

MEMORANDUM

February 12, 2021

TO: Mayor John P. Kahl and Members of City Council

FROM: Scott A. Brunton, City Attorney's Office

SUBJECT: Ordinance Revising Personnel Policy Manual – Job Promotion and Transfer Provisions

DISCUSSION:

The City seeks to clarify the “Promotions and Transfer Policy” in the City’s Personnel Policy with regard to the change of a position from part-time to full-time. Specifically, when a part-time position is changed to full-time, the “Promotions and Transfer Policy” infers that the position must be posted and advertised as a new job opening. This Ordinance revises the “Promotions and Transfer Policy” provision in the Personnel Policy Manual to allow flexibility as to whether the new full-time position must go through the same process as a regular job opening and thereby allowing the current employee holding the part-time position to move into the full-time position that performs the same job functions.

RECOMMENDATION:

Approval of this Ordinance.

c: Teresa Durm
Dennis R. Triggs

ORDINANCE NO. 4556

**AN ORDINANCE AMENDING THE PROMOTION AND TRANSFER PROVISIONS
OF THE CITY OF EAST PEORIA PERSONNEL POLICY MANUAL**

WHEREAS, the City of East Peoria established its Personnel Policy Manual by Ordinance No. 2474 in November 1990, which has been subsequently amended and updated by various ordinances including a significant revision and re-issuance in July 2014 by Ordinance No. 4173; and

WHEREAS, the City Council finds that additional revisions and clarifications to the job promotion and transfer provisions of the Personnel Policy Manual are necessary and are in the best interests of the City and its employees; and

WHEREAS, by making these revisions and clarifications to the Personnel Policy Manual, the City Council is not taking any action intended to create any contractual rights for any City employee or to change employee rights that are governed by a bargaining agreement for any employee group;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The section 4.22 (“Promotions and Transfer Policy”) of the City’s Personnel Policy Manual is hereby amended as follows (additions are indicated by underline; deletions by ~~strikeout~~):

Section 4.22 – Promotions and Transfer Policy. Subject to the operational requirements of the City, and the need to fill positions within its operations with individuals qualified for particular positions by reason of their education, training, special knowledge or expertise, or prior employment experience, the City's policy is to promote the development and growth of its current employees by giving them favorable consideration for promotions and/or transfers to new job categories or classification descriptions within the City's operations when vacancies occur or new positions are created. To aid in the effectuation of this policy and subject to the operational requirements of the City, the Department Heads are directed to post notices of vacancy for job openings within the City administration not subject to special statutory or administrative hiring procedures to provide notice to current employees and to the community of available positions. Those employees who desire to be considered shall submit their application for the opening or vacant position, which will be considered together with the applications of others. The credited continuous service of current employees will be taken into consideration along with all other factors in selecting an individual to fill the vacancy or position. Where two or more employees are being considered, and their relative qualifications are

determined to be equal, the employee with greater credited continuous service will ordinarily be given preference based upon his or her credited continuous service, subject to any statutory or contractual requirements. However, if a position is changed from part-time to full-time and the position retains the same or similar job functions and responsibilities as determined by the City, the requirement under this Section to post this new full-time position as a job vacancy or a new position may be waived at the discretion of the City.

Except in extraordinary situations as determined by City Officials, an employee who has not completed the initial evaluation period as set forth in Section 2.2 of this Manual shall not be eligible for a promotion or voluntary transfer to another position within the City's operations. If an employee does transfer to a different job category or classification within the City's operations, the employee will not be eligible for another transfer for a period of 12 months. Furthermore, an employee receiving a promotion or transfer within 90 days prior to a new fiscal year shall not be eligible for a pay increase for the new fiscal year, but may be eligible for a pay increase in subsequent fiscal years. An employee receiving a promotion or transfer shall retain all hours of paid leave (vacation, personal, and sick leave) when moving to the employee's new position. If the employee transfers into a position covered by a bargaining agreement, the employee shall begin receiving paid leave in accordance with bargaining agreement upon commencing work in the new position while retaining all paid leave earned in the employee's prior position.

Decisions regarding the promotion or transfer of employees, and the hiring of new employees shall be made by the Mayor and City Council unless delegated to individual Commissioners or individual Department Heads. If an employee receives a promotion or transfers to a different job category or classification and receives an increase in salary or wages as a result of the promotion or transfer, the employee will not be eligible for an increase in salary or wages until the employee has served six months in the new position. Furthermore, if an employee receives a promotion to a supervisory or managerial position, which would include, but not be limited to, a department head or assistant department head, the employee shall be placed at the minimum step ("Step A") for the particular grade for the employee's new job category or classification on the salary schedule (or "pay plan") in place at the time of the employee's promotion. However, in extraordinary situations as determined by City Officials and/or the Mayor City Council, an employee may be placed at a higher step on the salary schedule (or "pay plan") at the time of the employee's promotion to a supervisory or managerial position.

Section 2. This Ordinance is hereby ordered to be published in pamphlet form by the City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 3. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith except as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval, and ten (10) day period of publication in the manner provided by law.

Section 5. The City Human Resources Director is directed to furnish a copy of these changes to the Personnel Policy Manual to all City employees when future updates are provided to City employees.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWell COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel