

## **RULE CHANGES**

**WHEREAS**, the Civil Service Board of the City of Jasper was created by the Alabama Legislature on March 29, 1965 by Providing Act No. 113; and

**WHEREAS**, Section 9 of the Civil Service Act creating the Civil Service Board of the City of Jasper grants the Civil Service Board the power to make rules and regulations governing examinations, eligible registers, appointments, transfers, salaries, promotions, demotions, annual and sick leave, and such other matters as may be necessary to accomplish the purposes of the Act; and

**WHEREAS**, the Section 9 of the Act creating the Jasper Civil Service Board states: "A rule or regulation may be made effective only after a public hearing is held on the proposal thereof and after a certified copy thereof has been filed with the City Clerk."; and

**WHEREAS**, the Civil Service Board desired to simplify and clarify the Rules that have been adopted by previous Civil Service Boards,

Therefore, the Civil Service Board held a public hearing on the following on the 30<sup>th</sup> of June 2014:

1. The board voted that all Civil Service Board Rules and Amendments in place on that date were rescinded, revoked, removed,

deleted and declared null and void for future application of the business of the Jasper Civil Service Board.

2. The board approved and adopted the following Rules:

### **RULE 1**

When preparing eligibility registers, honorably discharged veterans will have five points added to the test score.

*CSB Rules Committee Comment:*

*The CSB Rules Committee recognizes the sacrifices of United States Veterans. The committee acknowledges that these sacrifices include the passing up of opportunities in the private sector in order to serve. Therefore, it is desirable to add five points to the test score.*

Rule 1 Amended 4-7-2021 Following Page

**RULE NO. 1**

All Jasper City employees in good standing seeking another position within the City of Jasper shall have five (5) points added to their test score. All new applicants for employment with the City of Jasper who are honorably discharged Veterans, shall have five (5) points added to their initial test score. This shall be called a Veteran's Benefit and shall be a one time five (5) point addition and shall not follow the employee in the service of the City of Jasper any time such employee attempts to change jobs within the City.

Amended April 7, 2021  
(date)

Effective April 7, 2021  
(date)

## RULE 2

The City of Jasper and Department Heads serving in the service of the city shall notify the Board of vacancies in jobs covered by the Civil Service Act. Within 5 days of a vacancy, the Department Head shall notify the Civil Service Board of the vacancy with specificity. Specifically, the Department Head should provide the following information regarding the job opening:

- a. The job title under current pay plan.
- b. The name of the employee vacating the position.
- c. The reason for the job opening.
- d. The grade and step of the employee vacating the job.
- e. Any proposed grade or step changes for the position.
- f. Whether a Section 12 "transfer within the service of the City" appointment is being considered.
- g. Any proposed changes in job duties or qualifications.

Failure of a Department Head to adhere to the requirements of this Rule will be considered a willful violation of the Civil Service Act and may subject the Department Head being dismissed from service under Section 17 of the Act which states:

*Any person in the service of the city by appointment under civil service rules or regulations who willfully violates any provisions of this Act, or any rule or regulation issued in pursuance thereof, shall be dismissed from service under the system and shall not be reappointed for two years.*

Failure of a Department Head to adhere to the requirements of this Rule may also subject the Department Head to Section 18 of the Act that states:

*Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor.*

### **RULE 3**

No vacancy in any position of employment in City of Jasper shall be filled without prior knowledge and consent of the Civil Service Board of the City of Jasper, Alabama.

Failure of a Department Head to adhere to the requirements of this Rule will be considered a willful violation of the Civil Service Act and may subject the Department Head being dismissed from service under Section 17 of the Act which states:

*Any person in the service of the city by appointment under civil service rules or regulations who willfully violates any provisions of this Act, or any rule or regulation issued in pursuance thereof, shall be dismissed from service under the system and shall not be reappointed for two years.*

Failure of a Department Head to adhere to the requirements of this Rule may also subject the Department Head to Section 18 of the Act that states:

*Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor.*

#### **RULE 4**

On or before July 1<sup>st</sup> of each year, the City Clerk is to provide the Civil Service Board with: 1) a list of all full time employees employed by the City; 2) the grade and step of each full time employee; and 3) the employee's current pay plan job title. This list shall also include by what mechanism the employee received his or her position and when the employee was placed in that position. The Clerk shall also at that time provide the Civil Service Board with a Table of Organization for all City Departments.

