

CITY OF POMONA

PERSONNEL RULES AND REGULATIONS (PERSONNEL RULES)

Effective August 20, 2003



**These Rules Do Not Create A Contract Of Employment, Expressed Or Implied,
Or Any Rights In The Nature Of A Contract**

Any rules, regulations, policies or procedures covering any or all of the topics, hereinafter indicated, that pre-date these rules are hereby declared null and void. Henceforth, this document titled "Personnel Rules" is the only valid document pertaining to the topics herein indicated. Any conflict between the topics indicated in these rules and any other document shall be decided in favor of these "Personnel Rules", except when there is a conflict between the "Personnel Rules" and an approved Memorandum of Understanding (MOU) or the Personnel Rules and Regulations for Executive Management Group A and B Employees. In those cases, the MOU or the Personnel Rules and Regulations for Executive Management Group A and B Employees shall prevail.

Amendments/changes/modifications to these "Personnel Rules" must be in writing and can be approved only by the City Manager. Those amendments/changes/modifications which effect wages, hours and/or working conditions are "meet and confer" items and must be signed by the City Manager and any affected employee association.

TABLE OF CONTENTS

	PAGE
I. GENERAL PROVISIONS	1
A. Purpose	
B. Authority	
C. Applicability	
D. Scope	
E. Personnel system	
F. Non-discrimination	
G. Equal employment opportunity	
H. Departmental rules	
I. Amendments/revisions	
J. Exclusions	
II. CLASSIFICATION PLAN	3
A. Establishing the plan	
B. Adoption of the plan	
C. Allocation of positions	
D. Reclassification	
E. Abolishing or consolidating positions	
F. Salary adjustment	
G. Acting assignment	
III. COMPENSATION PLAN	9
A. Establishing the plan	
B. Adoption of the plan	
C. Payroll deductions	
D. Setting rates of pay	
E. Plan administration	
F. Overtime	
G. Salary reduction/loss of pay	
H. Frozen pay rate (y-rate)	
IV. EMPLOYMENT	16
A. Guidelines	
B. Requests to fill positions	
C. Appointments	

Table of Contents
Personnel Rules

D.	Examinations	
E.	Recruitment	
F.	Process for open examinations	
G.	Process for promotional examinations	
V.	EMPLOYEE DEVELOPMENT	33
A.	Training	
B.	Reimbursement programs	
C.	Performance evaluation	
VI.	SEPARATION	38
A.	Retirement	
B.	Resignation	
C.	Layoff	
D.	Termination	
E.	Exit Interview	
F.	Return of City Property	
G.	Reemployment	
VII.	RECORDS	42
A.	Official file	
B.	Review of file	
C.	Update of file	
VIII.	DEFINITIONS	43

SECTION I GENERAL PROVISIONS

A. PURPOSE

The purpose of these Personnel Rules (Rules) is to facilitate an effective personnel system for the functions hereinafter indicated, which ensures fair and equal treatment for employees and the public.

B. AUTHORITY

The Charter of the City of Pomona and the Municipal Code, Article IV set forth the authority and responsibility of the City Manager to establish and administer “Personnel Rules” and “Administrative Policies” for a personnel system. The Personnel Rules and Administrative Policies may be revised or amended from time to time, as the occasion demands, by the City Manager subject to the duty to meet and confer on items which affect wages, hours, and working conditions.

C. APPLICABILITY

These Rules govern all regular full-time employees of the City of Pomona, except those indicated in Article J of this Section.

D. SCOPE

The Rules incorporated herein shall not preclude the development of operating rules, procedures, or policies within each department of the City nor the development of personnel or administrative policies and procedures governing the implementation of these Rules. However, departmental rules, procedures, and/or policies shall not conflict with these Rules.

E. PERSONNEL SYSTEM

The City of Pomona hereby establishes the personnel system for the selection and promotion of employees of the City, on the basis of merit, experience, and record, in order to: 1) secure and retain the most efficient and courteous employees to handle the City’s business and administer its affairs; and 2) to provide officials and employees reasonable security in the retention of their positions and to afford them an opportunity for advancement according to merit.

F. NON-DISCRIMINATION

No appointment to or removal from any office, position, or employment in the City Government shall be made or withheld for any reason other than being evaluated as “not qualified” under the merit system or otherwise determined to be ineligible under these Rules.

G. EQUAL EMPLOYMENT OPPORTUNITY

The City shall employ, retain, promote, terminate, and otherwise treat all employees and job applicants on the basis of merit, qualifications, and competence. This rule shall be applied without regard to any individual's: race, color, sex, age, religion, political affiliation, sexual orientation, national origin, marital status, ancestry, physical or mental disability, or pregnancy, so long as bona-fide occupational qualifications (BFOQ's) are met. Any questions regarding a BFOQ should be directed to the Human Resources/Risk Management Director.

H. DEPARTMENTAL RULES

A department may adopt and administer departmental rules, which are supplementary to and not inconsistent with these Rules, the merit principle, MOU's, or City policies. Any change in departmental rules which affect the terms and conditions of employment may be meet and confer items and must be coordinated with the Human Resources/Risk Management Director. All departmental rules and revisions should be shared with the representative(s) of the applicable employee association.

I. AMENDMENTS/REVISIONS

The City of Pomona retains the right, subject to the meet and confer or meet and consult processes as appropriate, to modify, supplement, revise, or rescind any provision of these Rules with reasonable notice, as it deems appropriate, at its sole and absolute discretion.

J. EXCLUSIONS

These Rules shall apply to all employees of the City including those sworn positions that are grant funded except for those employees or employee groups that are specifically excluded. Those employees or employee groups that are specifically excluded from these Rules are: 1) the City Manager and all other Group A and B employees as delineated in the Personnel Rules and Regulations for Executive Management Group A and B Employees (Rules A and B); 2) employees whose positions are funded under a state or federal employment program; 3) employees designated as volunteers, temporary, hourly part-time, per diem, or provisional; 4) elected officials; 5) members of appointed boards or commissions or committees; and 6) persons engaged under contract to supply expert, professional, or technical services.

The aforementioned excluded employees or employee groups hold their positions “at the will” of the City Manager, or his/her designee, and are not obligated by or entitled to the benefits or protections provided by these Rules.

SECTION II CLASSIFICATION PLAN

A. ESTABLISHING THE PLAN

1. Purpose

The purpose of the Classification Plan is to ensure each position is allocated to the appropriate classification.

The Classification Plan is, in effect, an occupational inventory of the positions in the City service that standardizes classification titles for purposes of personnel record keeping, examinations, pay administration, and related personnel administrative objectives.

2. Preparation

The Human Resources/Risk Management Director shall ascertain and record the duties and responsibilities of all positions in the classified service and, after consultation with affected appointing authorities and department directors shall recommend to the City Manager (for City Council approval) a Classification Plan for such positions. The Classification Plan shall consist of classifications of positions defined by written classification specifications that set forth the position title, a definition of the classification, duties, responsibilities, essential and non-essential job functions, and minimum requirements to qualify for appointment to the position. All positions substantially similar, as to duties performed and the responsibilities exercised as to their qualifications and other requirements, shall be assigned to the same classification and salary scale. The Human Resources/Risk Management Director shall maintain the classification system and will conduct studies as necessary to review classifications and maintain internal alignment and market competitiveness in the classified service. Reassignment of a position where there has been a significant change in title, duties, or minimum qualifications may require a reclassification study.

