made available for inspection upon his/her request.

CHAPTER 6. CONDUCT AND DISCIPLINARY POLICY

Section 1. Employee Conduct

Employees of the City of Oxford are expected to maintain high standards of cooperation, efficiency, and economy in their work. Each employee is expected to display conduct both on and off the job in such a manner as to reflect credit on both the employee and the City. The maintenance of high

standards of honesty, integrity, and conduct by City employees is essential to assure the proper performance of City business and to maintain the confidence of the citizens. Employees of the City are expected to abide by the City of Oxford Employee Handbook and their individual department's policies and procedures. Therefore, the Oxford Civil Service Board will uphold and support the disciplinary policies and procedures contained in the City Employee Handbook.

Section 2. Corrective Action

When work habits, attitude, productivity, or personal conduct of an employee falls below a desirable standard, supervisors should point out the deficiency at the time it is observed. Warning in sufficient time for improvement should precede formal disciplinary action, but nothing in this section shall prevent formal action whenever the best interest of the City of Oxford requires it.

Section 3. Employee and Supervisor/Department Head Responsibilities

(A) It is the duty of each employee to correct any deficiency in performance, conduct, or attitude on their own initiative or when called to such employee's attention, and to make every effort to avoid conflict with the personnel rules and regulations.

(B) It is the responsibility of every supervisor/department head to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action. However, failure of a supervisor/department head to carry out this responsibility shall not preclude the discipline of an employee. Where appropriate, an employee should be disciplined in an increasingly progressive manner, the step of progression normally being:

- (1) Oral Reprimand
- (2) Written Reprimand
- (3) Suspension
- (4) Termination

In certain circumstances, demotion may be considered in lieu of termination. The factors that may be considered by a supervisor/department head in determining the appropriate level of discipline may include, but are not limited to, the circumstances giving rise to the disciplinary action, the employee's work history, length of employment, current job performance, and the existence of past official disciplinary actions. While progressive discipline should be used as a constructive measure for the correction of the conduct of an employee, where the nature and severity of the offense dictate otherwise, any of the progressive steps noted above may be omitted.

(C) When infractions do occur, it shall be the policy of the City of Oxford that its disciplinary procedure be specific and structured so that the type of action involved, and not the individual, is the controlling factor in determining the level of discipline required.

CHAPTER 7. EMPLOYEE EVALUATIONS

Section 1. Subordinate Employees

(A) Upon the anniversary date of each employee, the head of each department shall be responsible for having made an employee evaluation on each employee in his department. Employee evaluations will be performed by the immediate supervisor/department head and discussed with the employee. Such rating shall be in accordance with the method prescribed on the form provided by the Oxford Civil Service Board, and such form for each employee must be signed by the employee and approved by the head of each department.

CHAPTER 8. HEARINGS

Section 1. Charges by the Appointing Authority or Department Heads

(A) Whenever the appointing authority, removes, discharges, or demotes any employee, a report in writing of such action must be made to the Oxford Civil Service Board within five (5) days by the official taking the action, giving the reason for such removal, discharge, suspension or demotion.

(B) Any permanent employee who is removed, discharged, suspended or demoted from his position shall have ten (10) days from the time of notification of his discharge, removal, suspension or demotion in which to appeal such action to the Oxford Civil Service Board, such appeal is to be made in writing on the form provided by the Civil Service Board.

(C) Whenever a permanent employee has been removed, discharged, suspended or demoted by the appointing authority makes a proper and timely appeal of such action, formal charges must be filed with the Oxford Civil Service Board against such employee by the official taking the action within five (5) days from the date the official is served with the notice of appeal.

(D) Formal charges must be filed with the Oxford Civil Service Board in writing against a permanent employee who has appealed his/her removal, discharge, suspension or demotion, a copy of said charges shall be served on the affected employee, and he/she shall have five (5) days from the date he/she is served in which to make answer thereto.

(E) After charges have been filed, and after the employee has been allowed five (5) days in which to answer said charges, the Oxford Civil Service Board shall, at its next regular meeting, set a date at which to conduct a trial of the case.

Section 2. Charges by Private Citizens.

(A) Upon receipt of written charges against an employee by any private citizen, the Oxford Civil Service Board shall determine whether to dismiss the charges, or to conduct a trial thereon, or whether to first refer them to the proper department head for his/her investigation and recommendation before taking further action.

