

CITY OF NORWICH
MERIT SYSTEM RULES
1983 REVISION



ADOPTED: MAY 24, 1983

CITY OF NORWICH
PERSONNEL AND PENSION BOARD

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RULE I **PURPOSE AND AMENDMENT OF RULES**

A. Purpose of Rules

1. The Charter of the City of Norwich provides for a personnel system based on merit for employees in the classified service (see Chapter XIV of the Charter of the City of Norwich). The Merit System Rules described are designed to enforce the provisions of the City Charter which describe the classified system. Orderly use of these rules should improve understanding, cooperation, efficiency, unity, and savings.

2. The Rules will:
 - a. provide equal opportunity to all qualified citizens to enter City employment.
 - b. promote high morale among city employees by providing good working conditions, opportunity for advancement, consideration for employee welfare, and a basis of understanding for all personnel actions.
 - c. govern the appointment, promotion, demotion, transfer, layoff, removal, and discipline of employees on the basis of merit.

B. Amendment of Rules

1. The Personnel Director may propose amendments to these rules to the Personnel and Pension Board. All amendments must serve to carry out the provisions of the Charter.

2. Amendments will be approved and adopted by the Personnel and Pension Board only after a public hearing has been held. Public notice of the hearings will be given at least five days before the hearing in at least one newspaper in general circulation and copies of the proposed amendments to go to public hearing will be sent to employee representatives along with the notice of the public hearing. The public notice will include the time, place, and purpose of the hearing.

3. After any amendment is adopted, the Personnel Director will within ten working days post it on bulletin boards and send it to all appointing authorities and employee representatives.

C. Additional Documents

1. This book of Merit System Rules is not an all-inclusive document. While it describes how the classification and pay plans are prepared, it does not include them. Specific questions regarding the classification or pay plans may be answered by reading those documents.

2. The Affirmative Action Plan of the City of Norwich is also not included here but is an important part of the City's personnel programs. The Affirmative Action Plan describes specific steps by which the City provides equal employment opportunities for all. The Plan provides guidelines for fairness by which these Rules are put into operation, with emphasis on recruiting, testing, training, and nondiscriminatory practices. Copies of the Affirmative Action Plan can be obtained at City Hall.

RULE II DEFINITIONS OF WORDS USED OFTEN

A. The following words will have the meanings described below when used in these Rules unless the text clearly requires another meaning.

1. **ALLOCATION** – The grouping of individual positions into classes on the basis of the kinds, difficulty, and responsibility of the work actually performed by a person in the position.
2. **APPOINTING AUTHORITY** – Any officer of an agency subject to the Charter who has the power to place people in positions.
3. **CERTIFICATION** – The method of ranking candidates who are eligible for appointment to a position. Only candidates who have been certified by the Personnel Department may be considered by the appointing authority.
4. **CLASS or CLASS OF POSITIONS** – A group of positions enough alike in duties, authority, and responsibility to justify the use of the same class title, testing, qualifications, and salary range for all positions in the group.
5. **CLASSIFIED SERVICE** – All positions in the City service except the following:
 - a. The chief executive officer of the city, the assistant chief executive officer, officers elected by the people, and persons appointed to fill vacancies in elective offices.
 - b. Members of boards and commissions and other officers appointed by the City Council.
 - c. The heads of departments appointed by the chief executive officer of the City except the City Assessor and Personnel Director.
 - d. Employees of the Board of Education.
 - e. The Corporation Counsel, Assistant Corporation Counsel or Special Counsel appointed.
 - f. The City Clerk
 - g. Persons employed in a professional or scientific capacity to conduct a temporary and special inquiry, investigation, or examination
 - h. Relief officers in the Police Department
 - i. The Assistant City Treasurer
 - j. The General Manager of the Department of Public Utilities
 - k. The City may choose to participate in employment programs such as the Emergency Employment Act or the Comprehensive Employment and Training Act. These programs may require the City to operate some aspects of its employment practices in

a different manner for those who take part in them. The Personnel Rules will continue to apply in all practices where these programs do not require such differences.

6. **CLASS SPECIFICATION** – The written description of a class including the official title, a statement of the duties, authority, and responsibilities of the positions within the class, and the qualifications which are necessary or desirable for the satisfactory performance of the duties of the positions in the class.
7. **COMPENSATORY TIME** – Employees may receive time off at a later date for extra time worked. The time off is paid at the employees' current salary rate.
8. **DEMOTION** – The change of an employee from a position in one class to a position in another class having a lower maximum salary rate.
9. **DEPARTMENT HEAD** – An employee responsible for an entire department. Department heads report to the City Manager except the General Manager of the Department of Public Utilities who reports to the Board of Public Utilities Commissioners.
10. **DISMISSAL** – The removal of an employee from the classified service and City employment.
11. **DIVISION HEAD** – An employee responsible for a work unit within a department. Division heads are responsible to department heads except in Public Utilities where they report to the General Manager.
12. **ELIGIBLES** – People who are qualified for employment because they have passed the required test(s). The names of all people eligible for employment with the City are placed on employment lists.
13. **EMERGENCY** – An unforeseen event or situation in the City or in any department of the City government which calls for immediate action. A State of Emergency shall be declared by the City Manager.
14. **EMPLOYEE REPRESENTATIVES** – Any union officials and/or employees designated by the union or employee group to act for the membership in any of the procedures in these rules.
15. **EMPLOYMENT LIST** – A listing of job applicants who have passed tests and are eligible for employment with the City. Applicants are ranked on the list with the applicants receiving the highest scores placed at the top.
16. **FULL-TIME POSITION** – A position in which the employees work the standard work hours set by the department on a year-round basis.
17. **HOLIDAY** – A day of religious or patriotic observance. The holidays recognized by the City of Norwich are listed in Rule X.
18. **LAYOFF** – The temporary removal of employees from the classified service by reason of lack of work or funds.
19. **MINIMUM SCORE** – The minimum number of test items which an applicant must answer correctly in order to pass the test. The Personnel Director will convert the minimum score to a standard score of seventy percent and will convert all test scores so that they are in the same relationship to seventy percent as they were to the original minimum score.

20. **OPEN COMPETITIVE TEST** – A test which all qualified applicants – whether or not they are City employees – must take. Passing such a test makes applicants eligible for employment with the City.
21. **PART-TIME POSITION** – A position which requires working less than the standard hours set by the employee’s department.
22. **PERMANENT EMPLOYEES** – Employees who have been legally appointed through the procedures described in these Rules. Before being considered permanent, employees must complete a probationary period.
23. **PERMANENT POSITION** – A position allocated through the procedures described in these Rules. Permanent positions are of such a nature that it can be reasonably assumed that they will continue indefinitely.
24. **POSITION** – A related group of duties assigned to an employee within an organization.
25. **PROBATIONARY PERIOD** – A working test period during which employees must demonstrate their ability to perform their duties through actual performance. See “Permanent Employees”. A thirty day extension of the probationary period may be granted subject to the provisions of these Rules.
26. **PROMOTION** – Advancing an employee from a position in one class to a position in another class having a higher top salary.
27. **PROMOTION TEST** – A test to determine which employees in a particular class merit advancement to a higher class. Only classified employees who possess required qualifications may take promotional tests.
28. **PUBLIC HEARING** – A hearing, after public notice, at which any person may have a reasonable opportunity to be heard.
29. **SEASONAL POSITION** – A position requiring observance of the standard work hours set up by a department but filled only during certain months of the year. Seasonal positions cannot continue for more than six months.
30. **SUSPENSION** – The temporary separation of employees from the classified service for disciplinary reasons and for a definite period of time specified in writing.
31. **TEMPORARY EMPLOYEE** – An employee appointed to a temporary position or temporarily appointed to a permanent position.
32. **TEMPORARY POSITION** – A position created under these Rules for a period of time not to exceed three months.
33. **TEST** – Any procedure used to assist in making employment decisions. Test may be of the following types: written, interviews, strength and agility, and rating of training and experience.
34. **TRANSFER** – A change of an employee from one position to another having the same lowest and highest salary limits. Both positions must have similar duties and require about the same basic qualifications.
35. **YEAR** – Calendar year.

