

Derrick Mostella
Mayor



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County Seat of St. Clair County

ORDINANCE 2024-008

**AN ORDINANCE TO AMEND THE CITY OF ASHVILLE, ALABAMA
PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

WHEREAS, the City of Ashville, Alabama (the "City"), has previously adopted a document entitled Personnel Policies and Procedures (the Handbook"); and

WHEREAS, it is necessary from time to time to make changes to the Handbook to fairly, equitably and efficiently regulate employment related matters; and

WHEREAS, the City finds and determines that it is in the best interest of the City, its citizens, and its employees to amend the Handbook as set out in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ashville, Alabama, as follows:

Section 3.1: That Section 3.1 "**Classes of Employees**" within the Handbook be and is hereby amended to state as set forth below:

The following classes of employment are hereby established in the City of Ashville:

a. **Exempt Service:** Individuals to whom established personnel policies and procedures in no way apply, except as how they govern their actions and relationships with covered employees. The exempt service includes:

(1) Members of the Governing Body of the City, including but not limited to: the Mayor, City Attorney, Prosecutor, members of the City Council, Municipal Judge and other elected Officials and Officers;

(2) Members of appointed boards, commissions and committees; and

(3) Other individuals filling jobs in the City service who come under the tent of these policies and procedures and have been designated by the City Council as exempt. Included in this Class are volunteer personnel who receive no regular compensation from the City, except Police and Fire Department volunteers, persons performing work under contract for the City who are not carried on the payroll as classified regular employees, and positions appointed by the Mayor and City Council.

Council Members

Adam Abernathy - Robin L. Bowlin - Edward Roscoe Lane - Shirley Smith - R. Denise Williams

b. **Unclassified Service:** City Clerk, Chief of Police, Fire Chief, Superintendent of Public Works, Building and Zoning Director or other individuals in jobs which have been or may be designated by the City Council as "unclassified" by ordinance or resolution. Established personnel policies and procedures will apply to these employees the same as classified employees, except as follows:

(1) An unclassified employee's tenure of service is at the pleasure of the Mayor or City Council; and

(2) If the individual is a regular status classified employee at the time of appointment to an unclassified position, the individual will retain the right to reinstatement as a classified employee in an available position for which the individual is qualified upon termination from the unclassified service, unless separated for cause; and

(3) If the individual was not a regular status classified employee at the time of appointment to the unclassified service, he or she will have no right to employment in the classified service after termination from the unclassified service. However, the employee may apply for and be considered along with other qualified applicants for any vacancy for which the individual is qualified.

c. **Classified Service:** The classified service includes those positions that have been approved by the City council in which the individual regularly works at least thirty-two (32) hours or an average of thirty-two (32) hours in a workweek. Classified service employees are eligible for all City provided employee benefits in accordance with guidelines established by the City Council for such benefits.

d. **Part Time Service:** The part-time service includes those positions that have been approved by the City Council in which the individual regularly works during each pay period but, except for Police and Fire Department personnel, works less than twenty-nine (29) hours or an average of twenty-nine (29) hours in a workweek. The actual number of hours worked each workweek will be established at the employee's time of employment. Part-time employees may be transferred to an equivalent job in the classified service if qualified and a vacancy exists. Part-time employees are not eligible for any City provided employee benefits unless provided by law; except that, part-time employees who work, on average, at least thirty (30) hours in a work week shall be allowed to participate in the group insurance programs as long as they are eligible according to the provisions of such programs and they pay the applicable premium costs. Employees in this classification do not accrue benefits of any kind, and their employment will not count as continuous years of service.

Part Time Police and Fire Department personnel who physically work a 12 hour shift for police or 24 hour shift for fire on a City approved holiday will receive an additional 8 hours pay at their regular rate to compensate their time for the holiday.

e. **Temporary Service:** The temporary service includes those positions that have been approved by the Mayor for performing temporary functions or filling established jobs for a limited period of time. Temporary employees may also be used to fill critical vacancies, when due to unforeseen circumstances an eligible candidate is not available. Individuals in the temporary service employment category will not exceed six (6) consecutive months duration. However, temporary employment may be extended six (6) additional months when approved by the Mayor, but under no condition will it be extended beyond one year. Temporary employees will not count as continuous years of service or accrue benefits of any kind. Temporary service employees will not be converted from the temporary service to the classified or part-time service unless they apply and are selected in accordance with the staffing guidelines of these policies and procedures. Temporary employees will not be given preferential consideration over any other applicant. The purpose of this requirement is to ensure that temporary service employment is not used to by-pass the required selection criteria established by these policies and procedures and federal laws.

Every job within the City service will be designated by the City Council in accordance with one of the above classes.

Effective Date:

This ordinance shall become effective upon its adoption, approval and publication as provided by law.

ADOPTED and APPROVED this the 1st day of July 2024.

CITY OF ASHVILLE, AL



Derrick L. Mostella, Mayor

ATTEST:



Chrystal St. John, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Ashville, Alabama, do hereby, certify that the above is a true and correct copy of an Ordinance duly adopted by the City Council at its meeting held on July 1, 2024, and as same appears of record in Minute Book of said City, and approved by the City Council on the 1st day of July, 2024

GIVEN UNDER MY AND CORPORATE SEAL of the City of Ashville, Alabama, this 1st day of July 2024.



Chrystal St. John, City Clerk

