

Derrick Mostella
Mayor



P.O. Box 70
211 8th Street
Ashville, AL 35953

Chrystal St. John
City Clerk

Phone 205-594-4151
Fax 205-594-4292

County Seat of St. Clair County

ORDINANCE 2022-001

**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

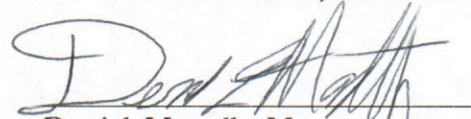
WHEREAS, the City finds and determines that it is in the best interest of the City, its citizens, and its employees to amend the Handbook as set out in this Ordinance.

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

- Section 1:** That the **SECTION 3 – EMPLOYMENT CLASSES: "3.2 EMPLOYMENT STATUS."** within the Handbook be and is hereby amended to state as shown on Exhibit "A" to this Ordinance, which is incorporated herein as if set out fully here.
- Section 2:** That the **SECTION 4 - STAFFING: "4.6 PROBATIONARY PERIOD."** within the Handbook be and is hereby amended to state as shown on Exhibit "B" to this Ordinance, which is incorporated herein as if set out fully here.
- Section 3:** If any provision in this Ordinance shall be or be declared to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
- Section 4:** That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- Section 5:** That this ordinance shall become effective as provided by law after passage, approval and publication.

ORDAINED, ADOPTED and APPROVED this the 3 day of January, 2022.

CITY OF ASHVILLE, ALABAMA


Derrick Mostella, Mayor

ATTEST:


Chrystal St. John, City Clerk

Council Members

Robin L. Bowlin - Edward Roscoe Lane - Sue Price - Shirley Smith - R. Denise Williams

Exhibit A

3.2 EMPLOYMENT STATUS.

Employment in the classified and part-time service will be in accordance with one of the following designations:

a. Regular. Employees who have successfully completed the City's established probationary period for their job. The Mayor approves regular status for all eligible employees. Such approval will be in writing to the employee, with a copy of the notice filed in the employee's personnel file.

b. Probationary. Employees who have not completed the City's established twelve-month probationary period for their job.

c. Trainee: Individuals who have been hired for positions who do not meet all of the established requirements of their position may be appointed with the approval of the Mayor. Such individuals will be paid five percent (5%) below the minimum rate for their job excluding Fire and Police Department trainees. An employee designated as a trainee will continue to receive a reduced salary until the Department Head certifies that the individual is qualified to assume full responsibilities and perform all duties of the position and the Mayor approves such change. Trainee status will count toward the City approved probationary period. However, no individual may be designated as a regular status employee while still classified as a trainee. Trainee status will not exceed a one-year period.

Exhibit B

4.6 PROBATIONARY PERIOD.

a. Every new employee hired for a job/position into a classified position, rehired in a classified position, promoted, demoted, or transferred in a classified position within the organization shall serve a satisfactory probationary period of twelve months before being designated as a regular classified employee. An employee that has already completed a probationary period and that is transferring from a part time position within the organization to a full time position (or vice-versa) will not be required to complete a second probationary period unless required by said employee's new department head and/or mayor. An employee that has been employed by the City for a period of five years in a non-classified position shall be required to complete a probationary period upon beginning a classified position at the discretion of his/her department head and/or mayor. The probationary period shall be regarded as an integral part of the training and evaluation process and shall be utilized for closely observing an employee's work, obtaining the most effective adjustment of all new employees in their jobs, and for separating any individual whose performance does not meet required performance standards. In the case of promotions, demotions, or transfers within the organization, employees who, in the sole judgment of management, are not successful in their new position can be removed from that job at any time during the probationary period. Employees will be allowed to return to their former job, if it is available, or to any other comparable available job for which the employee is qualified.

b. Absences during the probationary period will automatically extend the probationary period by the length of the absence. If the employee's supervisor determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee, said supervisor may extend the probationary period for a specified period not to exceed one year, by notifying the employee in writing. Lengthy or frequent absences during the probationary period are discouraged and shall be granted only in justifiable situations. Vacation and sick leave will be accrued but should not be taken until the employee becomes a regular classified employee at the end of their probationary period.

c. The supervisor shall endeavor evaluate the performance of each probationary employee in writing at least twice during the probationary period, generally at six-month intervals. The first to be conducted no later than the end of the first six-month period and the second before the end of the probationary period. The rating period may be adjusted according to any increase in the probationary employment period. The evaluator will confer with and advise each probationary employee about the employee's progress. The evaluation will note any improvements necessary for the employee to meet established City standards. Each evaluation will be completed on an evaluation form and signed by the evaluator, department head, and the employee. A copy of each evaluation will be forwarded for inclusion in the employees' permanent personnel file. Change in status from probationary to regular status is dependent upon a satisfactory rating on the final evaluation. If a satisfactory rating is not obtained on the final evaluation, the probationary employee will be terminated, or in the case of promotion, will be demoted, or transferred pursuant to section 4.6a.

d. Probationary employees are "at will" employees and may be dismissed at any time during the probationary period with or without cause, if it is deemed in the best interest of the City to do so. A written notice may be furnished the terminated individual. If provided, a copy of such notice will be included in the individual's personnel file. A probationary employee has no right to due process related to their employment.