RULE III THE CLASSIFICATION PLAN

A. Preparation of Plan

The Personnel Director will ascertain the duties, authority, and responsibilities of all the positions in the classified service. After consulting with the appointing authorities, the Personnel Director will prepare and recommend to the Personnel and Pension Board a position classification plan. The position classification plan will include, for each class of positions, the official class title, a statement of duties, authority, and responsibilities included in the class, the qualifications that are necessary or desirable for satisfactory performance and the usual promotion path.

B. Adoption of Plan

The Personnel and Pension Board will hold a public hearing on the proposed classification plan. The Board will announce the time, place and purpose of the hearing once at least five days in advance in at least one newspaper in general circulation and notify all employee representatives. After hearing suggestions and recommendations, the Board will review the information and adopt the classification plan with the changes it believes proper. The plan, when adopted, will take effect immediately. Employees affected by the plan or by any change in it will be given an opportunity to speak before the Personnel and Pension Board after filing a written request for such a hearing with the Personnel Director.

C. Original Allocation of Positions

The Personnel Director will allocate each position in the classified service to an appropriate class on the basis of the duties, authority, and responsibilities required of the position. The position allocation will be completed no more than a month after adoption of the classification plan. Appointing authorities and employee representatives will be consulted before the positions are allocated.

D. Interpretation of Class Specifications

1. The Personnel Director will prepare a specification (a detailed description) for each class. Each specification will be interpreted as a whole – particular phrases or examples should not be isolated and treated as full descriptions of a class. Each class specification will relate to the other specifications in the classification plan.

2. Specifications will describe the types of work required of positions within a class, but they will not necessarily include all the related duties to be performed.

E. Administration of Plan

1. Changes in class specifications and reallocations within the approved classification plan will be made in the following manner:

- a. The Personnel Director, appointing authority and the employee representative will study the duties of each new position as it is created. On the basis of this study, the position will be allocated by the Personnel Director to a class appropriate to the duties being performed.
- b. When a new position is created or any change is made in an existing position, the Personnel Director will be notified immediately. The Personnel Director and employee representative will investigate all such reports. If the new position or change is permanent and/or calls for reallocation, the Personnel Director will place it in the appropriate class.
- c. The Personnel Director will check the classification of positions regularly. As a result, after discussion with the employee representative, he or she will recommend to the Personnel and Pension Board that existing classes be combined or abolished or that new classes be established.
- d. Failure of the Council to fund a class will mean that the class has been abolished. Employees in such a class will be laid off with those employees having the least seniority being laid off first. If a class is re-established within two years, the employees who were laid off will be rehired before new employees are hired. If there is a change in licensing or certification in the interim, the employee must obtain such license or certification at the next scheduled opportunity.

F. Effect of Re-Allocation of Positions

A permanent employee whose position is reallocated must be eligible for and appointed to the reallocated position. Such an appointment will be made according to the rules for promotion, transfer, or demotion.

G. Use of Class Titles

The class titles used in the classification plan will be the official titles for the classes and will be used to name the positions on all official records, vouchers, payrolls, and communications concerning personnel. No person will be appointed to, or employed in, a position under a class title which has not been recommended by the Personnel Director and approved by the Personnel and Pension Board.

RULE IV THE PAY PLAN

A. Preparation

The Personnel Director will be responsible for the development of a pay plan. This plan will consist of the lowest and highest rates of pay for each class and whatever middle rates or steps the Personnel Director thinks necessary. Pay ranges will be linked directly to the classification plan and will be determined in regard to:

rates of pay for other classes

necessary qualifications

current rates of pay for comparable work in other public and private work in the area

cost of living

suggestions from department heads and employees

maintenance or other benefits received by employees, such as pensions, sick leave, vacation, holidays with pay, insurances, the financial policy of the City, and other economic considerations.

B. Adoption

The proposed pay plan will be submitted by the Personnel Director through the City Manager to the City Council for adoption. After adoption, no position will be assigned a salary above or below the approved pay range unless the salary schedule is amended. Notice of intent to amend will be posted on the bulletin board in the Personnel Department and the department concerned and the employee representatives will be notified.

C. Initial Effect

The rate of pay includes any cost of living adjustment in effect at the time the pay plan was adopted by the City Council. Employees in the classified service receiving less than the lowest rate for the class in which their position is placed when the pay plan takes effect will be increased to the lowest rate. Employees who are receiving more than the highest rate for the class in which their position is placed may continue to receive that rate. However, they will not be eligible for pay raises until they have been promoted to a class with a higher top salary. Employees whose rate of pay falls between the lowest and highest rate of pay will continue at that rate. If an employee's rate of pay falls between the lowest and highest rates but is not at an established step, that employee's rate will be increased to the next highest step. New and adjusted pay rates may only be set at the established steps in the pay range.

D. Amendments

Amendments to the pay plan may be suggested by the Personnel Director through the City Manager to the City Council. Amendments will be considered when conditions such as the following justify such action:

changes in responsibilities or work of classes

living costs

the Personnel Departments recruiting experience

prevailing rates of pay

the City's financial condition and policies

other related conditions

E. Administration

1. Appointment Rate

- a. New employees will normally receive the lowest rate of pay for their class. The Personnel Director must approve paying new employees at higher rates. Approval can be given only after the appointing authority submits a written request outlining reasons for the higher rate of pay. Approval may be given if new employees are exceptionally qualified or if there are no eligibles available at the lowest rate.
- b. If former employees are rehired into a class comparable to the one in which they used to work, the appointing authority may hire them at a rate of pay higher than the entry level. However, this higher rate of pay must be approved by the Personnel Director at the time of rehire.

2. Annual Increase

- a. Employees will receive a one-step pay increase on the first anniversary date of their initial employment, and yearly thereafter, will receive an increase of one step up to the maximum step, provided that:
 - they have completed their probationary period and have been permanently appointed
 - their job performance and work habits are within the reasonable standards for the position
- b. Before employees can be denied their annual increase, their department heads must file a written report of unsatisfactory job performance. Both the Personnel Director and the City Manager (or General Manager of the Public Utilities) must give written approval to pay increase denials.
- c. Employees have a right to appeal a pay increase denial (see Rule XIII, Section B of these Rules).

3. Limits on City Pay

- a. Unless noted in these Rules, employees will not receive payment from the City other than their salaries for work completed as part of the duties described in the class specification. If employees perform services for individuals or individual organizations as part of their municipal job, any payments for such services will be made into the City fund from which the employee is paid and not to the employee personally.
- b. Employees will be repaid by the City for expenses due to travel as approved in advance by the appointing authority.

4. Pay for Part-time Work

Employees who regularly work fewer hours than provided for in the standard weekly work hours set by each department will receive pay relative to the time they actually worked. Payment of separate salaries from two or more departments for duties performed in each

will be allowed so long as the combined salary is not more than the top rate of pay for the class.