(B) Whenever the Board determines to try charges brought by private citizens, the complaining citizen and the affected employee shall be given notice of such decision; a copy of the charges shall be served on the affected employee and he shall have five (5) days from the date of service to answer said charges; after the affected employee has been allowed five (5) days in which to answer the charges, the Oxford Civil Service Board shall, at its next regular meeting, set a date for trial of the case.

(C) Whenever the Oxford Civil Service Board dismisses the charges brought by a private citizen, it shall enter an order of dismissal in the minutes and a copy of such order shall be served on the affected employee and the private citizen who has preferred the charges.

(D) Whenever the Oxford Civil Service Board refers charges brought by private citizens to the proper department head for his/her investigation and recommendation, the department head shall forthwith investigate thoroughly the charges, and shall make a written report of his/her investigation together with a written recommendation as to the proper action concerning the charges to the Oxford Civil Service Board within fourteen (14) days from the date of referral; upon receipt of the report and recommendation of the department head, a copy of the same shall be served on the private citizen who has brought the charges and on the affected employee; the board shall within fourteen (14) days from the receipt of the report and recommendation of the department head either accept or reject the recommendation or any part thereof made by the department head, and a copy of such order of acceptance or rejection shall be served on the private citizen and the affected employee involved.

(E) Where the recommendation or any part thereof a department head relative to charges brought by a private citizen against an employee is accepted by the Oxford Civil Service Board, the private citizen and the affected employee shall have five (5) days from the date they were served with a copy of the Board's acceptance of the recommendations in which to file (in writing) objections to the same and demand a public hearing de novo on the charges. When such demand is made, the affected employee and the private citizen shall be served with notice of the same, and the affected employee shall file his/her answer to the charges within five (5) days from the date he/she is served with notice. After the affected employee has been given a five (5) day opportunity to file his/her answer to the charges, the board shall, at its next regular meeting, set a date to conduct a trial of said charges.

(F) Whenever the Oxford Civil Service Board rejects the recommendation of the proper department head concerning charges brought by private citizens, the Board shall determine to either try the charges de novo or dismiss said charges, and such determination shall be made within thirty (30) days from the date of rejection of the recommendation of the proper department head.

CHAPTER 9. RESIGNATIONS

Section 1. Resignation in Good Standing

(A) An employee who wishes to resign in good standing shall notify his/her department head, his/her appointing authority, and the Oxford Civil Service Board in writing, at least thirty (30) days prior to the effective date of resignation; provided that in cases of emergency the Oxford Civil Service Board may in its discretion reduce the number of days by which notice is required.

(B) Any employee who resigns in good standing may within thirty (30) days from the effective date of resignation, make a written application to have his/her name entered on the appropriate eligible list for the department from which he/she resigned. Upon receipt of such application with the approval of the appointing authority, after he/she has consulted with and received the recommendation from the department head, the applicant's name shall be placed ahead of all others on the appropriate eligible roster for the lowest classification in his/her department from which he/she resigned, except for ranking layoffs. However, such employee shall be reemployed at the lowest classification within his/her department covered by Civil Service Rules and Regulations and in the case of any employee covered by a pension or retirement program, such employee, before reappointment, must furnish satisfactory evidence to the board that any funds or money withdrawn from said pension or retirement plan at the time of his/her resignation have been replaced in full.

Section 2. Resignation in Bad Standing

(A) If any employee shall resign without giving proper notice to the Oxford Civil Service Board, he/she shall be held as not having resigned in good standing and such facts shall be entered upon the official record of the employee.

CHAPTER 10. MINIMUM AND MAXIMUM SALARY RANGE

Section 1. Minimum and Maximum Salary Range

(A) The minimum/ maximum salary range for each class of employee shall be, with the approval of the appointing authority, fixed by the Oxford Civil Service Board.

(B) The salary to be paid each employee shall be determined by his/her appointing authority, with the approval of the City governing body; but in every case the salary paid shall be within the minimum/maximum salary range established by the Oxford Civil Service Board and shall be no more than the Board approves.

(C) The minimum/maximum salary range for all employees, as fixed from time to time by the Oxford Civil Service Board with the approval of the appointing authority, shall be kept on file with the Oxford Civil Service Board and the City Treasurer of the City of Oxford; and it shall be open for public inspection at all reasonable times.

Section 2. Violation of Minimum/Maximum Salary Range

(A) It shall be unlawful for any official or employee to draw or issue any warrant on the City Treasury for payment of salary to any employee under Civil Service unless the warrant is in an amount authorized by the board to be paid such employee.