#### *CSB Rules Committee Comment:*

*Each employee of the City of Jasper must receive his or her job by 1) selection from an eligible register or 2) by a Section 12 transfer approved by the Civil Service Board. By creating this Rule, the Board wishes to eliminate any possibility that a person will be employed by circumvention the Civil Service Act.*

## **RULE 5**

No city employee shall contact in person, by phone, or in any other manner a Civil Service Board member for any purpose related to issues currently before the Civil Service Board or issues that are likely to be brought before the Civil Service Board.

Failure to adhere to the requirements of this Rule will be considered a willful violation of the Civil Service Act and may subject the employee to being dismissed from service under Section 17 of the Act which states:

*Any person in the service of the city by appointment under civil service rules or regulations who willfully violates any provisions of this Act, or any rule or regulation issued in pursuance thereof, shall be dismissed from service under the system and shall not be reappointed for two years.*

Failure to adhere to the requirements of this Rule may also subject the employee to Section 18 of the Act that states:

*Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor.*

## **RULE 6**

In establishing eligible registers, the Board shall give weight to the exam score in the amount of 50% of the total and the oral interview shall account for the remaining 50% of the total weight given toward the registered position.



## RULE 7

Applicants for all jobs in the City of Jasper must score 60% on examinations to be eligible to interview and be eligible for placement on an eligible or promotional register. However, if one or fewer of the applicants make a 60 on the exam, the three highest scoring applicants will be allowed to interview for the job and be placed on the Eligible Register.

## RULE 8

Any employee found guilty of violating a rule or regulation or committing any one of the following offenses, may be subject to reprimand, suspension, forfeiture of pay, discharge, or suffer such other lawful punishment as the board may direct.

1. Willful disobedience of rules or orders.
2. Being under the influence of alcohol or illegal drugs while on duty.
3. Drinking alcohol or using illegal drugs while on duty.
4. Conduct unbecoming to his or her official position or job.
5. Insubordination or disrespect towards a supervisor or department head or member of the Board.
6. Neglect of duty, inattention to duty or general incompetency.
7. Being absent from duty without permission.
8. Using coarse, profane or insolent language to a superior, to the Board, or to any citizen.
9. Publicly criticizing orders given by a supervisor.
10. A police officer refusing to give name or badge number when requested.
11. The use of controlled substance, as defined by Alabama the Code of Alabama, by any employee without written prescription for use from a licensed physician and/or the use of any legitimately prescribed drug to the degree that such use renders the employee unfit or unsafe for the performance of his or her duties with the City of Jasper.
12. Other such violations that the Board finds sufficient to affirm disciplinary action taken by the City.

## RULE 9

A. Vacation Days: Each employee shall be entitled to vacation days each calendar year. Employees shall work out a convenient and suitable time with their respective department head to take vacation. Each employee will be paid his or her regular salary during the period of time he or she is on vacation.

B. Sick leave is the absence from duty of an employee because of:

1. Illness or disability not compensated by Workers' Compensation benefits.
2. Care of an immediate family member requiring the care of the employee.
3. Death in the immediate family of the employee.

"Immediate Family" includes spouse, children, stepchildren, parents, grandparents, siblings, mother-in-law and father-in-law and where unusually strong personal ties exist. "Unusually strong personal ties" are those ties resulting from an employee having been supported or educated by a person of some relationship other than those listed and where this relationship is recognized for leave purposes. In such cases, the employee must file a written explanation of the circumstances with the request for sick leave.

If the employee was hired prior to May 1, 2005, there is no limit on the number of sick leave hours that may be accumulated and paid for when an employee leaves employment with the City of Jasper. If the employee was hired after May 1, 2005, the maximum number of sick leave hours that may be accumulated and paid for when an employee leaves employment with the City of Jasper is 480 hours. There is no limit on the amount of sick leave that can be accumulated and used for legitimate purposes during an employee's employment with the City.

Employees do not accumulate sick leave during months in which he or she is on unpaid leave. Upon discharge, lay-off,

retirement, resignation or other termination of employment of a full-time regular employee, such employee will be paid his or her accumulated sick leave at his or her then current rate of pay subject to this Rule.

C. In case of serious disability or illness, sick leave may be advanced to any permanent employee under the following conditions:

1. All accrued sick leave must be used before an advance is made.
2. No advance may be made to any employee unless the absence from duty is for five (5) days or more.
3. Each application for an advance must be supported by a doctor's certificate.
4. The total of advanced sick leave may not exceed thirty workdays.