5. Hourly and Daily Rates

Appointing authorities may request hourly or daily rates of pay for classes of positions when, in their opinion, employment conditions warrant such action. Hourly and daily rates will be consistent with weekly rates. The Personnel Director will prepare a schedule of hourly and daily rates.

6. Pay Rates for Transfers, Promotions, or Demotions

Employees who are temporarily or permanently transferred or promoted will receive the rate of pay for the new position. This rate of pay will be effective upon the day of appointment and will be determined as follows:

- a. Employees whose rate of pay for the former class is lower than the lowest rate of pay for the new class will be raised to the lowest rate for the new class.
- b. Employees whose rate of pay in the former class is higher than the highest rate of pay for the new class will stay at their former rate until they can be promoted.
- c. Employees whose former rate of pay falls at an established step within the new pay range will receive the same rate of pay in the case of transfers and be raised one step in the case of promotions.
- d. Employees whose former rate of pay does not fall at a step will be raised to the next highest step for promotions and transfers.
- e. Employees who are demoted or reclassified for any reason will be placed at the same step in the new class at which they were placed in the old one.

7. Overtime Payment

- a. Employees who work more than eight hours in one day or more than forty hours in one week will be paid for the overtime if it has been authorized by the department head concerned. The City Manager or the General Manager of the Department of Public Utilities must also approve overtime. The word overtime in this section will mean authorized overtime as described here. No payment of any kind will be allowed for overtime that has not been authorized.
- b. Unless otherwise stated in these Rules, overtime will be paid at the rate of one and one-half times employees' hourly rates. Clerical, fiscal, or administrative employees may receive compensatory time (time off with pay) instead of overtime payment, at the employee's discretion.

The compensatory time must equal the amount of overtime worked. Employees must use at least one day of compensatory time at any one time, and it must be used within twelve months of the date on which it was earned. The Personnel Director will be notified by department heads of the compensatory time earned by employees.

- c. Employees classified as Superintendents will receive compensatory time instead of overtime pay.

- d. Public Works and Public Utilities employees who are called to work during non-scheduled hours will receive a minimum of two hours' pay.
- e. Members of the police department will be paid their regular rate of pay for overtime. Police officers required to appear in a criminal matter in court while off duty will receive a minimum of two hours of compensatory time. This will be accumulated and granted in blocks of at least one day.
- f. When employees are required to work holidays which do not fall in their regularly scheduled work week they will receive, in addition to their holiday pay, payment for the first eight hours at a time and one-half rate and payment for additional hours at a double-time rate. If the holiday falls in the employees regularly scheduled work week, they will receive their regular rate of pay for the first eight hours and double time rate for additional hours in addition to their holiday pay.
- g. For the purpose of computing overtime pay, holidays, compensatory time off, and periods when the employees are receiving worker's compensation will be considered as days worked. In hardship cases the department head may consider sick leave and special leave as days worked. In all such cases, the department head will file, within 48 hours, a full written explanation of the circumstances for such allowances with the Personnel Director.
- h. Members of the Fire Department placed on stand-by or fire duty will be paid their hourly rate of pay for overtime worked beyond their established hours unless they are called during an actual fire. Firefighters called during actual fires will be paid according to the existing policies in their department.
- i. Any other departmental overtime pay policies will continue.

8. Differential Rates

Employees who are assigned duties in a class in a higher pay grade than their own will, upon approval from their department head or designee, receive a rate of pay corresponding to the first step in the higher class. If the rate of pay at the first step in the higher class is the same as or lower than the old rate, employees will receive the rate of pay at the next higher step in the range.

F. Classification of Payroll

The Office Manager of the Public Utilities and the Comptroller or their authorized agents will send the Personnel Director a signed copy of the payrolls for their departments for each pay period. Payment officers will not make or approve salary payments to anyone in the classified service unless the payroll voucher and account have been certified by the Personnel Director or his or her authorized agent. Such certification will state that the people being paid actually are employed in accordance with the Charter and these Rules.

RULE V APPLICATIONS AND APPLICANTS

A. Announcement

Examinations for positions in the classified service will be publicized by posting announcements in the personnel office, on official bulletin boards in all departments, and in at least one general newspaper in the Norwich area. Employee representatives will also receive copies of same. The announcements will specify:

- the title and salary range of the class
- the nature of the work to be performed
- the qualifications
- how, where, and when to apply
- the closing date for receiving applications
- that applicants must notify the Personnel Director of name or address changes within three days of the change
- any other pertinent information

B. Application

Applications will require information on training, experience, references, and other pertinent information. Applicants must sign the applications.

C. Disqualification

1. An application will be rejected by the Personnel Director for any of the following reasons:

- the applicant doesn't have the minimum qualifications for the position
- the application isn't filed before the closing date
- the applicant has lied on the application
- the applicant is under seventeen and a half years of age on the date of appointment

2. Applicants will be notified in writing by the Personnel Director if their applications are rejected. Notifications will include the reasons for rejection. Applicants may request a hearing before the Personnel and Pension Board. Such requests must be made in writing within five days of the notification of rejection. The Personnel and Pension Board will hold the hearing between five and ten days from the date the request is received. The decision of the Personnel and Pension Board will be final.

D. **Notice of Change of Status**

All applicants for tests must notify the Personnel Director of name or address changes within three days of the change. Failure to respond to notices could mean denial of admission to an exam.

RULE VI TESTS

A. **Competitive Tests**

1. Appointments and promotions within the classified service will be made on the basis of merit which will be determined through competitive tests. Tests will check the ability of the candidates to do the work required of a particular position or class. They may include but are not limited to any combination of written, oral, physical, or performance tests. Education, experience, aptitude, knowledge, character, and physical fitness may be tested. Certificates of one or more examining physicians are also required.

2. The identity of applicants will be concealed in all examinations for purposes of fairness.

3. (a) The Personnel Director may require proof of age, citizenship, educational qualifications, and military service at the time of the test for record-keeping purposes.

(1) **Tests for New Employees.** Tests for original appointment to a class will be competitive and open to all citizens of the United States who meet the requirements of the class description.

(2) **Promotional Tests.** Promotions will be determined through tests open only to permanent employees of the City of Norwich to meet the requirements of the class to which the promotion will be made. Employees desiring promotion must also be working in an appropriate class before they can take the test for the new position. Promotional tests may be limited to a single department or a subdivision of a department. Service ratings with the City of Norwich will be considered.

(3) If a nonentry level position cannot be filled through a promotional test, the Personnel Director may recommend to the Personnel and Pension Board that the tests for the position be opened to all qualified people.

(b) The Personnel Director will update tests periodically.

B. **Special Test Procedure**

When there are no qualified applicants available to fill domestic, attendant, or custodial positions, the Personnel Director may authorize use of other selection methods. These methods will assure the selection of employees on the basis of merit and fitness.

C. **Method of Scoring**

1. The minimum score which must be earned on a test will be set by the Personnel Director and will be given the value of seventy percent. The weight or importance of each part of the test will also be determined by the Personnel Director and announced in the test announcement.

2. Applicants must receive the minimum score of seventy percent on each part in order to pass the test. The final earned score (score before any preference points are added) will be figured by averaging the earned score of each of the parts in accordance with the weights of importance.

3. Test scoring and the setting of the minimum score for each test will be done without knowledge of candidate identity.

D. **Rating Training, Experience, and Character**

1. When experience and training are to be considered as part of the test, the Personnel Director will follow accepted procedures for evaluating them. These procedures will include ways to consider the quality, recency, and amounts of experience and training and their relation to the job for which the person is applying.