B. ADOPTION OF THE PLAN

1. Authority

Before the Classification Plan or any part thereof shall become effective, the City Manager and the City Council, respectively, shall first approve it.

2. Adoption

Upon adoption by the City Council of the provisions of the Classification Plan, the Plan shall be adhered to in the handling of all personnel actions and activities. The Classification Plan shall be kept on file in the Human Resources Department.

3. Modification

The Classification Plan shall be amended or revised in accordance with Section I, Article I. Amendments/Revisions. The Human Resources/Risk Management Director shall make, or cause to be made, periodic studies of position classifications in order to determine whether individual positions are appropriately classified.

C. ALLOCATION OF POSITIONS

1. Classifications

Each position in the classified service shall be allocated by the Human Resources/Risk Management Director to one of the classifications established by the Classification Plan. When a new position has been created, before same may be filled, the appointing authority shall notify the Human Resources/Risk Management Director and, except as otherwise provided by these Rules, no person shall be appointed or promoted to fill any position until the Classification Plan has been amended to provide therefore.

2. Positions

- a. All positions in the City are grouped into classifications. Each classification includes positions sufficiently similar in duties and responsibilities to require similar education, experience, knowledge, skills, abilities, and personal characteristics and are sufficiently alike to permit use of a single descriptive title, the same qualification requirements, and the same test for competence.
- b. Classification specifications are descriptive and explanatory only; they are not restrictive and/or definitive. They indicate the kinds of duties performed “in general” by the classification but do not prescribe all of the duties and responsibilities of any one position.

For each classification of positions initially established or subsequently approved, the classification specification shall include:

- 1) The official classification title that should be as descriptive as possible of the duties assigned.
 - 2) A definition of the classification indicating the general type of duties and responsibilities of the classification and the amount of supervision received and exercised.
 - 3) A statement of typical tasks, essential and non-essential functions, to be performed by persons holding positions assigned to the classification and the critical knowledge, skills, and abilities required to hold the position.
 - 4) Minimum entrance qualifications for admission to examination and service in the classification.
- c. The Human Resources/Risk Management Director may recommend the creation of new classifications, or the elimination, or combination of existing classifications, within the Classification Plan, as the needs of the City require.

- d. A request to establish a new classification may be made by a department director (in writing) to the Human Resources/Risk Management Director. The request shall include a statement of proposed duties, minimum qualifications, and as much other information as possible relevant to the proposed classification.
- e. The City Manager, or Human Resources/Risk Management Director or designee (as determined by the City Manager), shall approve new or modified classification specifications.

3. Status

a. Exempt

Exempt employees include all full-time, or temporary employees whose positions are determined to be exempt from the overtime provisions of the Federal Fair Labor Standards Act (FLSA). Such employees normally serve in positions designated as exempt executive, administrative, or professional.

b. Non-Exempt

Non-exempt employees include all full-time or temporary employees who are covered by the overtime provisions of the FLSA. Employees in this category are entitled to premium pay at the rate of one and one-half times their regular hourly rate of pay for all hours worked in excess of their regular workweek or, where applicable, premium pay in accordance with the employees' MOU.

D. RECLASSIFICATION

Positions, for which the duties have changed materially over time so as to necessitate reclassification, shall be allocated to a more appropriate classification, whether new or already created, in the same manner as originally classified or allocated. Reclassifications shall not be used for the purpose of avoiding restrictions surrounding demotions and promotions or solely to obtain salary increases.

Any position which is created or changed as a result of a reorganization or assignment of new duties and responsibilities shall be filled through the normal selection process as provided for in these Rules.

1. Request for Review

Reclassification study requests shall be submitted to the Human Resources/Risk Management Director no later than January 1st of each calendar year. The Human Resources Department shall complete all timely requests for studies so that recommendations for changes in classifications can be submitted for consideration with the annual budget. Requests for studies received later than the scheduled budget cutoff date shall be held over for recommendation at the time of the mid-year budget review.

A department director, recognized employee association, or an incumbent employee may initiate the request for a classification study/review of an existing position. The Human Resources/Risk Management Director shall evaluate all requests and determine whether or not sufficient information exists to justify a study.

2. Incumbent (encumbered position)

When the City has assigned duties to an encumbered position, which has caused material changes to the duties and responsibilities of said position, the Human Resources/Risk Management Director shall recommend that the position be reclassified to a more appropriate classification.

3. Voluntary Assumption of Duties

Employees will not assume voluntary duties outside the requirements of their classification.

4. Change in Salary Level

When positions are reclassified to a classification at a different salary scale, the following shall apply:

- a. When all of the positions in a classification are reclassified to a higher level, the incumbents shall be reclassified, without examination, to the new classification at a pay rate that is a minimum of one step higher than the previous classification, but no less than the first step of the higher classification.
- b. When all of the positions in a classification are reclassified to a lower level, the incumbents shall be placed at a salary step closest to the present level without exceeding the lower salary scale.
- c. Upon recommendation of the department director, and approval of the Human Resources/Risk Management Director, a reclassified employee may have their salary “frozen” (y-rated) until such time as the lower classification’s salary scale has increased to the level of the employee’s “frozen” salary, at which time the employee’s salary shall no longer be “frozen” (y-rated).
- d. Any such reclassification shall not alter an employee’s evaluation date.

E. **ABOLISHING OR CONSOLIDATING POSITIONS**

Whenever, in the judgment of the City Council, it becomes necessary in the interests of economy or efficiency, or because the need for the position involved no longer exists, the City Council may abolish a position, office, or employment in the classified service. Nothing herein shall be deemed to prohibit the City Council from combining or consolidating any position, office, or employment with another position in the interest of economy or efficiency.

F. SALARY ADJUSTMENT

When the salary scale of a position in the classified service is adjusted, employees in that classification may have their salary adjusted a minimum of one step higher than the previous classification, but no less than the first step of the higher classification.

If a salary scale of a position is adjusted downward, the employee(s) in that classification will be assigned the step nearest to their current salary, unless there is an approved authorization by the City Manager to y-rate the salary as indicated in these Rules.

G. ACTING ASSIGNMENT

When it becomes necessary to temporarily place an employee in a higher level position or to temporarily assign additional higher level duties to an employee, including the temporary assignment of duties normally performed by an absent higher level employee, and in the absence of a MOU or Rules A and B covering the employee, the following conditions shall govern such assignment and compensation and must be pre-approved by the Human Resources/Risk Management Director.

An employee who is temporarily required to serve in a regular authorized position shall be compensated at a higher rate of pay in accordance with the following:

1. Eligibility

- a. To be eligible for the additional compensation, the assignment of duties must be found to exceed those fixed and prescribed for the position in the official classification specifications and must be comparable to the duties of a higher classification.
- b. The assignment of higher level duties must exceed five (5) working days within a 15 consecutive calendar day period. The employee shall receive the additional compensation effective the 1st day of the assignment to the higher level.

2. Approval

Assignment under this subsection shall be for a maximum of 180 working days unless extended by the Human Resources/Risk Management Director due to special circumstances.

3. Compensation

An employee shall receive a minimum salary increase equivalent to one (1) salary step in the employee's current (pre-assignment) job classification, provided that such increase shall be at least equivalent to the minimum and shall not exceed the maximum salary step level established for the new job classification.

4. Other Provisions

- a. Time worked in the higher classification shall not be applied toward a salary step increase or the completion of probationary requirements in the higher classification.
- b. Assignments under this subsection shall in no way be interpreted as a promotion or reclassification. The employee's anniversary date and benefits accrual date shall not change.