D. Vacation Time

| <u>Length of Employment</u>  | <u>Minimum Number of vacation hours per year</u> |
|------------------------------|--|
| a. from 6 months to one year | 48 hours   |
| b. from 1 year to 5 years    | 96 hours   |
| c. from 5 years to 10 years  | 112 hours  |
| d. from 10 years to 15 years | 128 hours  |
| e. over 15 years             | 144 hours  |

E. Death in Immediate Family Bereavement Pay

- a. Immediate family shall include "Immediate Family" includes spouse, children, stepchildren, parents, grandparents, siblings, mother-in-law and father-in-law and where unusually strong personal ties exist. "Unusually strong personal ties" are those ties resulting from an employee having been supported or educated by a person of some relationship other than those listed and

where this relationship is recognized for leave purposes. In such cases, the employee must file a written explanation of the circumstances with the request for bereavement pay.

- b. An employee shall be allowed 3 days off with full pay for any death in an employee's immediate family.
- c. Pay for time off due to death in the immediate family of an employee or Bereavement Pay shall in no manner or way interfere with an employee's sick leave or vacation time.

F. An employee who terminates employment with the City of Jasper shall be paid for accumulated sick leave and vacation days that such employee had at the time of his or her termination. The pay for such accumulated Sick Leave and Vacation Time shall be at the regular rate of pay of such employee at the time of his or her termination. This Rule is subject to Rule 9(b) above.

G. If an employee dies while in the employment of the City of Jasper, the city shall pay the surviving spouse; or in the event there is no surviving spouse, to the Estate of the deceased employee; and in the event there is no surviving spouse or an Estate, to the next of kin of the employee, all benefits due for accumulated sick leave, vacation or overtime days which employee had accumulated at the time of his or her death. This Rule is subject to Rule 9(b) above.

H. If a full-time employee of the City of Jasper, Alabama, is fired, laid off, resigns, retires or is otherwise terminated from employment with the City of Jasper, Alabama, such employee shall be paid his or her accumulated sick leave, vacation and/or overtime leave. In the event of a lay-off, and such employee is later called back, he or she shall begin re-employment with no such accumulated sick leave, vacation and/or overtime pay and shall again begin accumulating same anew in accordance with the Rules and Regulations of the Civil Service Board as a new employee. An employee who is laid off and later called back will begin employment with the opportunity to take off the same amount of annual vacation time as he or she had earned prior to lay off.

I. Any City employee who is 1) injured in the course of performing his job and 2) unable to work by orders of a Workers' Compensation authorized physician as a result of such injury and 3) being paid

temporary total disability payments pursuant to the Workers' Compensation Act, shall receive his full net pay, less any payments made by Workmen's Compensation for a period of 120 days. During any period of time when an employee is receiving temporary total disability payments pursuant to the Workers' Compensation Act, he or she shall not be charged with any sick leave or vacation time.

J. City employees who are members of the National Guard, Army Reserve or a similar unit and who are required to report for drill on a working day of a City employee, such employee shall be allowed one shift of work per month off with pay from the City of Jasper, Alabama, for the purpose of serving in such military unit and attending such drill.

## **RULE 10**

All examinations, applicant's tests, application forms and similar administrative records completed by the Board will be held as confidential. Any person who takes a test to be placed on an eligible or promotional register may only see the results of his/her test and the position in which they are placed on the list of eligible register or promotional register list.

## RULE 11

A. Once a year, each department head shall review all departmental records and create a list of seniority standing. This list shall be posted on the bulletin board of the department.

B. Seniority shall be defined as:

1. When question refers to competition within a grade within a department: Length of service within the position, rank, grade or job classification.

2. When question refers to competition within a Department, and pertains to employees with different rank, grade or other job classifications: Length of service within department.

3. When question refers to competition within all jobs in the City of Jasper and pertains to employees with different rank, grade, or other job classifications: Length of Service within the City.

C. Vacancy in Job in same class: If job competency is equal, promotions to fill vacancies or new jobs shall be filled on the basis of seniority. In determining competency the following factors shall be considered and only where the foregoing factors are relatively equal shall seniority be the determining factor in promotion:

1. Ability to perform the work.
2. Physical fitness and suitability for the job.
3. Past record with the department.
4. Character and moral standing of the applicant.

D. Vacancy on Shift: Filling of all permanent vacancies on shifts where more than one regular shift is scheduled per day will be made on the basis of seniority.

## **RULE 12**

The Civil Service Board shall give tests for the Police Department in the following manner: Tests shall be given for the position of Patrolman as entrance exams and for Sergeant, Lieutenant, Captain as promotional exams only.