2. The Personnel Director may check statements made on the application and ask for character references.

3. If information affecting the ratings of experience, training or character is discovered after applicants have been placed on an employment list, the Personnel and Pension Board and the Personnel Director will adjust their positions on the list.

E. **Preference for Seniority**

1. Applicants for promotional tests will receive credit for their service to the City. Credit for seniority will be given for actual service; it will be figured from the end of the six month probationary period to the date of the test in full year units. The points added to the earned score are figured using the following guide:

one point for each full year of service for the first five years

two points for each full year of service for the next ten years

one point for each full year of service for the next five years

2. No credit will be added for more than twenty years of service.

3. Preference points for seniority are added to the minimum score of seventy.

F. Veterans' Preference

1. People who served in the U.S. Army, Navy, Marine Corps, Air Force, or Coast Guard during wars or national emergencies, received honorable discharges, and passed a test will have five points added to their scores. In such cases, the increased score will determine the position on the employment list.

2. Veterans who have been awarded at least a ten percent compensable disability rating by the U.S. Veterans' Administration will be given ten points in addition to their earned passing score. The federal agency responsible for the administration of veterans' affairs must verify the disability, and applicants must be eligible for compensation at the time they take the test. Discharge papers, copies of discharge papers, and disability certification will be accepted as proof of eligibility for veterans' preference.

G. Residency Preference

Nonemployees who are City residents at the time they apply for a position and who pass a test will have five points added to their final grade.

H. Scheduling Tests

After a test for a position has been approved, it will, if possible, be conducted within three months.

I. Notification of Test Results

1. People who take tests will be notified in writing within a reasonable length of time as to whether or not they passed; their standing on the employment list, and the expiration date for the list. They will be notified before anyone is hired from an employment list.

2. People who have taken the tests will be allowed to see their ratings and test papers though that information will not be open to the public. Inspection will be allowed during regular business hours at the Personnel Department under conditions set by the Personnel Director.

J. Appeal of Examination Results

Within three days after notification of test results, people failing a test may request a review of their test papers with the Personnel Director. The request must be in writing. If applicants are still dissatisfied, they may, within five days of the review, appeal in writing for a hearing before the Personnel and Pension Board. Such hearings will be held between five and ten days after receiving the request.

K. Appointment of Relief Police Officers to Police Officer

1. Notwithstanding the provisions of the Merit System Rules providing for filling of positions in the classified service on the basis of competitive examinations, relief police officers in the police department shall be appointed police officers on the basis of seniority without competitive examination, provided (1) they satisfy such minimum qualifications as may be

established by the Personnel and Pension Board for membership in the department; and (2) at the time of their appointment as relief police officers, he/she shall have satisfactorily passed an examination for police officer.

2. Seniority of relief police officers shall be determined on the basis of the date of their appointment. Relief police officers who refuse appointment to the regular force, when eligible, shall be placed at the bottom of the relief police officers' seniority list. After a relief police officer has twice refused appointment as a police officer he/she may be removed from such seniority list.

RULE VII EMPLOYMENT LISTS

A. Types of Employment Lists

There are five types of employment lists: re-employment lists of employees who have been laid off; re-employment lists for people who have resigned and want to return; promotional lists for employees who want to be promoted; open competitive lists for people applying for jobs in the City of Norwich; and transfer lists for employees who want to move to another position in the same class (see Rule VIII).

1. Re-employment Lists.

- (a) Permanent employees with satisfactory work records who have been laid off will be placed on appropriate re-employment lists in the order to be determined by the Personnel Director. Permanent employees who have resigned may, within one year, request in writing that the resignation be withdrawn. They may then be placed on appropriate lists and considered for re-employment in the same or a comparable class from which they resigned. The ranking of employees who have resigned will be based on the same factors used for employees who have been laid off.
- (b) Candidates on re-employment lists will be eligible for one year from the date they were placed on the list. Employees separated from the service for more than six months will be required to have a physical examination.

2. Promotional and Open Competitive Employment Lists.

The Personnel Director will establish and maintain the promotional and open competitive employment lists he or she feels necessary to meet the needs of the service.

B. Order of Names on List

Eligibles will be placed on lists in order of their final earned test ratings plus veterans' preference, seniority, and residency credit. If there are ties in the final ratings, names will be placed on the lists in the order of ratings earned on the part of the test given the greatest weight. Remaining ties will be broken by arranging names in the order in which the applications were received. In promotional lists, seniority will be used for this purpose.

C. Availability of Eligibles

1. Eligibles must notify the Personnel Director in writing of any change affecting availability for employment including change of address. Failure to respond to a notice will result in removal from the list. The Personnel Director may circulate lists, mail letters, make telephone calls or use other methods to determine the availability of eligibles.
2. When eligibles submit written statements restricting the conditions under which they are available for employment, their names may be withheld from lists which do not meet the conditions specified. Eligibles may file new statements modifying prior statements as to conditions under which they are available for work.

D. Duration of Lists

1. Names will remain on lists for one year unless the needs of the City require that a list remain active for a longer period of time. In that case, the Personnel Director may, with the approval of the Personnel and Pension Board, extend the time during which the eligibles may be considered.
2. In no event will names remain on a list for more than two years. An order extending the active period for a list will include the reasons for the extension. The order will be entered into the records of the Personnel Department.
3. Two or more employment lists for the same class of positions may be consolidated by the Personnel Director in a manner fair to eligibles on both lists.
4. Rule VIII describes how candidates on such employment lists will be certified.

E. Removal from Employment List

1. Names may be removed from a list by the Personnel Director if eligibles cannot be reached within five days of a notification in writing or upon the written request of eligibles. Eligibles may also be removed if they are referred to an appointing authority but not hired or if they have waived appointment. (This does not apply to Relief Officers who attained qualified status (and priority) by adoption of City Charter.)
2. Any cause in these rules for the rejection of applications may also be cause for the removal of names from a list.

F. Employees on Military Leave

1. Employees who enlist or are inducted into the armed services under the current legal provisions of the military will be returned to the same class occupied before enlistment or induction providing they advise the Personnel Director in writing within ninety days of honorable discharge that they want to be reinstated. They will receive the prevailing rate of pay for their class.

2. Employees who do not notify the Personnel Director within the ninety day period will be considered as having resigned.

3. Employees who have not completed their probationary period before enlistment or induction will be required to do so.

4. Employees who were on promotional lists when they went on military leave may be appointed once they have been certified as described in Rule II. Promotional positions may be held open for three months for employees on military leave. Promotions for employees returning from military leave will become permanent after the employee completes the probationary period.

RULE VIII FILLING VACANT POSITIONS

A. Permanent and Temporary Full-time, Part-time, and Seasonal Positions

1. Each position in the classified service will be designated as either permanent or temporary and as either full-time, part-time, or seasonal. These terms are defined in Rule II and will be used in all official communications.

2. Employees will not be permanently appointed to temporary positions. In all cases other than assignment the provisions of these rules governing examination and certifications shall apply. The name of any employee appointed to a temporary position from a list of eligibles shall be returned to the appropriate employment lists when the position is discontinued. No temporary employee appointed to a temporary position shall be exempted from any provision of Section E of this rule.

B. Requisition

Department heads will use a personnel form to notify the Personnel Director of vacancies. The notification will include facts relating to the duties, responsibilities, and qualifications required of the position to be filled. If a list of eligibles is available, applicants will be certified in the manner described in this rule.