SECTION III COMPENSATION PLAN

A. ESTABLISHING THE PLAN

1. Preparation

The Human Resources/Risk Management Director shall prepare a pay plan for each classification of positions in the classified service showing the rates of pay, by scale and steps. In arriving at such salary scales, consideration shall be given to: prevailing rates of pay for comparable work in other public agencies and working conditions; current costs of living; suggestions of department directors; and the City's financial condition and policies. The Human Resources/Risk Management Director shall conduct further studies of the Compensation Plan as may be requested by the City Manager and/or the City Council.

B. ADOPTION OF THE PLAN

1. Authority

Before the Compensation Plan or any part thereof shall become effective, the City Manager and the City Council, respectively, shall approve it.

2. Adoption

The City Council shall adopt, or amend and adopt, the proposed Plan. Thereafter, no position shall be assigned a salary higher than the maximum or lower than the minimum salary provided for that classification of position. Trainee positions may be recommended by the department director and approved by the Human Resources/Risk Management Director. Compensation for trainees shall be established at a rate below that of the regular classification. As defined by the FLSA, a trainee is a person who is training in an environment similar to a vocational school, who is not displacing regular employees, and who does not have a guarantee of a job. A trainee is excluded from FLSA coverage.

3. Modification

The Compensation Plan will be amended in the same manner as herein provided for its adoption.

C. PAYROLL DEDUCTIONS

1. The City will deduct from the employee's pay the applicable state and federal income taxes and other deductions required by law. The City may provide opportunities for voluntary payroll deductions, which may be made from an employee's paycheck with the employee's written permission.

2. Each employee is required to complete a withholding exemption certificate at the time of hire. The employee shall report any change in the information, such as change in marital status or address, to the City's Human Resources Department.

D. SETTING RATES OF PAY

1. Salary Scales

- a. A salary scale shall be established and approved by the City Council for each and every employee classification in the City. The Human Resources/Risk Management Director shall approve the salary rate for trainee classifications.
- b. Normally, a five-step salary scale shall be established, except for Police Recruit or other classifications, as determined by the Human Resources/Risk Management Director.

2. Salary Steps

- a. Each step in the salary scale shall represent a specific salary. The difference of pay between each step shall be approximately equal in percentage.
- b. Entrance salary: Except as provided in Section III.D.2.c, an employee is normally appointed at the minimum step in the salary scale for the classification.
- c. Offers of employment may be made at a level higher than the first salary scale step when the candidate has significant experience, education, and training. The department director and the Human Resources/Risk Management Director shall approve offers above the first step. Offers to hire at Steps 4 or 5 must be approved by the City Manager.
- d. The City may accelerate salary step advancement for individual employees at its discretion.

3. Step Increases

- a. First Step: The first salary step level will be the minimum rate and normally shall be the hiring rate. In special cases when it is merited by experience, education, training, or other qualifications, the City may approve the hiring of a candidate for employment at a higher level.

The first day of employment is used to determine the employee's "salary review date". All salary step increases are based upon this date. An employee's salary review date may change due to unpaid leaves of absence, promotion, and other reasons set forth in these Rules.

- b. Second Step: Employees are eligible for this adjustment after completion of six (6) full calendar months of satisfactory (Meets Standards or better as measured by their overall performance evaluation rating) service in a classification. The adjustment shall be made

only if recommended by the department director and subject to the approval of the Human Resources/Risk Management Director.

- c. Third Step: shall be granted to employees who have proven to be fully satisfactory (Meets Standards or better as measured by their overall performance evaluation rating) in a given classification for one (1) full additional year from the granting of the previous step increase and only if recommended by the department director and subject to the approval of the Human Resources/Risk Management Director.
- d. Fourth Step: shall be granted to employees who have proven to be fully satisfactory (Meets Standards or better as measured by their overall performance evaluation rating) in a given classification for one (1) full additional year from the granting of the previous step increase and only if recommended by the department director and with the approval of the Human Resources/Risk Management Director.
- e. Fifth step: shall be granted to employees who have proven to be fully satisfactory (Meets Standards or better as measured by their overall performance evaluation rating) in a given classification for one (1) full additional year from the granting of the previous step increase and only if recommended by the department director and with the approval of the Human Resources/Risk Management Director.
- f. Employees who are hired or promoted by the City to a step other than Step 1 may be eligible to advance to the next step, one (1) year from the date of appointment and annually thereafter.
- g. All salary advancements are conditioned upon an annual “Meets Standards” or better as measured by their overall performance evaluation rating by the employee’s immediate supervisor and approval by the employee’s department director.
- h. An employee must continue to maintain a “Meets Standards” or better as measured by their overall performance evaluation rating, and shall be evaluated by the department director (or designee) annually. If the written evaluation by the department director (or designee) does not support a continued “Meets Standards” or better effort, the department director, in accordance with these Rules may take appropriate action.

4. Promotion

- a. The City may promote any employee to a different job classification within the City service having more responsible duties, and/or higher job qualifications, and/or a higher salary scale level. Upon promotion, an employee shall receive a minimum salary increase equivalent to one (1) salary step in the employee’s current (pre-promotional) job classification, provided however that such increase shall be at least equivalent to the minimum and shall not exceed the maximum salary scale level established for the new job classification. A promotion shall establish a new Evaluation Date for purposes of applying the salary step plan. Any promotional appointment shall be tentative and subject to the probationary period.

- b. If the employee's salary review date is within two (2) pay periods of the promotion, this shall be taken into consideration when establishing the salary for the new classification so that the employee is not negatively impacted due to the timing of the promotion.

5. Flexible Staffing Levels (Not applicable to sworn positions)

a. Flexible Staffing Definition

A career ladder is a promotion from a lower level to a higher level classification as a result of three (3) annual "Meets Standards" or better performance evaluations in the current classification and a positive recommendation from the department director.

- b. If an employee holds a position in a career ladder classification which provides "flexible staffing" levels, and based on the needs of the City, an employee may progress to the next level in the series without a recruitment and/or examination.
- c. The employee must be in the current classification for a minimum of three (3) years and have satisfactory performance evaluations (Meets Standards or better as measured by their overall performance evaluation rating) for the last three (3) consecutive years and have the positive recommendation of his/her department director.
- d. Upon promotion to the next level, the employee shall receive a minimum salary increase equivalent to one (1) salary step in the employee's current (pre-promotional) job classification, provided however that such increase shall be at least equivalent to the minimum and shall not exceed the maximum of the salary scale.
- e. A promotion in the career ladder series shall establish a new Evaluation Date for purposes of applying the salary step plan. Any promotional appointment shall be tentative and subject to a probationary period in the new position.

6. Demotion

- a. Consistent with applicable law, an employee may be demoted to a position in a lower classification for reasons including, but not limited to discipline, lack of work, lack of funds or employee request. No employee shall be demoted to a position for which the employee does not possess the minimum qualifications for the position.
- b. When a demotion occurs, the employee shall be placed at the highest step in the new scale that does not exceed the employee's rate of pay immediately prior to the demotion and the employee shall retain his/her existing salary increase eligibility date. If an employee has not previously passed a probationary period in the classification demoted to, the employee will serve a six (6) month probationary period in that classification.
- c. When a demotion is for reasons other than discipline, the City may as recommended by the department director and approved by the Human Resources/Risk Management Director, freeze (y-rate) a demoted employee's salary at their current rate until such time as the salary scale for the new classification increases to the level of the frozen salary rate, at which time the salary will no longer be frozen (y-rated).