(B) Any money paid as salary to any Civil Service employee contrary to the minimum/maximum salary range of the Oxford Civil Service Board or contrary to Civil Service Act No. S. 1177 under which the Oxford Civil Service Board was created and operates, may be recovered in an action brought by any resident of the City against the official or employee who draws or issues the warrant, or against the sureties on his/her bond.

(C) Any Civil Service employee who draws or issues any sum as salary contrary to the minimum/maximum salary range established by the Oxford Civil Service Board or contrary to the provisions of Act No. S 1177, shall on being found guilty of same by the Oxford Civil Service Board, be suspended for not less than thirty (30) days and may, in the discretion of the Oxford Civil Service Board, and be subject to disciplinary action or termination.

Section 3. Payroll Records

(A) The City Treasurer upon request by the Oxford Civil Service Board Chairperson shall send to the Oxford Civil Service Board a copy of any or all Civil Service Employee's wages or any other records pertaining to Civil Service Employee's wages, as the Civil Service Board deems necessary from time to time to carry out the Board's designed function. Upon completion of the use of these records, the records are to be returned to the City Treasurer for destruction or safekeeping.

CHAPTER 11. LAYOFFS

Section 1. Authority to Layoff

(A) Whenever it is necessary, because of lack of work or lack of funds, or when it is advisable in the interest of economy, to reduce the number of employees in any department or class, the appointing authority may lay off employees according to the procedure set forth in this chapter.

Section 2. Procedure

(A) The reason for such layoff shall be reported in writing to the Board and shall stipulate the number and classifications to be affected.

(B) The Board shall determine, in consultation with the appointing authority, the departments to be affected by the layoff.

(C) If such reduction is departmental, then the layoff shall be made by laying off the employee(s) in the classification to be affected by the layoff who are temporary or probationary, if any. From that point, layoff shall be of permanent employees in the classification on the basis of their relative seniority. In the event there are two (2) or more employees who would be affected by the layoff, and have equal seniority, the Board shall determine which employee to keep based upon the personnel file of the affected employee(s). Nothing herein contained shall prevent an employee in one department who has the same classification as an employee in another department of the City from rolling an employee in the same classification of another department, provided the rolling employee has more seniority with the City.

(D) If such reduction is of a general nature, and/or jurisdiction-wide, the Board, after consultation with the appointing authority(s) shall determine the manner of layoff, taking into consideration the number and classification of positions to be reduced. In all instances, seniority shall govern except in the cases of two or more employees having equal seniority; in this event the Board shall determine which employee to keep based upon the personnel file of the affected employee. In a reduction of a general nature as described herein, seniority in a classification shall not be limited to a department but shall be City-wide in all departments of the city.

(E) When an employee is laid off in a department which has other classifications or grades lower than the classification or grade from which he/she is laid off, or if there are other classifications or grades lower than the classification or grade from which he/she is laid off, in any other department of the City, he/she shall have the option of working in any other lower classification or grade in the same department, or any other department of the City provided the Board finds he/she is qualified to perform the duties of such lower classification or grade, such option being subject, however, to subsection (F), (G), and (H) following:

(F) Where an employee so laid off elects to drop to a lower classification or grade, and where the appointing authority reduces the number of employees in such lower classification or grade, the reduction shall be made in the manner in which it is herein provided layoffs shall be made, except that such reduction shall in no case cause the layoff of any permanent employee in such lower classification or grade who has more seniority with the City than the employee laid off from the higher classification or grade. An employee laid off from a classification or grade shall have the right, so long as he/she is in the service or on the layoff list to return to the position from which he/she is laid off, in the event such position is refilled.

(G) The duties performed by the employee or employees so laid off, may be assigned to any other permanent Civil Service employee or employees in the department or office, who, in the opinion of the Board, are qualified to perform such duties regardless of the specific classification or grade to which such employees are allocated.

(H) Any employee to be affected by layoffs shall be given a minimum of thirty (30) days notice.

Section 3. Appeals

(A) A permanent employee may appeal his/her seniority calculations and his/her selection for layoff, but not the reason for the layoff. Appeals from layoffs shall be in accordance with Chapter 11, Sections 2, (A) through (H).