C. Transfers

1. Employees who want to transfer to another position in the same class in another department or division will notify the Personnel Director in writing. The Personnel Director will place their names on a transfer list using the following procedures:

a. When a vacancy occurs, the Personnel Director will check the transfer list. He or she will contact the department heads of employees requesting transfer to determine whether or not the employees are available for transfer. The head of the department where the vacancy exists will be sent the names of employees available for transfer.

- b. The department heads with vacancies will interview the employees referred to them. If they find a satisfactory employee, they will make the appointment and notify the employee and the Personnel Director in writing.
 - c. If the employees referred to the department heads are rejected or if no employees are available for transfer, the Personnel Director will fill the vacancy through the procedure described in Section D of this rule.
- 2. People will not be transferred to positions for which they do not possess the minimum qualifications.
 - a. Voluntary demotions may be made to a vacant position upon the **written request** of employees providing the employees have the minimum qualifications. Both department heads involved, the City Manager or the General Manager of the Public Utilities, and the Personnel Director must approve the demotion.
 - b. The salary rate of the demoted parties will not be more than the top salary of the class to which they've been demoted.

D. Certification of Eligibles

- 1. In filling all vacancies, the names referred to the department heads (certified) will be those of the (5) top people on the appropriate list, in alphabetical order irrespective of rank or test score, provided there are nineteen (19) or less eligible candidates on said list. In the event that there are twenty (20) or more eligible candidates on the appropriate list, the names referred to the department heads (certified) will be those of the top ten (10) people on said list, in alphabetical order irrespective of rank or test score. This does not apply to re-employment and transfer lists.
- 2. The Personnel Director will first use lay-off re-employment lists, then transfer lists, then resignation re-employment lists, then promotion lists, and finally open competitive lists in filling positions.
- 3. If there are fewer than five eligibles for a vacancy, the Personnel Director will require appointment from the eligibles available unless the appointing authority states in writing why the eligibles should not be appointed. Eligibles available will be presented by the Personnel Director to the appointing authority in alphabetical order irrespective of rank or test scores.

E. Appointment

After interview and investigation, the appointing authority shall make appointments from among those certified, and shall immediately notify the Director of Personnel of the person or persons appointed as well as the appointees involved. In the event that none of the

certified candidates is appointed, the appointing authority shall file his reasons with the Director of Personnel.

F. Temporary Appointment to Temporary or Permanent Positions

When a position cannot be filled by the assignment of a permanent employee or through an employment list, the Personnel Director may authorize the appointment of a temporary employee. Such temporary employees will not be eligible for benefits. Appointments to temporary positions or temporary appointments to permanent positions will end after three months and will not be subject to renewal without approval of the Personnel and Pension Board.

RULE IX PROBATIONARY PERIOD

A. Objective

The probationary or working test period will be regarded as part of the testing process. It will be used by supervisors and department heads to observe employee's work, to secure effective adjustment of new employees to their positions, and to reject employees whose performance does not meet required work standards.

B. Duration

Everyone appointed to a permanent position on or after July 18, 1951 will be required to successfully complete a probationary period. This working test will begin immediately upon appointment and will continue for six months. Appointing authorities may request, in writing, an extension of thirty days which must be approved by the Personnel Director. If the employees satisfactorily complete the probationary period and no requests for extensions are received, the appointment will be considered permanent.

C. Dismissal

1. Appointing authorities may recommend the removal of employees any time during the probationary period if

the employees are unable or unwilling to satisfactorily perform the duties of the position

the employees' behavior on the job and dependability do not merit continued employment

2. A recommendation for dismissal – and the reasons for it – will be made in writing to the Personnel Director with a copy to the employee. Probationary employees will not be removed from their positions without the approval of the Personnel Director.

3. Employees found to be appointed through fraud or error will be removed by the appointing authority within five days of notification by the Personnel Director.

D. Restoration of Dismissed Employees to Appropriate List

1. If probationary employees are removed from their positions and the Personnel Director decides that they are suitable for other positions, their names may be restored to the list from which they were certified.

2. Promoted employees who do not successfully complete their probationary period will be reinstated to the position in the class from which they were promoted.

RULE X ATTENDANCE AND LEAVES

A. Hours of Work

1. The standard work week for all classified employees will be 40 hours to be worked Monday through Friday for eight hours each day. The following groups will work the following hours:

| | |
|---|-------------------|
| General Clerical, Fiscal, and Administrative (City Hall Employees) | 35 hours per week |
|---|-------------------|

| | |
|--------------------------------|-------------------|
| Members of the Fire Department | 42 hours per week |
|--------------------------------|-------------------|

2. Hourly work schedules will be prominently posted in each department, affected employees will be notified, and schedules will be forwarded to the Personnel Director.

3. Supervisors and foremen will report all absences, lateness, and early departures with reasons for same to department heads. When department heads or supervisors feel that the reasons for absences, lateness, or early departures are unsatisfactory, they will report the incidents to the Personnel Director. Three unsatisfactory occurrences within one calendar year will be grounds for disciplinary action by the department head.

4. Employees will not be paid for time lost due to absences, lateness, and early departures for what department heads or supervisors consider unsatisfactory reasons.

B. Vacation Leave

1. Vacation leave will be accumulated in the manner described below:

| Employee Status | Leave |
|------------------------|--|
| Probation | No leave can be granted during probationary period. Vacation time will be allowed for probationary |

period once the employee becomes permanent.

| | |
|--|--|
| Up to 1 year | 1 day of paid vacation for each month worked – not to exceed 10 days |
| 1 year to 10 years | 2 calendar weeks of paid vacation |
| 10 years to 25 years | 3 calendar weeks of paid vacation |
| 25 years or more | 4 calendar weeks of paid vacation |
| 20 years to 35 years classified supervisory employees not belonging to a bargaining unit | 4 calendar weeks of paid vacation |
| 35 years or more classified supervisory employees not belonging to a bargaining unit | 5 calendar weeks of paid vacation |

- a. Employees reaching their tenth, twentieth, twenty-fifth, or thirty-fifth anniversary after July 1 of any year will receive their additional paid vacation the next year and each year thereafter.
- b. Employees taking their vacation during periods that include one of the holidays granted under these Rules will be entitled to an additional day of vacation.
- c. Employees leaving the service in good standing with the current year's vacation leave to their credit will either be granted the vacation leave before they leave the service or will be paid the salary equal to the vacation leave.
- d. The calendar month will be used to compute vacation leave. Employees permanently appointed during the first fifteen days of the month will be considered as having been appointed on the first day of the month. Employees appointed on the sixteenth day of the month or after will be considered as having been appointed on the first day of the next month. Vacation leave earned during the calendar year will be granted during the following calendar year. It cannot be carried from one year to the next, except by special permission of the department head and the Personnel Director, for up to a maximum of six months.
- (1) Employees may request payment instead of vacation time. The Personnel Director and the City Manager or the General Manager of the Public Utilities may approve this request if, in their judgment, it is in the City's interest. Department heads actually grant the payment.
- e. In all cases, vacation leave shall be granted when in the opinion of the department head, with due consideration of the wishes of the employee, it shall be convenient to the conduct of departmental operations.
- (1) Vacation leave granted in addition to normal two weeks annual leave need not be granted at the same time as the normal leave.