7. Reclassification

An employee, who is reclassified due to a material change in job duties and responsibilities, shall be placed on the salary step in the new salary scale, which is equal to or higher than the employee's current salary step. If the increase would place the employee above the top of the applicable salary scale, the employee will be placed at the top step of the new salary scale and may be y-rated.

8. Reappointment

Layoff: When an employee "in good standing" has been laid-off, the employee shall be eligible for reappointment to the classification they held at the time of the layoff. Reappointment shall be available to the employee for a period not to exceed one (1) calendar year. Reappointment shall be made using the current (present day) salary scale for his/her classification and utilizing the same salary step the employee was on at the time of the layoff. The employee must pass a preemployment medical and drug/alcohol examination, and Department of Justice clearance before reappointment. Prior regular employment shall be counted in reinstating the employee's rights and determining benefit eligibility such as vacation accrual, sick leave accrual, etc. The employee's "anniversary date" will be adjusted to reflect the period of absence from City employment.

9. Reemployment

An employee who has resigned "in good standing", and upon the recommendation of the department director and approval of the Human Resources/Risk Management Director, may be reemployed in the employee's former position, or a comparable position, within one (1) year from the effective date of the employee's resignation. Reemployment of a prior employee can be made even though there is a current eligibility list for the classification. No competitive examination is required. The employee must, however, meet current minimum qualifications for the position and pass a pre-employment medical and drug/alcohol examination, and Department of Justice clearance. Reemployment shall be at a salary step no higher than the step the employee was on at the time of his/her resignation.

The reemployed individual shall serve a probationary period of six (6) months and shall have all rights and benefits reinstated except those for which there was a cash payout. Prior regular employment shall be counted in determining benefit eligibility such as vacation accrual, sick leave accrual, etc. The anniversary date shall be adjusted to reflect the period of absence from City employment.

E. PLAN ADMINISTRATION

1. Employees shall be compensated on a bi-weekly basis.
2. An employee shall not receive compensation of any type while on leave of absence without pay or while absent from duty without official leave/authority.
3. The City may provide salary step advancement for an individual employee, at its discretion, based upon a special need or circumstance.

4. The salary review date shall be the date on which an employee is to receive a performance evaluation in accordance with the salary step plan and/or the probationary period. Any change in an employee's job classification, except by reclassification, shall be considered as an appointment which establishes a new salary review date. Any salary increase shall be effective the beginning of the next/ following pay period.
5. An unpaid leave of absence for any purpose, other than military leave, Family Medical Leave Act (FMLA), and/or Workers' Compensation, will change the date an employee is eligible for consideration for an initial or any subsequent salary step increase.

F. OVERTIME

1. Overtime for regular, full-time, non-exempt, miscellaneous employees required to work in excess of their regular hours after 40 hours worked in a work week, shall be compensated at time and one-half.
2. All overtime work shall be pre-approved, in advance, by the department director, or designee. Where this is impractical, notification of the department director, or designee, shall be made by 9:00 a.m. on the workday following the day worked.
3. Compensatory time off may not be accumulated beyond the maximum allowed by the FLSA or the applicable MOU, whichever is less.
4. Compensatory time off that has been earned but not taken will be paid to the employee upon separation of employment at the employee's "regular" rate of pay. An employee who has been demoted within 3 years prior to separation will be paid at a rate equal to the "average regular rate of pay" over the last three (3) consecutive years of employment.
5. The City may require an employee to schedule time off in order to use accrued compensatory time. Time off will be scheduled at the City's discretion with due regard for the employee's convenience and the City's work requirements.

G. SALARY REDUCTION/LOSS OF PAY

1. When an employee is granted leave without pay or is absent without approved leave or for insufficient cause, the employee's salary for the time absent shall be reduced in accordance with the Compensation Plan as adopted by the City Council.
2. An employee demoted for disciplinary reasons shall not receive a salary that exceeds the maximum salary step for the new or existing classification. A demotion may also be a step reduction in the employee's current classification.

H. FROZEN PAY RATE (Y-RATE)

1. Frozen pay rate (y-rate) shall mean the salary scale and step at which the affected employee shall remain until the employee's classification salary scale and step equals or exceeds his/her frozen (y-rate) level.
2. The City may, at its discretion, in those circumstances where the pay scale for a particular classification or position was decreased, freeze (y-rate) the salary scale rate of any employee in the City service. Such action shall not take effect until the employee has had 60 calendar days advance notice. Upon request, the City shall meet with the employee and/or the employee's representative concerning the impact of the City's decision to freeze (y-rate) the employee's salary rate.

SECTION IV EMPLOYMENT

A. GUIDELINES

1. Administration

The Human Resources/Risk Management Director shall establish uniform procedures and methods for the selection of individuals for employment, assignment, promotion, demotion, discharge, and other personnel actions.

2. Personnel System

The Personnel System is hereby established for the selection and promotion of employees of the City on the basis of comparative experience, education, and merit as determined through an examination and evaluation process, thereby providing employees reasonable security in the retention of their respective positions and affording them the opportunity for advancement according to merit.

3. Equal Employment

The employment process shall ensure equal employment opportunity without regard to race, color, sex, age, religion, political affiliation, sexual orientation, national origin, marital status, ancestry, veteran status, physical or mental disability, or pregnancy.

4. Medical Evaluation

a. Any employee may be required to take and pass a medical and/or drug/alcohol examination (at City expense) whenever, in the judgement of the appointing authority or the Human Resources/Risk Management Director, there is “reasonable suspicion” that the employee is unfit to perform duties and/or is under the influence of a drug or alcohol.

b. Equipment Operation

Any employee engaged in driving motorized equipment may be required to take and pass an annual medical examination if required by Department of Transportation (DOT) regulations. Additionally, an employee who is involved in a moving vehicle accident that causes damage to City property and for which the employee is found to be at fault, may receive appropriate disciplinary action up to and including termination.

c. Disqualification

Employees who, in the opinion of the medical examiner, are physically or mentally incapable of meeting the essential functions of their position shall be given consideration for a change in duties based upon the principals of reasonable

accommodation. Absent the ability to reasonably accommodate the employee, the City may separate the employee through retirement or termination, whichever is appropriate.

5. Law enforcement

If funding is available, all sworn employees of the Police Department shall be required to satisfactorily complete an annual medical examination. The City shall designate the examining physician and all costs for this annual medical examination shall be borne by the City.

6. Work Eligibility

No person shall be eligible for any position in the classified service unless, at the time established as the final date on which applications will be accepted for the position, the person is a citizen of the United States; has a permanent immigration visa; or is otherwise legally eligible to be employed in the United States. Eligibles offered employment must provide proof of citizenship or legal employment eligibility (I-9 Form) consistent with the Immigration Naturalization Reform Act.

7. Ineligibility

An applicant shall be ineligible for any position in the classified service if, at the time established as the final date on which applications will be accepted for the position, the applicant does not possess at least the “minimum qualifications” required for the position.

B. REQUESTS TO FILL POSITIONS

1. Appointing Authority

- a. The department director as appointing authority shall recommend to the Human Resources/Risk Management Director for approval all appointments to regular positions and employment in the classified service. Unless otherwise specified in these Rules, the department director shall be the appointing authority.
- b. In the event any appointment is knowingly made through fraud, misrepresentation or in violation of these Rules, the appointing authority or person by whom the appointment has been made, shall be made liable for any salary or wages paid to any person so appointed and the appointment shall be nullified.