Section 4. Re-employment

(A) The names of all employees who may be laid off shall be placed at the head of the proper present and subsequent eligible roster in the inverse order of termination; provided that where two or more simultaneous layoffs have the same seniority, their names shall be placed on the list in accordance with examination ratings.

(B) Whenever a vacancy occurs in any class, the ranking layoff in the same class shall be appointed in every instance and in such instance the name of the ranking layoff shall be the sole name certified by the Oxford Civil Service Board to the appointing authorities.

CHAPTER 12. PROMOTIONS

Section 1. Police and Fire Department

(A) Positions in the Oxford Police Department shall be known as:

- 1.) Corrections Officer
- 2.) Communications Officer
- 3.) Police Officer
- 4.) Investigator
- 5.) Police Sergeant
- 6.) Police Lieutenant
- 7.) Police Captain
- 8.) Police Chief

(B) The following scale of eligibility must be followed in determining eligibility for promotion within the Police Department:

(1) Promotion to Police Sergeant:

Anyone who has been a Police Officer of the Oxford Police Department for at least two (2) years

(2) Promotion to Police Lieutenant:

Anyone who has been a Police Sergeant of the Oxford Police Department for three (3) years and two (2) years as a Police Officer, totaling five (5) years with the City of Oxford Police Department shall be permitted to hold the classification of Police Lieutenant

(3) Promotion to Police Captain:

(a) Any Oxford Police Lieutenant for two (2) years

(b) Any four (4) year Oxford Police Sergeant

(4) Whenever these qualifications for promotion set out in (b) above operate to eliminate or to disqualify so many employees that you do not have a competitive group eligible to apply (at least three (3) or more), the Board, after consultation with the appointing authority, shall make sufficient modification of these requirements to enable three (3) or more employees to meet the entrance requirements for promotion. Each candidate for promotion shall receive one-half point for each total

years of service as a Police Officer and one-half point for each year of college with certification of degrees and/or completion.

(C) Positions in the Oxford Fire Department shall be known as:

- 1.) Fire Fighter
- 2.) Fire Lieutenant
- 3.) Fire Captain
- 4.) Battalion Fire Chief
- 5.) Assistant Fire Chief
- 6.) Fire Chief

(D) The following scale of eligibility must be followed in determining eligibility for promotion within the Fire Department:

(1) Promotion to Fire Lieutenant:

- (a) Anyone who has been a fire fighter of the Oxford Fire Department for at least two (2) years

(2) Promotion to Fire Captain:

Anyone who has been a Fire Lieutenant with the Oxford Fire Department for three (3) years or has been with the Oxford Fire Department for a total of five (5) years shall be permitted to hold the classification of Fire Captain

(3) Promotion to Battalion Fire Chief:

- (a) Any Oxford Fire Captain for two (2) years
- (b) Any four (4) year Oxford Fire Lieutenant

(4) Promotion to Assistant Fire Chief:

Any three (3) year Oxford Fire Captain; or five (5) year Oxford Fire Lieutenant; any Oxford Battalion Fire Chief

(5) Whenever these qualifications for promotion set out in (d) above operate to eliminate or to disqualify so many employees that you do not have a competitive group eligible to apply (at least three (3) or more), the Board, after consultation with the appointing authority, shall make sufficient modification of these requirements to enable three (3) or more employees to meet the entrance requirements for promotion. Each candidate for promotion shall receive one-half point for each total years of service as a Fire Fighter and one-half point for each year of college with certification of degrees and/or completion.

Section 2. Additional Examination Points

(A) The Oxford Civil Service Board shall add to the grade of each applicant for examination, one-half (½) percentage point for each year of experience and each year of college; pertaining to the job for which he/she applies; with accompanying proof of degree or certification of completion. Each applicant taking the entry level examination for Police Officer who has completed the Police Academy Training Course shall receive ten (10) points. Each applicant taking the entry level examination for Fire Fighter who is a Certified Alabama Fire Fighter shall receive ten (10) points. All military veterans who have not been dishonorably discharged shall receive five (5) points regardless of the position applied for to accompany his/her test score with accompanying certified copy of the U.S. Armed Forces Form DD214. If a member of the military is absent due to active service at the time an examination is given, he/she will be allowed to take the examination upon return from his/her military duties. No applicant's additional examination points shall exceed ten (10) points.