C. **Sick Leave**

1. Full-time employees will accumulate one day of sick leave with pay for each completed calendar month of service. Employees cannot accumulate more than 60 days of sick leave. Holidays granted under these Rules and regular days off will not be counted in computing sick leave taken. Classified supervisory employees not connected with a collective bargaining unit will accumulate one day of sick leave with pay for each completed calendar month of service. Such employees cannot accumulate more than 90 days of sick leave.

2. Supervisory employees of the Public Utilities Department who are covered by an Accident and Sickness Insurance Policy will be eligible for those benefits after their accumulated sick leave has been used.

3. Sick leave will be granted because of illness, non-compensable bodily injury or disease, exposure to contagious disease, or attendance upon immediate family members whose illness requires the employee's care. Immediate family is defined here as father, mother, sister, brother, wife, husband, mother-in-law, father-in-law, a child related by blood or marriage to the employee, or other relatives who are actual members of the household.

4. Employees who use sick leave for any of the reasons listed above will report their absence and the reason for it to their department heads before noon of the first day of absence. When relief employees are required, the employees taking sick leave should, if possible, report their absence at least three hours before they were to report to work. Sick leave will not be granted unless the absence has been reported as described in this Rule.

5. Employees reporting illness on the job during the first four hours of work will receive one-half day of pay. The balance of the day will be charged to sick leave. Employees reporting illness on the job during the last four hours of work will receive a full day's pay.

6. Department heads may require proof of illness or other uses of sick leave. In the judgment of the department head, proof of sick leave may include a doctor's certificate. For absences of less than five days, proof of sickness may not be required unless, in the judgment of the department head, there is a question of misuse of sick leave or time off. For absences of five days or more, a doctor's certificate indicating the nature and probable duration of the disability shall be required, and additional certificates may be required for extended illnesses.

7. In extreme emergencies, employees with an excellent service record who, through serious and lengthy illness, have used up all their sick leave, compensatory time, and vacation time may apply for an extension of sick leave. The request may be made to the Personnel Director. The Personnel Director and the City Manager or the Manager of the Public Utilities must approve the request in writing. The Personnel Director will refer such cases to the Personnel and Pension Board.

8. Classified supervisory employees not connected with a collective bargaining unit will, upon retirement, receive full payment for unused sick leave. Payment will be calculated on the basis of employees' wages at the time of retirement.

9. Expectant fathers may use sick leave to make adjustments in family living conditions due to the pregnancy of their wives.

D. Maternity Leave

1. Employees who become pregnant will notify in writing their department heads and the Personnel Director of their pregnancy before the third month. Employees in good standing may resign or take maternity leave.

a. Employees who want to take maternity leave and return to their same positions must notify in writing their department heads and the Personnel Director two months before the expected delivery date. Employees will then be assigned to their former positions upon returning from leave.

b. Leave will begin when, in the written opinion of their doctors, the employees are no longer physically able to work or when labor begins, whichever comes first. Leave will end when, in the written opinion of their doctors, the employees are physically able to work. Leave will not continue for more than 60 calendar days after delivery unless there are unusual medical difficulties.

c. Employees who are unable to return to work 60 calendar days after delivery may apply to the Personnel Director for an extension of up to 30 calendar days. If granted, the positions the employees left may or may not be held for the extended period; this decision is subject to the approval of the appointing authority.

d. Employees who want to resign are subject to Rule XII, Section E of these Rules.

2. Employees on maternity leave are entitled to use their sick leave and any other earned paid leaves. If paid leaves are used up or not taken, the employees will be carried on leave of absence without pay for no more than 60 days after delivery.

3. Employees who want to use paid leaves should notify in writing the Personnel Director two months before the expected delivery date.

E. On-the-Job Personal Injuries

1. Employees will be compensated for injuries, including occupational diseases defined by the Connecticut Worker's Compensation Act, suffered in the course of City employment.

a. Employees, as a result of their work may come into contact with people or animals with contagious diseases. Some of these employees are required to handle cultures

or collections of agents capable of producing human disease. Employees of this type will be examined by a doctor on behalf of the City before beginning their duties and at regular periods during their employment. If these employees are found to be infected with a contagious disease contracted in the course of their employment with the City, that disease will be considered a personal injury. The employees will be entitled to all the benefits to which an injured employee is entitled under the Connecticut Worker's Compensation Act.

(1) In addition, such employees will receive from the City the difference between the benefits under the Connecticut Worker's Compensation Act and their annual salary. This payment will continue for a period of time in accordance with the Worker's Compensation Act. In return, affected employees must sign a contract with the City under which they agree that, should someone other than the City be found legally liable to pay damages, the City will have the right to collect the amount it paid to the employees from the liable party.

2. Payments will not be made to employees when an injury or disease was caused by their own willful and serious misconduct, intoxication, or improper or excessive use of drugs.

3. On-the-job injuries and diseases will be reported immediately by employees to their department heads. The department heads will make a full report to the Personnel Director and other City authorities responsible for handling compensation.

4. Should employees die as a result of job-related injuries, designated beneficiaries will receive from the City of Norwich a sum equal to the daily rate of pay he or she was receiving at the time of his or her death multiplied by sixty in addition to the other forms of compensation authorized in this Rule.

F. Special Leave

1. Employees may be granted a leave of absence with pay for a maximum of three days to attend funerals of immediate family members. Such leave must be approved by their department heads and the Personnel Director.

2. Employees may request leave of absence with pay to attend to other family obligations in their immediate families. The request must be made on forms supplied by the Personnel Department and include reasons for the leave. Department heads will grant the leave if approved by the Personnel Director and the City Manager.

3. For the purposes of this section, immediate family shall mean father, mother, sister, brother, wife, husband, mother-in-law, father-in-law, a child related by blood or marriage to the employee, or other relatives who are actual members of the household.

4. Employees will be granted leaves of absence for required jury duty or any other civic duty requiring appearance before a court or other public body. Such employees will receive the

portion of their salary which will, together with their jury duty pay or fees, equal their total salary for the period covered unless this section is in conflict with a state or federal law.

5. Employees, subject to the approval of their department heads, will be granted a leave of absence with a half days pay to attend funeral services for fellow employees.

6. Leaves with pay may be authorized for accredited delegates of each local union, employee, and veterans' organization to attend state and national conventions. Leaves with pay may also be granted for official representatives of the City to attend state or national meetings of professional societies and organizations. All such leaves must be approved by the department head and the City Manager or the Manager of the Public Utilities and must last no longer than one week.

7. Leaves with pay to attend training courses or other official activities may be granted to permanent employees. Department heads grant such leave with the approval of the City Manager or the Manager of the Public Utilities and the Personnel Director.

8. Employees who are members of the armed forces of the state or of any reserve group of the armed forces of the United States and who are required to undergo field training will be entitled to a leave of absence with pay in addition to their annual vacation. This leave cannot be more than two weeks during any calendar year, and it must be used for the field training. The pay received from the City will equal the difference between the employee's regular salary and their pay for their military service. If the pay for the military service is more than their salary from the City, no pay will be given by the City.

9. Nothing in this section prevents employees from attending annual field training during their regularly scheduled vacation if they should wish to do so.

G. Leaves of Absence Without Pay

1. Department heads may grant permanent employees a leave of absence without pay for a period of no more than a year for travel, health, or study. Such leave will be granted only when the interests of the City will be served by doing so. Employees requesting leaves for any of the above purposes must do so in writing, and they must guarantee they they will work for the City for at least a year after their return. The leaves must be approved in writing by the Personnel Director and the City Manager or Manager of Public Utilities, signed by the department head, and one copy filed with the Personnel Director.

