

CITY OF GRANTS

PERSONNEL ORDINANCE No. 18-1230

AN ORDINANCE REPEALING PERSONNEL ORDINANCE No.1000 AND REPLACING ORDINANCE No.1000 IN ITS ENTIRETY, SETTING FORTH GUIDELINES CONSISTENT WITH THE CHARTER, ESTABLISHING THE PERSONNEL POLICIES, RULES AND PROCEDURES OF THE CITY OF GRANTS. THE ORDINANCE WILL ESTABLISH THE GENERAL PROVISIONS AND GUIDELINES, WITH SPECIFIC RULES AND PROCEDURES OUTLINED IN THE CITY OF GRANTS PERSONNEL HANDBOOK.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING OF THE CITY OF GRANTS AS FOLLOWS:

Section 1. General Rule.

It is the intent of the City of Grants to establish a merit system for the hiring, promotion, discharge and general regulation of city employees, known as the City of Grants Personnel System and is adopted pursuant to NMSA 1978, sections 3-15-1 through 3-15-16 and 3-13-4. This ordinance is not applicable to city employees who through exclusive representation have entered a collective bargaining agreement with the city pursuant to Municipal Code section 16.5-18. All rules and regulations drawn pursuant to the authority provided in this chapter shall be promulgated by the city manager, except as is otherwise provided.

Section 2. Policy declared.

It is hereby declared that the personnel policy of the city shall consist of:

- (1) A system of rules which will:
 - a. Comply with all applicable state and federal laws;
 - b. Produce an effective city organization;
 - c. Establish a work environment which encourages employees to work productively and efficiently at maximum capability and potential;
 - d. Provide equal job opportunity and advancement for all qualified persons based on work performance, knowledge, education, and experience;
 - e. Ensure adequate incentives in the form of a merit system, provide competitive salaries, recognize exceptional work, reward long service, and provide retirement benefits;
 - f. Inspire public confidence in services provided; and
 - g. Establish equitable methods for administering discipline.

- (2) Procedures which foster effectiveness between the city council and city staff by:
 - a. Open communication;
 - b. Protecting employees from improper political interference by the city council; and
 - c. Jointly sharing responsibility and resolution of conflict in the best interests of all concerned.
- (3) Formulating policies to resolve internal personnel/organizational problems by establishing an employee grievance procedure.

Section 3. Merit system scope of employment.

It is hereby declared that employment in the city government shall center around elements of a merit principle designed to:

- (1) Recruit, hire, and advance employees based on ability, knowledge, and skill.
- (2) Base personnel actions on merit and performance principles such as:
 - a. Tests (written, performance, interview, skills, or other);
 - b. Experience, education, employment, and performance records; or
 - c. Observable on-the-job performance.
- (3) Provide equitable and adequate compensation.
- (4) Train employees on-the-job to assure high quality performance.
- (5) Retain employees based on adequate performance, and separate employees whose inadequate performance cannot be corrected;
- (6) Assure that every employee complies with the spirit and intent of this personnel system.
- (7) Assure fair treatment and equal employment opportunity of applicants for employment (and employees) in all aspects of personnel administration without regard to race, age, religion, color, national origin, ancestry, sex, physical or mental handicap or serious medical condition, spousal affiliation, sexual orientation or gender identity, and with proper regard for privacy and constitutional rights as citizens;
- (8) Assure that employees are not coerced to support or oppose candidates or electoral issues. Moreover, employees are prohibited from using their official authority for personal gain or for interfering with, or affecting, the outcome of an election.

Section 4. Civil rights provision.

No city employee or job applicant shall be appointed, promoted, removed, or in any way favored or discriminated against because of race, age, religion, color, national

origin, ancestry, sex, physical or mental handicap or serious medical condition, spousal affiliation, sexual orientation or gender identity, or because of his/her political or religious affiliations.

Section 5. Equal opportunity employer.

This city is an "equal opportunity employer." The following described act of discrimination on the part of any employee are expressly prohibited. If such discriminatory acts occur, the person committing these acts is subject to dismissal or suspension from city employment or to other appropriate disciplinary action. It is declared unlawful:

- (1) For any employee to give preference to or to discriminate against, any person because of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap or serious medical condition, spousal affiliation, or sexual orientation or gender identity, unless based upon a bona fide occupational qualification;
- (2) For any employee to sexually harass any other employee or citizen by making unwelcome sexual advances, requesting sexual favors, or making verbal/physical overtures of a sexual nature, especially when such conduct has the effect of interfering with an individual's work performance or has the effect of creating a hostile or offensive work environment. Moreover, no employee shall make such conduct a condition of employment or use refusal to participate in such conduct a basis for employment decisions.

Section 6. Administration of a personnel system.

- (a) The city manager shall be responsible for proper administration of the personnel system pursuant to City Charter.
- (b) The city manager shall maintain a personnel system which shall include, at a minimum, reasonable provisions establishing:
 - (1) The classification of all city positions based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances;
 - (2) A pay and benefit plan for all city positions;
 - (3) Methods for determining the competency and fitness of individuals for purposes of hiring, promotion, retention, demotion and termination;
 - (4) Policies and procedures regulating reduction in force and removal of employees;
 - (5) Procedures for the hearing and disposition of grievances;
 - (6) Equal employment opportunity;
 - (7) Other practices and procedures necessary to the administration of the city personnel system.

Section 7. Definitions.

The following terms and phrases used in this chapter are defined as follows:

City means the municipal government, composed of the city council, the city manager, divisions, departments, agencies, and all employees which make up the organization designed to provide services for citizens.

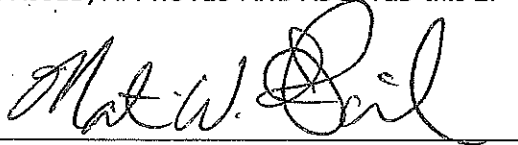
City council means the duly elected (or appointed) officials who comprise the legislative body of the municipal government, with powers defined by New Mexico law and the City Charter.

City manager means the municipal government's chief executive officer, charged with responsibility for management of employees, facilities, and other resources as set forth by New Mexico law and the City Charter.

Personnel policy manual means personnel policies established and periodically amended by the city manager to interpret and implement the city personnel ordinance for employees not represented by collective bargaining units.

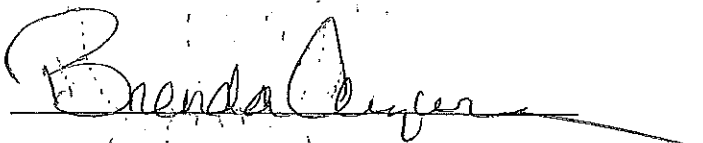
Personnel procedures manual means procedures established and periodically amended by the city manager to ensure the efficient and effective operation of the city.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2018.



Mayor Martin Hicks

ATTEST:



Brenda Anzures, City Clerk