2. Approval Process

- a. When a position in the classified service is to be filled, the appointing authority shall notify the Human Resources/Risk Management Director of that fact in advance of the anticipated need (if possible) and make a written request, on forms provided by the Human Resources Department, to fill the vacancy.
- b. The appointing authority shall fill all regular position vacancies in the classified service from a certified eligibility list, provided funding has been approved for the position.

3. Review of Eligibility Lists

- a. The Human Resources/Risk Management Director shall advise the appointing authority as to the availability of candidates from an established eligibility list.
- b. In the absence of an eligibility list, the Human Resources Department shall schedule a merit examination to fill the vacancy.

4. Type of Vacancy

- a. Regular: a budgeted position for which funds have been provided in the department's operating budget for the fiscal year.
 - 1) Full-time: requires working a full scheduled work week and may be on one of several schedules, such as but not limited to, 5 day- 40 hour, 9 day- 80 hour, 4 day- 40 hour, etc.
- b. Temporary: a position for which funds may have been budgeted to cover a seasonal or other temporary need.

A temporary assignment is for a limited period of time of not more than 180 calendar days, unless extended by the City Manager for an additional period of 180 calendar days. Total time in the same temporary assignment will not exceed 360 calendar days.

C. APPOINTMENTS

Final selection of an applicant for any position will be made by the appointing authority and will be in accordance with these Rules.

1. Categories of employment

- a. Regular, Full-time: These are budgeted positions and require passing a probationary period.
- b. Temporary:
 - (1) Temporary Position: Vacancies for temporary positions may be filled without using the recruitment and selection procedures required for regular full-time employees. The Human Resources/Risk Management Director will make a determination as to the appropriate procedures and methods for filling temporary vacancies. Every effort shall be made to ensure that well qualified individuals are selected for temporary employment. There are no employment benefits attendant to temporary employees other than those required by state and federal law. Temporary employees may work up to a maximum of 180 calendar days and under special circumstances, if approved by the City Manager, up to an additional 180 calendar days for a total of 360 days.
 - (2) Limited-Term Assignment: A temporary employee who is appointed to fill an existing budgeted full-time position for a specified period to cover a leave of

absence or other such vacancy until the return of the vacant employee, may receive benefits with the approval of the Human Resources/Risk Management Director. Benefits include health, dental, life insurance and leave accruals. The Human Resources/Risk Management Director will make a determination as to the appropriate procedures and methods for filling temporary vacancies.

2. Promotional

- a. Regular: This appointment is granted to an individual who has successfully passed all examination requirements including the original probationary period.
- b. Probationary: This appointment is for a specified time as part of the examination process. The employee must successfully pass probation in order to obtain regular employment in the new position.
 - 1) Any employee who fails to pass the promotional probationary period shall be reinstated to the position from which the employee was promoted, unless the failure to pass probation was for disciplinary reasons in which case the employee will be subject to termination.

3. Acting

At the discretion of the appointing authority, a vacant or temporarily unfilled position may be filled for a definite period of time by an employee in an “acting” capacity with an increase in salary consistent with these Rules, an applicable MOU, or Rules A and B.

4. Transfers

- a. A transfer is a change of an employee from one position to another position in the same classification or a comparable classification at the same salary scale.
- b. Transfers may be either voluntary (employee initiated) or involuntary (City initiated) and will be approved when considered to be in the best interests of the City. In the case of a voluntary transfer, the employee shall submit a “Request for Transfer” to the Human Resources/Risk Management Director. The request will be kept on file for a period of one (1) year from the date of receipt.
- c. A transferred employee shall retain his/her rate of pay, salary review date, and anniversary date for the purposes of salary review.
- d. A person will not be transferred into a position for which he/she does not possess the minimum qualifications.
- e. Normally, employees who are not “meeting standards” in one department will not be transferred to another department.
- f. The department director of the employee’s current department must approve a transfer. If the transfer involves the change from one department to another, then both department directors must approve the transfer.

5. Reemployment

Former employees that resigned in good standing may be re-employed, without examination, based upon the recommendation of the department director and approval of the Human Resources/Risk Management Director. Reemployment without examination is limited to one (1) year from the date of separation. The decision to reemploy shall be at the sole discretion of the department director and the Human Resources/Risk Management Director and shall take into consideration the present employment needs of the City and the prior work history of the individual seeking reemployment.

6. Reappointment

Former employees that were laid off have the right to return to their prior position. The employee's right to re-hire is limited to one (1) year from the date of layoff.

7. Provisional (Police Officer Recruit Trainee/Police Officer Recruit)

After successfully passing the written examination and oral interview, a provisional appointment to the position of Police Officer Recruit Trainee may be made by the Chief of Police. This appointment is contingent upon the passing of a background check, medical, drug/alcohol, and psychological examination, and an oral examination by the Chief of Police, or designee. Upon commencement of the Police Academy, the Police Officer Recruit Trainee becomes a Police Officer Recruit. Following graduation from a Peace Officers Standard of Training (POST) certified academy, recruits shall be eligible to be sworn in as Police Officers.

8. Technical Services

Nothing in these Rules shall be deemed to prevent the City from contracting with any specialist or expert for special services or for technical services relating to or concerning any department of the City.

D. EXAMINATIONS

1. Types of Examinations

- a. Examinations shall be: open, promotional, or continuous.
- b. The department director may recommend the type of examination to be conducted with final approval of the Human Resources/Risk Management Director.
- c. Examinations may include but are not limited to: application, resume, written, interview, performance, certification or license, background, reference, medical and/or psychological, and the probationary work test period.

2. Administration of Examinations

- a. The Human Resources/Risk Management Director, or designee, shall approve the types, manner and methods, and by whom examinations are to be administered.

3. Selection Process

- a. The selection process involves evaluating fairly the qualifications of all candidates. The selection techniques used for any particular position shall be solely within the discretion of the Human Resources/Risk Management Director or designee.
- b. The Human Resources/Risk Management Director or designee shall determine the standards of proficiency to be required for each examination and determine the test parts and weights as they relate to successful job performance.
- c. The selection procedures shall be based on the principles of merit and shall comply with all Federal or State regulations and professional standards and shall be planned, designed, constructed, and administered in a fair, efficient, professional, and cost effective manner.
- d. All examinations, including individual test parts, shall be based on an understanding of the job, and should, as a minimum, test the essential job functions necessary for the position.

4. Format

The Human Resources/Risk Management Director, or designee, shall approve the manner, method, location, and by whom examinations are to be administered.

- a. All requirements regarding an examination shall be set out in the job announcement for a position vacancy.
- b. All examinations are considered “confidential” and no applicant will be permitted to see the written test papers or the oral evaluation information but, upon request, the Human Resources/Risk Management Director, or designee, may review the test results and discuss them with the applicant.
- c. Correction of any error in grading or rating after an eligibility list has been established shall not invalidate any certification or appointment previously made.

d. Examination Definitions:

- 1) Open: Job opportunities in which any qualified person may participate.
- 2) Promotional: Job opportunities for promotion in a classification series are open to only current, regular full-time and part-time employees who are not serving an initial probationary period. However, employees that will become eligible before the application filing date of the recruitment are entitled to apply.

- (a) The appointing authority may request a promotional examination be given for an open examination thereby restricting the examination to current regular full-time and part-time City employees.
- 3) Continuous: Allows for continuous testing of applicants as well as testing on an individual basis, and the examination process may be concluded at any time. At the conclusion of the process an eligibility list will be established.