2. When the leave ends, the employees will return to the positions they held at the time leave was granted. Failure to report to work without good cause at the end of a leave will be considered a resignation.

3. Leaves primarily in the employees' interest will be granted only after the City considers and decides each case on its merits.

4. The Personnel Director and the department head may approve a one month leave of absence for permanent employees. Employees requesting such leave should apply through their department heads by stating their reasons in writing for taking the leave.

H. **Absent Without Leave**

Employees absent for part or all of a day without permission will be considered absent without leave. Such absences will be without pay and may be subject to disciplinary action. Employees who are absent without leave for three consecutive days or on three separate occasions for less than three days will be considered as having resigned. The Personnel Director may reconcile such action by granting a leave after the incident if conditions justify such action.

I. **Procedures for Requesting Leave**

The procedures for requesting each type of leave permitted by the City of Norwich are described in the preceding sections. Requests for leave should be made far enough in advance to allow time to carry out these procedures.

J. **Holidays**

1. The following days will be granted as paid holidays to all employees:

| | |
|------------------------|------------------|
| New Year's Day | Independence Day |
| Martin Luther King Day | Labor Day |
| Lincoln's Birthday | Columbus Day |
| Washington's Birthday | Armistice Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | Christmas Day |

2. When a holiday falls on a Saturday, the Friday before will be observed as the holiday. When a holiday falls on a Sunday, the following Monday will be observed as the holiday.

a. The Personnel Director, with the approval of the City Manager and/or the Manager of the Public Utilities, may authorize additional full or partial days off for the employees for all departments (excluding regular firefighting and police forces). Such authorizations will permit early closing for severe snow storms, extreme hot weather, at times of celebration, and the day before a holiday falling on a Tuesday or the day following a holiday falling on a Thursday.

b. When the welfare, safety and convenience of the public prevents closing or the use of skeleton forces, full forces shall be maintained. In order to insure uniform treatment of employees, all who are required to work during such authorized time off, except those excluded above, will be granted compensatory time off.

c. Uniformed employees of the police and fire departments will receive additional days of vacation leave with pay in lieu of paid holidays equaling the same number of paid holidays granted to other City employees during the year.

d. When holidays fall on Saturdays, those employees who, because of the nature of their duties, are required to work will be paid at the straight time rate plus holiday pay unless they have worked over 40 hours. In that case, Rule IV, Section 5, Paragraph H shall apply.

e. Employees absent without leave on the last working day before a holiday or the first working day after a holiday will not be paid for that holiday.

RULE XI IN-SERVICE ACTIVITIES

A. Employee Training

A training system will be developed to assist employees to qualify for more responsible positions. The Personnel Director will:

- encourage employees to take courses in night schools

- suggest supervisory training programs

- provide methods for informing employees of the activities and functions of other departments

- counsel employees at their request

- inform employees about the possibilities for advancement in City service and suggest additional training

B. Employee Health and Welfare

The Personnel Director will promote satisfactory, safe, and healthy working conditions that contribute to high morale, greater efficiency, and a low rate of turnover. Such an employee health and welfare program may include:

- group insurance

- group medical and nursing care

- a credit union

- improved working conditions

- nonfinancial incentives such as awards for long service

- an employee's magazine or newspaper

C. **Service Ratings**

1. The Personnel Director may establish a service rating system along with regulations and procedures for administering it and using the results. The Department head and employee representative will participate in developing such service rating system which would be based on standards of performance. Such a system must be approved by the Personnel and Pension Board.

2. When such a system has been established, it will become part of these Rules. All ratings will be confidential. They will be available to the employees involved who will review them with their department heads or their immediate supervisor.

D. **Dismissals**

1. Department heads may dismiss employees for just cause, including, but not limited to:

activities described in Rule XV, Section 3, "Prohibited Practices"

insubordination

inefficiency

abuse of sick leave

inability to perform the work of the job because of physical or mental incapacity based on medical evidence

misconduct

other similar just cause

2. Dismissals of employees will not take effect unless, five days prior to the effective date, the employee involved and employee representative receive a written statement from the appointing authority giving in detail the reason for the dismissal. A copy of the statement must be filed with the Personnel Director. Permanent employees have the right to appeal in writing to the Personnel and Pension Board within one calendar week (see Rule XIII, Section C). They will be granted a hearing as provided in these rules.

3. Nothing in this or any other rule prohibits an appointing authority from suspending an employee before dismissal while awaiting preparation and service of charges. However, the procedures concerning the notice and duration of suspensions established in the Charter must be followed, and the employee and the employee representative must be notified at the time of the suspension that dismissal will follow.

RULE XII PENALTIES AND SEPARATION

A. **Demotion**

1. Department heads may, for just cause, reduce employees' salaries within the range provided in the pay plan or demote them. The Personnel Director's approval is needed to do this. At least five days before such action takes effect, the employee involved, the employee representative, and the Personnel Director will receive a written explanation of the reasons for the action.

2. Demotions for disciplinary reasons will not be made unless the employees involved are eligible for permanent employment in a lower class. No permanent employee in a lower class will be laid off to make room for a demoted employee. Permanent employees who are demoted may appeal in writing for a hearing with the Personnel and Pension Board within five calendar days of their notification of the demotion.

- a. Permanent employees who are certified by a medical doctor as physically or mentally incapable of performing their duties may be assigned to a lower class. Reassignment may be made if the employees involved have satisfactory service and attendance records and if there is an opening in the lower classification.

1. The department head must acknowledge that the employees involved can no longer do their work and report the situation to the Personnel Director. The Personnel Director will approve or disapprove the requested action after reviewing the facts through hearings and consulting with medical practitioners, psychiatrists, or others. Employees dissatisfied with the decision will be granted a hearing before the Personnel and Pension Board after requesting it in writing within ten days of their notification.

B. Suspension

1. Employees will not be suspended for more than thirty days without written notice and an opportunity for a hearing. The written notice must include the reasons for the proposed action. The hearing will be conducted before the Personnel and Pension Board between five and ten days after the employees receive notice of the action. Such a hearing may be public if the employees involved request it. Employees may be represented by counsel. The decision of the Personnel and Pension Board may be appealed by either party to the State Board of Mediation and Arbitration.

2. The Personnel Director will be sent a copy of all suspension notices sent to employees.

C. Layoffs

1. Department heads after notifying the Personnel Director and the employee representative, may lay off permanent employees for any of the following reasons:

- lack of work or funds
- elimination of the position
- reorganization of the department

other related reasons outside the employer's control

2. Layoffs do not reflect discredit on the employees involved.

3. The duties performed by employees who have been laid off may be re-assigned to other employees already working in appropriate classes.

4. Separation from service due to disciplinary action or penalty will not be considered a layoff.

a. Order of Layoff. Employees will be laid off in reverse order of seniority within a department, regardless of job classification, provided that the senior employees to be retained are capable of filling the remaining jobs. Employees who have been laid off will be eligible for re-employment as described in these rules (see Rule VII).

(1) Temporary and seasonal employees will be laid off before probationary or permanent employees so long as there is a probationary or permanent employee who meets the minimum class qualifications.

(2) When two or more employees in an organizational unit have identical lengths of service, the layoff will be based on the date and time stamped on their applications by the Personnel Department.

b. Notice of Layoff. Department heads will give written notice to the employees involved and their employee representatives of a proposed layoff and reasons for it. This notice must be sent out two weeks before the effective date of the layoff. Department heads will give written notification of employment ending dates to temporary, part-time, or other occasional employees and the Personnel Director at the time of appointment. Written notice of layoffs with the reasons for them may be given to temporary employees at any time before the date of layoff.