Section 3. In-House Examinations

(A) Within the discretion of the Oxford Civil Service Board, vacancies in classified positions shall be filled, insofar as practicable, by promotions from among regular employees holding positions in the classified service. Whenever a vacancy exists in any position under Civil Service, the Oxford Civil Service Board shall first determine whether, in its discretion the position shall be filled from among regular employees; if the Board determines that such position shall be so filled, an in-house examination shall be given for the position, which examination shall be open only to those regular employees holding such classified positions in such departments as the Board specifies.

Section 4. Lateral Mobility in the Police and Fire Departments

(A) The appointing authority shall have the right, within the Police or Fire Departments respectively to transfer one police officer or fire fighter from one position to another position so long as said police officer/fire fighter is not transferred out of his/her classification or rank. The appointing authority shall have full authority of lateral mobility within the Police Department and Fire Department; said appointing authority, in making transfers within the departments, shall take into consideration the abilities and qualifications of a police officer or fire fighter assigned to a particular position. The appointing authority shall make said transfers with the idea of putting the best employee in the position for which he/she is better qualified in order that the Police Department and Fire Department may function more efficiently.

CHAPTER 13. TRANSFERS

Section 1. Within Departments

(A) The appointing authority, or department head/supervisor shall have the right within his/her department to transfer any employee from position to position so long as said employee is not transferred out of his/her classification title; no employee shall be transferred from one classification to a higher classification and no employee shall be transferred from one classification to a lower classification. A transfer from one classification to a higher classification shall be deemed to be a promotion, and can only be done in accordance with the rules and regulations relating to promotions. A transfer from one classification to a lower classification shall be deemed a demotion, and can only be done in accordance with those rules and regulations relating to hearings and charges. In case of an emergency, any employee may work in a lower classification without demotion or loss of pay.

CHAPTER 14. WORKERS COMPENSATION

(A) When the impairment is the result of a job-related injury or illness and the employee is receiving worker's compensation benefits, the employee may be separated when a determination is made by a competent medical authority that the employee's disability is long term and he or she will not be able to perform the essential functions of his/her position. Either the employee or the appointing authority may initiate separation action. If the appointing authority separates the employee such action will follow the same procedures as a dismissal. All disability separations will be supported by medical evidence provided by a physician who is acceptable to the City. The appointing authority, the Board or the City council may require an opinion by a physician of its choice, if deemed necessary. Normally, except

when the employee is receiving worker's compensation benefits for a job-related impairment, a disability separation will become effective only after an employee's accrued leaves with pay have been exhausted and the expiration of any leave without pay granted the employee. An employee who is eligible for retirement will be entitled to retire and receive retirement benefits in accordance with the City retirement program.

CHAPTER 15. FAIR LABOR STANDARDS ACT

(A) It is the policy of the City to comply with the Fair Labor Standards Act (FLSA) regulations and its application to local governments. The FLSA sets a minimum wage, overtime pay, record keeping and child labor standards for employees who are covered by the Act and are not exempt from specific provisions. Under FLSA, there is an important distinction between employees who are covered by the Act and those who are exempt from the Act's overtime provisions. The City shall maintain a list of exempt and non-exempt employees for payroll purposes. Exempt employees are covered by the FLSA except for the specific exemptions from coverage that apply to their occupations. The Act seeks to limit the number of hours worked by requiring additional pay, called overtime pay or compensatory time off, for hours worked in excess of the established forty hour maximum (or as permitted by Section 207(k) of the FLSA for emergency response personnel. The record for each employee will contain that information required by the FLSA for hours worked, wages earned, and wages paid. All the time that an employee is scheduled to work during his/her established workweek or work period as the case may be, will be accounted for on a departmental time and attendance report that shows the employee's work schedule, work time and the time he/she is absent during the workweek or work period.

CHAPTER 16. RECORDS

Section 1. Records Open to Citizens

(A) All records of the Oxford Civil Service Board, except those which must be kept confidential for reasons of public policy, shall be open for inspection by any resident of the City of Oxford, Alabama at all reasonable times, after written request have been submitted to and approved by the Board. Under no circumstances are the records to be removed from the Civil Service office unless the Board authorizes such action.

CHAPTER 17. ELECTION AND TERM OF OFFICE OF THE CHAIRMAN AND SECRETARY

Section 1.

(A) The Chairman and Secretary shall serve for a period of one (1) year beginning January 1, through December 31, of each year.

(B) These two officers shall be elected at the regular meeting immediately preceding the January meeting each year.

(C) The method of election shall be nomination and second from the floor and election shall be by a majority present.