5. Evaluation Process

- a. Time Limit: After the time limit for receiving applications has expired, the Human Resources/Risk Management Director, or designee, shall determine the number of qualified applicants that will be chosen for participation in the examination process.
- b. Application Review: When all or any part of the examination process is a subjective evaluation review of application materials, the evaluation shall normally be conducted by at least two (2) qualified persons designated by the Human Resources/Risk Management Director.
- c. Limitations: Evaluation of applicants is limited to the information contained on the application which must be received on or before the time limit indicated has expired.
- d. Examination Process: Selected, qualified applicants shall be admitted to the examination process. The examination/evaluation process shall include, but not be limited to, any one or more of the following:
 - 1) Application: The application is the first step of the examination process. Application shall be made on forms provided by the Human Resources Department. Such forms shall require information covering education, training, experience, and other pertinent information. The applicant must sign the employment application.
 - 2) Resume: For some examinations a resume, which provides a more detailed explanation of the applicant's background and experience, may be required. The resume may be evaluated as a part of the examination process. However, resumes will not be acceptable in lieu of completing a City of Pomona application.
 - 3) Written: Any testing process requiring written answers to questions or the preparation of written information.
 - 4) Interview: Normally an evaluation by two (2) or more persons, to consider the applicants' relative fitness for the position.
 - 5) Performance: The actual demonstration of a skill or ability.
 - 6) Certificates or Licenses: There may be a requirement to provide necessary, current, valid copies of documents, certificates, licenses, etc. to be eligible for the position.
 - 7) Background Check: Eligible candidates may be required to pass a background check conducted by a law enforcement agency.

- 8) Reference Checks: Eligible candidates may be subject to both personal and prior employer(s) reference checks.
- 9) Medical Examination: Eligible candidates must successfully pass a pre-employment medical and drug/alcohol examination and in some cases a psychological evaluation.
- 10) Probationary Period: Eligible candidates appointed to a position for a probationary work test period must successfully pass (Meets Standards or better as measured by their “overall” performance evaluation rating) the probationary work test period in order to be appointed to a regular full-time City position.
 - a. The probationary period is considered an integral part of the examination and selection process during which a determination is made as to whether an eligible candidate is a “fit” for the position. The probationary period may be extended by the department director, or Human Resources/Risk Management Director for a period of time not to exceed six (6) months. Any extension of probation shall be in writing and furnished to the employee prior to the expiration of the employee’s original probationary period.
 - b. If the probationary period is interrupted by military leave for a period which extends beyond half of the probationary period, then the employee shall serve a new probationary period upon return to City service.
- 11) Any other test determined by the Human Resources/Risk Management Director as necessary to properly measure fitness for employment under the merit system.

E. RECRUITMENT

1. Group A and B Classifications

The City Manager has the authority to determine the type of recruitment and selection process to be used for Group A and B classifications.

2. Job Announcements

The Human Resources/Risk Management Director shall call for examinations, through job announcements, to fill vacancies in the classified service. The announcements shall be written and shall include:

- a. Title and rate of pay
- b. Probation period
- c. Open or promotional
- d. Filing period
- e. Essential job functions
- f. Type(s) of testing criteria
- g. Qualifications
- h. Application process

3. Distribution and Posting

- a. Distribution: Job announcements for open positions may be mailed to organizations that have requested to be placed on the City's mailing list for job vacancies.
- b. Posting: Job announcements for open and promotional vacancies will be published by posting notices in locations determined by the Human Resources/Risk Management Director.

4. Timelines

There shall be a minimum of nine (9) working days from the date the recruitment opens and until it closes. Applications must be received in the Human Resources Department by "close of business" on the day the filing time expires.

5. Applicants

Applicants must meet the minimum qualifications established for the classification and must be able to perform the essential functions of the position.

Persons with recognized disabilities will be provided with reasonable accommodation to ensure their ability to participate in the examination process. Written notice of the need for reasonable accommodation must be received by "close of business" on the day the filing time expires.

- a. Qualified: Applications will be screened based upon the minimum qualifications indicated in the job announcement. Applicants meeting the minimum qualifications, or those appearing to be the "most qualified", will be selected to participate in the examination process.
- b. Not qualified:
Applicants may be disqualified for any of the following:
 - 1. Making false statements of any material fact(s), or any deception or fraud on the application, declaration, or in securing eligibility or appointment;
 - 2. Found to lack any of the requirements, certifications, or qualifications for the position;
 - 3. Is a current user of illegal drugs;
 - 4. Is a relative of an employee, and is subject to City Policy No. 14 in the General Rules: Employment of Relatives or fails to meet the parameters set forth in the City's Nepotism Ordinance;
 - 5. Has been convicted of a crime, either a misdemeanor or felony, related to the position duties that the applicant would perform;
 - 6. Used or attempted to use political pressure or bribery to secure an advantage in the examination process or for appointment;
 - 7. Directly or indirectly obtained information regarding examinations;
 - 8. Refused to execute the loyalty oath;
 - 9. Failed to submit the employment application correctly or within the prescribed time limits;

10. Has had the privilege to operate a motor vehicle in the State of California suspended or revoked, if driving is a job related requirement;
 11. For any material cause, which in the judgment of the Human Resources/Risk Management Director or designee, would render the applicant unsuitable for the position, including a prior resignation from the City, termination from the City, a significant disciplinary action, etc.
- c. Confidentiality of Information: Applications, resumes, examination papers, and any and all other information submitted as part of the examination process are “confidential” and become the property of the Human Resources Department and the City of Pomona.

F. PROCESS FOR OPEN EXAMINATIONS

The Human Resources/Risk Management Director, or designee, shall take whatever steps are necessary to ensure that examinations test the actual ability required to do the work prescribed.

1. If ten (10) or less applicants apply for a position, the Human Resources Department, with the agreement of the appointing authority, may choose to waive a portion(s) of the examination process and certify all qualified applicants to the appointing authority.

2. Qualifying Scores

- a. The Human Resources/Risk Management Director shall establish the process for computing examination scores.
 - 1) The score required for passing an examination, or any part thereof, shall be determined after consideration of the quality of the candidates, the number of vacancies, and the needs of the City.
 - 2) Failure on any one (1) part of an examination may be grounds for declaring an applicant as failing the entire examination, or as being disqualified for subsequent parts of an examination.
- b. Veterans' Preference System: In accordance with Govt. Code Section 50088, qualified veterans will have added to their total final examination score, five (5) points for a non-disabled veteran and ten (10) points for a disabled veteran when establishing the eligibility list for any recruitment. Veterans' points will apply only to entry-level classifications.
- c. Based upon the examination score, or the composite score from more than one (1) test for the position, and any Veterans' preference points, an eligibility list shall be established. Final scores shall be rounded up in establishing the eligibility list.

3. Rating of Candidates

- a. Based upon the evaluation technique chosen, candidates may be given a rating of pass/fail or a specific numerical score.

- b. When specific numerical scores are used, the Human Resources/Risk Management Director, or designee, shall determine the specific score that qualifies in order for the candidate to be placed on the eligibility list. All candidates achieving a minimum qualifying score or higher shall be placed on the eligibility list.

4. Appeals

Only City of Pomona employees, or their designated representative (on the candidate's behalf), may appeal examination results to the Human Resources/Risk Director (in writing) within ten (10) working days of the date of postmark of the notice of results.