E. Resignations

1. To resign in good standing, employees must give the appointing authority at least seven calendar days prior notice. The appointing authority may, because of extenuating circumstances, agree to permit a shorter period of notice.

2. Employees must provide the appointing authority with a written resignation stating the reasons for leaving. The appointing authority will forward the resignation to the Personnel Director.

3. Failure to comply with this Rule will immediately be reported to the Personnel Director who will enter it into the employee's Personnel file with a copy to the employee representative. Such failure may be reason for denying employees future employment with the City. The Personnel Director may take steps to learn the reasons for the resignation. He

or she will notify the employees in writing as to the acceptance of their resignations. The Personnel Director will also notify the Finance Department of the effective date of the resignation.

RULE XIII HANDLING APPEALS, COMPLAINTS, AND SUGGESTIONS

A. Appeals Regarding Dismissal, Demotion, or Suspension

1. A permanent employee who is dismissed, demoted, or suspended may appeal in writing to the Personnel and Pension Board within ten calendar days of the date when the action takes effect. The Board will hold a hearing within ten calendar days of the date it received notification of the appeal. It will notify by registered mail the department head, the employee involved and the employee representative of the time and place of the hearing. The affected employee may request that the hearing be open to the public. Both employee and department head may have a legal or other type of representative present. Testimony will be limited to the stated charges and a transcript will be made of the proceedings. However, technical rules of evidence will not apply.

2. After hearing and considering the evidence, the Personnel and Pension Board may decide

- a. to reinstate the employees involved
- b. to confirm the suspension, demotion, or dismissal
- c. to place the employee on an employment list for future employment in the same or another department
- d. to approve other action it considers appropriate

3. Either party may appeal the decision of the Personnel and Pension Board to the State Board of Mediation and Arbitration.

4. The Personnel and Pension Board will promptly file a written statement of its findings and decision with the appointing authority taking the action. The complaint, all written documents considered by the Board, the transcript of the proceedings, and the findings and conclusions of the Board will be promptly filed in the Personnel Office and will be public record.

B. Complaints and Grievances Not Relating to Suspensions, Demotions, or Dismissals

1. Complaints and grievances because of actions affecting employment status or conditions of employment will be handled as follows:

- a. The grieved employee and/or the representatives will take up grievances with the immediate supervisor who will try to resolve the situation.
- b. If the immediate supervisor is unable or unwilling to resolve the grievance, the grievance should be put into writing and sent to the division or department head with

a copy to the employee representative and the Personnel Director. The division or department head will discuss the grievance with the employee and his or her representative (if they have any) and try to resolve the problem. The division or department head will write his or her findings and advise the affected employee, the employee representative and the Personnel Director of his or her decision.

- c. If the employee is not satisfied with the decision, he or she can send the reason for the grievance along with all the facts to the Personnel Director.
- d. Within ten days of receiving the complaint, the Personnel Director will hold a meeting with the affected department head, the employee and the representative, and any other people involved in the complaint. The Personnel Director will preside over the meeting and hear the entire case in order to obtain all the facts.
- e. The Personnel Director will make a complete report of his or her findings and give a written decision to the affected employee, the employee representative and department head.
- f. The Personnel and Pension Board may review the Personnel Director's decision.
- g. Either party may appeal the decision of the Personnel and Pension Board to the State Board of Mediation and Arbitration.

C. Suggestions

The Personnel Director will set up a system for receiving, acknowledging, and acting upon employee suggestions for improving municipal service. He or she will submit reports on suggestions to the City Manager or the Manager of Public Utilities.

RULE XIV RETIREMENT ALLOWANCE

- A. All people (except teachers) beginning employment with the City after August 2, 1951 will be members of the City of Norwich Employees' Retirement Fund which was established in the special laws of 1945, page 675, as amended. All other employees (except teachers) of the City and Town as of August 2, 1951 may become members of this fund. To do so, they should apply to the Personnel Director and withdraw from the retirement funds in which they are presently participating. The Personnel and Pension Board may require that they contribute back payments to the City of Norwich Employees' Retirement Fund.
- B. The Personnel and Pension Board will administer the City of Norwich Employees' Retirement Fund, the Firemen's Pension and Relief Fund, and the Policemen's Retirement Fund.
- C. Employees who are members of any of the organizations listed in Section B of this rule will be retired at ages specified in their respective pension rules.
- D. Employees working under a City pension plan may be extended in their employment beyond seventy years of age on a year-by-year basis with the approval of the Personnel and

Pension Board up to age 73. Employees not belonging to a City pension plan may work until they are no longer able as determined by the department head and the Personnel Director.

RULE XV GENERAL PROVISIONS AND PROHIBITIONS

A. Personnel Records

1. Personnel records will be available to the public in accordance with State Freedom of Information Act provisions.

2. The following are exceptions to public availability:

tests

service ratings

personnel histories

records specified by these Rules or by the Personnel Director as confidential

3. The Personnel Director will maintain any records necessary for efficient operation of the personnel system.

B. Personnel Forms

The Personnel Director will develop forms for reporting personnel changes. The forms will provide space for including any information the Personnel Director feels is important.

C. Prohibited Practices

1. The provisions in this section are based on Chapter XIV, Section 2, of the Charter of the City of Norwich.

2. No one seeking employment with the City will be favored or discriminated against because of race, age, creed, color, sex, former criminal record, national origin, handicap status or political or religious beliefs.

3. No one will make false statements, certificates, marks, ratings, reports, or any other type of fraud regarding tests, certification, promotion, demotion, removal, or appointment in the City.

4. No one will, either directly or indirectly, solicit, pay, render, receive, or give money, service or other valuables to another person in connection with tests, appointments, promotions, demotions, lay-offs, or dismissals.

5. Employees must conform to legal restrictions on political activities including the following provisions: no employee will use his or her official position to affect elections or

nominations; no employee will attempt to coerce any other state or local officer or employee to contribute to a political party; no employee will engage in political activity while on duty; no employee will use municipal funds, supplies, vehicles, or facilities in any political activity.

D. Compliance with Charter

All City officers and employees will comply with and aid in carrying out the provisions of the City Charter, these Rules, and special departmental regulations. Officers and employees who fail to do so will be subject to all penalties and remedies provided by law, now or in the future. In addition, officers or employees who are convicted of willfully violating Charter provisions of these Rules will be terminated and will lose their eligibility for employment in any position in the City for five years.

E. Regulations Inconsistent with City Charter

1. If any section or portion of a section of these Rules does not conform with state law or the City Charter, its lack of conformance will not affect the force of the other Rules.

2. In accordance with Chapter XIV of the City Charter of the City of Norwich, any rules or regulations, or parts of rules or regulations, established by any office, board, commission, institution, or agency which are inconsistent with these Rules are declared without force.

F. Information to be Included in Employees' Personnel Files

1. Signed letters claiming misconduct, abuse, or other prohibited practice by employees shall be referred by the City Manager to the head of the department in which the affected employees work. The department head will investigate the claim, take appropriate action, and report to the City Manager.

2. If the charges are found to be false, the letter along with the findings will be filed in a complaint file. If the charges are true, the letter and the department head's report will be included in the employee's file. Within one week of receiving the material, the Personnel Director will notify the affected employee(s) and the employee representative in writing that this information is being placed in their personnel files.