## **Rule 13**

The Civil Service Board shall give tests for the Fire Department in the following manner: Tests shall be given for the position of Firefighter as entrance exams and for Lieutenant and Captain as promotional exams only.



## **RULE 14**

The following rule shall be the official policy of the Jasper Civil Service Board regarding layoffs involving positions held in the City of Jasper.

A. The appointing authority may layoff any employee within any class employed in the City of Jasper, when it is necessary by reasons of shortage of funds or changes in organization.

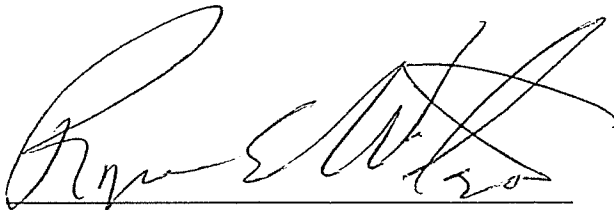
B. Whenever any such Layoff is made necessary, the order of layoff within each class within the Jasper City Service shall be made in the following order:

1. Temporary employees are to be laid off first.
2. Seasonal employees are to be laid off only after all temporary employees.
3. Part-time employees are to be laid off only after all temporary and seasonal employees have been laid off.
4. Probationary employees can be laid off only after all temporary employees, seasonal employees and part-time employees have been laid off.
5. Employees who are no longer probationary employees can only be laid off after all probationary employees, all part-time employees, all seasonal employees and all temporary employees are laid off.

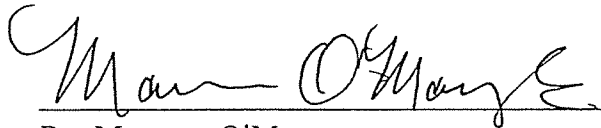
C. Layoffs will be made on the basis of seniority with the employee having the least amount of seniority being laid off first. This Layoff policy is specifically enacted to protect persons with more seniority from being laid off prior to employees with less seniority.

D. Names of laid off employees shall be placed on a layoff list. No one may be hired in any department while names of any laid off employee remains on the layoff list provided any such employee is still able and willing to perform the duties of the job to be filled.

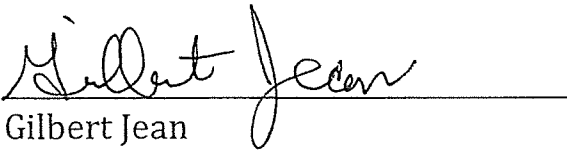
E. The City of Jasper is urged to notify the employees at least two (2) weeks in advance of their intended layoff. Such notices should be given in writing to the employee. Proper notice would allow the employee sufficient time to seek future employment thereby will minimize the hardship.



Roger Wilson



Dr. Marcus O'Mary



Gilbert Jean



Cindi Cain

Jasper Civil Service Board Clerk

## **RULE 15**

Any condition offer, test or other benefit of employment is strictly contingent upon the satisfactory completion of all requirements of the application and a background check) which will be conducted by the City of Jasper and/or Department of the City to which applicant applies).

Rule adopted on November 6, 2019

Effective date: December 4, 2019

## **RULE 16**

All appointments, other than temporary appointments shall be probationary for six (6) months from the date of appointment. A probationary subordinate employee may be discharged by his/her appointing authority for unsatisfactory service at any time before the expiration of the probationary period, if the action is approved by the Board. In the event an employee in service transfers to another position and his/her work during the probation period is unsatisfactory, then the employee shall be rolled back into the position occupied by him/her prior to their in service transfer. Any new employee hired to fill the position vacated by an employee who has in service transferred may be terminated during this probationary period in the event the employee who transferred out of that position is rolled back into that position. All new hires filling positions vacated by employees who have in service transferred to another position shall be made aware, prior to being appointed, of the possibility of being terminated in the even the employee who vacated that position is rolled back.

Employees will not be afforded protection under the rule if they simply change their mind about the new position.

Employees will not be provided protection from violations of the Employee Handbook, the current Rules of the Jasper Civil Service Board, or the Act.

Protection under this rule shall extend only to those situations of unsatisfactory performance defined as incompetency in the new position.

This rule shall apply only to in service promotions.

This rule shall have retroactive application to any employee who has been promoted or hired into a position to fill a promoted employee's position, and who are still within the six months probationary period.

Rule adopted: February 6, 2019

Effective date: March 6, 2019