The Human Resources/Risk Management Director, or designee, shall review the matter and render a final decision, within ten (10) working days of receiving the appeal. The appeal must articulate a "factual" basis upon which the appeal is based. Once an employee is placed on an eligibility list, the appeal process ceases.

5. Establishing the Eligibility List

- a. As soon as possible after the completion of an examination, the Human Resources/Risk Management Director shall prepare and maintain an eligibility list of all candidates who qualified in the examination by ranked order, highest score at the top, lowest score at the bottom of the eligibility list.
- b. The Human Resources/Risk Management Director, or designee, will certify that those persons on the eligibility list have successfully passed an examination evaluating their ability to perform the duties of the position.

c. Merging Of Eligibility Lists:

- 1) During the life of an eligibility list, other examinations may be conducted and the resultant list(s) merged with the first list. For sworn positions, only Police Officer Recruit may be merged.
 - a) If a new examination for a classification is given during the life of an existing eligibility list, the examination shall be sufficiently similar to the previous examination to ensure the comparability of the scores of eligibles. The new list shall then be merged with the existing list with eligibles ranked in order of examination score.
- 2) Even though the eligibility lists have been merged, each list individually expires one year following the date on which it was established (unless extended in accordance with these Rules); not on the date on which the lists were merged.

d. Effective Dates

Eligibility lists shall become effective upon the date of approval by the Human Resources/Risk Management Director, thereby indicating that they were properly and legally prepared consistent with these Rules.

1. Duration: All eligibility lists shall normally be established for a period of one (1) year, after which they may expire.
 2. Extension: At the request of a department director, and approval of the Human Resources/Risk Management Director, an eligibility list may be extended one time for up to one (1) additional year. Approval to extend a list must be made by the Human Resources/Risk Management Director, in writing, prior to the expiration of the current eligibility list.
- e. Cancellation. Cancellation of an eligibility list may occur when:
- 1) There has been no request to extend the list beyond one (1) year.
 - 2) There are three (3) or less qualified eligibles on the open eligibility list that can be certified to the appointing authority, and the appointing authority requests a new examination be given.
 - 3) There are no qualified candidates remaining on the eligibility list.
 - 4) There are four (4) or more candidates on the eligibility list and sufficient justification is provided to the Human Resources/Risk Management Director by the department director to warrant cancellation of the eligibility list.
- f. Certification Procedure
- 1) Whenever a request from an appointing authority to fill a vacancy is approved, the Human Resources/Risk Management Director shall forward to the appointing authority, the applications and other pertinent information for those persons on the certified eligibility list entitled to be considered for appointment.
 - 2) The number of persons certified for consideration shall be as follows:
 - i). For open examinations: A certified list shall be provided to the appointing authority consisting of up to the top 20 scores, arranged alphabetically.

To expedite the filling of positions, the Police Department may certify additional names from any current eligibility list for Police Officer, Police Officer Lateral, or Police Officer Recruit.

An additional eligible candidate shall be certified for each vacancy where multiple vacancies in the same classification are being filled.
 - ii). For continuous examinations: Additional names can be certified from a continuous eligibility list to provide the appointing authority with up to the top 20 scores.

An additional eligible candidate shall be certified for each vacancy where multiple vacancies in the same classification are being filled.

iii). Qualified employees requesting a lateral transfer shall be automatically placed on the certified eligibility list.

g. Removal of Name from Eligibility List

The name of any person appearing on an eligibility list shall be removed by the Human Resources/Risk Management Director if:

- 1) The person on the eligibility list requests, in writing, that his/her name be removed.
- 2) The person on the eligibility list fails to respond to a communication from the Human Resources/Risk Management Director regarding the testing/selection process.
- 3) The duration period of the eligibility list has expired.
- 4) The person fails a selection interview on a department specific eligibility list.

h. Validity of the Eligibility List

In the event an appointment is made from an invalid or cancelled eligibility list, the Human Resources/Risk Management Director shall review the circumstances causing the invalid certification and make a ruling as to whether any appointment made from such list shall be invalidated and a new list established. The decision of the Human Resources/Risk Management Director is final.

i. Interview of Certified Candidates

The appointing authority requesting to fill a vacant position shall be permitted to select and interview any candidate from the certified list provided by the Human Resources Department. If there are ten (10) or less applicants on the certified list, the appointing authority shall be required to select and interview a minimum of three (3) applicants. However, if there are eleven (11) or more applicants on the certified list, the appointing authority shall be required to select and interview a minimum of five (5) applicants. If a City employee places in the top 20 scores of an open examination, the appointing authority shall be required to interview the City employee as part of the selected minimum.

6. Medical, Drug/Alcohol Examination

- a. Preappointment: Before final approval of a probationary appointment to a position in the classified service, eligibles selected by the appointing authority shall be required to pass a medical and drug/alcohol examination to the satisfaction of the Human Resources/Risk Management Director. Members of the Police Department shall be required to pass a medical, drug/alcohol and psychological examination. If an eligible is disqualified in a medical, drug/alcohol, or psychological examination, their name shall be stricken from the eligibility list.

G. PROCESS FOR PROMOTIONAL EXAMINATIONS

The Human Resources/Risk Management Director, or designee, shall take whatever steps are necessary to ensure that examinations test the actual ability required to do the work prescribed.

1. If seven (7) or less applicants apply for a position, the Human Resources Department, with the agreement of the appointing authority, may choose to waive a portion(s) of the examination process and certify all qualified applicants to the appointing authority.

2. Sworn Examinations

Examinations for Police Corporal, Police Investigator, and Police Sergeant may only be an Open examination, if the number of applicants who meet the minimum qualifications is three (3) or less. The job announcement shall state prior to the examination: 1) the specific examination(s) to be used; 2) the method of scoring the examination; 3) what score shall constitute a “pass”; and 4) the relative weight of each examination as regards a candidate’s final score.

3. Qualifying Scores

- a. The Human Resources/Risk Management Director shall establish the process for computing examination scores.
 - 1) The score required for passing an examination, or any part thereof, shall be determined after consideration of the quality of the candidates, the number of vacancies, and the needs of the City.
 - 2) Failure on any one (1) part of an examination may be grounds for declaring an applicant as failing the entire examination, or as being disqualified for subsequent parts of an examination.
- b. Based upon the examination score, or the composite score from more than one (1) test for the position, an eligibility list shall be established. Final scores shall be rounded up in establishing the eligibility list.

4. Rating of Candidates

- a. Based upon the evaluation technique chosen, candidates may be given a rating of pass/fail or a specific numerical score. Examination scores will be given to the candidate.
- b. When specific numerical scores are used, the Human Resources/Risk Management Director, or designee, shall determine the specific score that qualifies in order for the candidate to be placed on the eligibility list. All candidates achieving a minimum qualifying score or higher shall be placed on the eligibility list.

5. Appeals

Candidates, or their designated representative (on the candidate's behalf), may appeal examination results to the Human Resources/Risk Management Director (in writing) within ten (10) working days of the date of postmark of the notice of results.

The Human Resources/Risk Management Director, or designee, shall review the matter and render a final decision, within ten (10) working days of receiving the appeal. The appeal must articulate a "factual" basis upon which the appeal is based. Once an employee is placed on an eligibility list, the appeal process ceases.

6. Establishing the Eligibility List

- a. As soon as possible after the completion of an examination, the Human Resources/Risk Management Director shall prepare and maintain an eligibility list of all candidates who qualified in the examination by ranked order, highest score at the top, lowest score at the bottom of the eligibility list.
- b. The Human Resources/Risk Management Director, or designee, will certify that those persons on the eligibility list have successfully passed an examination evaluating their ability to perform the duties of the position.

c. Effective Dates

Eligibility lists shall become effective upon the date of approval by the Human Resources/Risk Management Director thereby indicating that they were properly and legally prepared consistent with these Rules.

- 1) Duration: All eligibility lists shall normally be established for a period of one (1) year, after which they may expire.
- 2) Extension: At the request of a department director, and approval of the Human Resources/Risk Management Director, an eligibility list may be extended for one time up to one (1) additional year. Approval to extend a list must be made to the Human Resources/Risk Management Director, in writing, prior to the expiration of the current eligibility list.

d. Cancellation. Cancellation of an eligibility list may occur when:

- 1) There has been no request to extend the list beyond one (1) year.
- 2) There are four (4) or less qualified eligibles remaining on the promotional eligibility list. For Police Corporal, Police Investigator, and Police Sergeant, there are two (2) or less qualified eligibles remaining on the promotional eligibility list.
- 3) There are no qualified candidates remaining on the eligibility list.
- 4) Although there are five (5) or more eligibles on the eligibility list or for Police Corporal, Police Investigator, and Police Sergeant there are four (4) or more

qualified eligibles, sufficient justification is provided to the Human Resources/Risk Management Director by the department director to warrant cancellation of the eligibility list.

e. Certification Procedure

- 1) Whenever a request from an appointing authority to fill a vacancy is approved, the Human Resources/Risk Management Director shall forward, to the appointing authority, the applications and other pertinent information for those persons on the certified eligibility list entitled to be considered for appointment.

The number of persons certified for consideration shall be as follows:

- i) A certified list shall be provided to the appointing authority consisting of up to the top seven (7) candidates, arranged alphabetically. Examination scores will be included.
- ii) An additional eligible candidate shall be certified for each vacancy where multiple vacancies in the same classification are being filled.
- iii) Qualified employees requesting a lateral transfer shall be automatically placed on the certified eligibility list.

f. Removal of Name from Eligibility List

The name of any person appearing on an eligibility list shall be removed by the Human Resources/Risk Management Director if:

- 1) The person on the eligibility list requests, in writing, that his/her name be removed.
- 2) The person on the eligibility list fails to respond to a communication from the Human Resources/Risk Management Director regarding the testing/selection process.
- 3) The duration period of the eligibility list has expired.
- 4) The person fails a selection interview on a department specific eligibility list.

g. Validity of the Eligibility List

In the event an appointment is made from an invalid or cancelled eligibility list, the Human Resources/Risk Management Director shall notify the employee and invalidate the promotion, unless the promoted employee has already completed the full term of the required probationary period in which case the promotion shall stand. The decision of the Human Resources/Risk Management Director is final.

h. Interview of Certified Candidates

The appointing authority shall be required to interview all qualified candidates certified from the eligibility list.

SECTION V EMPLOYEE DEVELOPMENT

A. TRAINING

1. Responsibility

The responsibility for developing City-wide training programs for employees shall be assumed jointly by the Human Resources/Risk Management Director and the department directors. Training programs may include lecture courses, demonstrations, attendance at conferences, assignment of reading material, or such other programs as may be available for the purpose of improving the efficiency and broadening the knowledge of municipal officers and employees in the performance of their duties and responsibilities.

2. Orientation

All new employees will be scheduled for an orientation program in order to receive an introduction to City employment, including: operations, personnel rules and policies, and a review of employee benefits. During this period, employees will also be asked to complete new-hire forms and documents necessary to complete the hiring process. In addition, employees will receive orientation regarding the procedures for their department and division.

3. Types of Training

Types of training include any training or development program that is sponsored by the City. Programs may include:

a. Out-Service Training

Any formal employee training or development program that is sponsored and conducted by any agency or organization other than the City. Conferences and seminars that are conducted primarily for training and educational development purposes are considered out-service training.

b. Rehabilitation Training

Consistent with State Law requirements, and whenever possible within the organization based upon the recommendation of the department director and the Human Resources/Risk Management Director, all employees are eligible for rehabilitation training when disabled and unable to continue in their existing position.

b. Specialized Training Courses

Participation in and successful completion of special training courses may be considered in making advancements and promotions. The employee shall file evidence

of such activities with the Human Resources/Risk Management Director and the appointing authority.

B. REIMBURSEMENT PROGRAMS

1. Payment

The City shall pay for approved training programs. Employees shall be compensated for training costs including fees, registration, travel, lodging, and meals at rates determined by the City and approved by the department director or the Human Resources/Risk Management Director.

2. Tuition Reimbursement

Upon recommendation of the department director, and approval of the Human Resources/Risk Management Director, any regular employee may be reimbursed for accredited/non-accredited course work directly related to their job or course work which is considered valuable training for personal development and promotion in the career service of the City. Such tuition reimbursement shall be governed by the following:

- a. Any regular employee may be reimbursed, consistent with their MOU or Rules A and B, for tuition and/or registration fees incurred for completed course work. Tuition reimbursement must have prior approval, as provided for in these Rules, and must be completed at accredited high schools, trade schools, correspondence schools, colleges, and/or universities, with a passing grade of “C” or better or a “pass” in a pass/fail grading system or “course completion” if not graded.
- b. Reimbursement will not be granted if the employee is receiving funds for the same course work from another source (e.g., GI bill or scholarship) or such course work is required as a condition of original employment as evidenced by a temporary written waiver of the minimum educational requirements by the department director, with written acceptance of such conditions by the affected employee, or the employee is participating exclusively in an Intern Program with the City.

3. Exceptions

- a. Participation in training programs shall in all cases be governed by the availability of funds.
- b. Special Licenses or Certificates

The City shall reimburse the employee for the cost of tuition and materials related to obtaining certificates which are requirements for continuing employment in accordance with the employee’s Memorandum of Understanding.

- c. In accordance with IRS Code Section 127, reimbursement for post-graduate college education will be considered taxable income to the employee.

C. PERFORMANCE EVALUATIONS

1. General Policy

The Human Resources/Risk Management Director shall provide a method of reporting on individual employee performance, which relates to customer care, quantity and quality of work, ability, reliability, discipline, attendance and other factors. The Human Resources/Risk Management Director shall prescribe forms for such performance evaluations and shall be responsible for assuring that such evaluations are adequate to provide information to both the employee and to the City for purposes set forth in this section. An employee must have a "Meets Standards" or better, as measured by the overall performance evaluation rating, in order to be eligible for a merit salary increase or promotion. Deficiencies in performance by an employee may result in appropriate disciplinary action subject to the applicable appeal process. Performance evaluations are not subject to the appeal/grievance process.

Performance evaluations will be reviewed by the department chain-of-command and each level of review will be objective. Each department director is responsible for timely and accurate job performance evaluations that monitor the efficiency, conduct, and character of all of their employees on forms provided by the Human Resources/Risk Management Director. The purpose of these evaluations is to measure the employee's performance of their assigned job related duties and their ability to work cooperatively and effectively with other employees and the public.

- a. The Human Resources/Risk Management Director will establish the system to be used for performance evaluations.
 - 1) The system will measure job performance and job behaviors.
 - 2) Performance evaluations shall be considered in personnel actions such as promotions, salary increases, gaining regular status, suspension, demotion, discharge, and other appropriate actions.

2. Evaluators

The employee's immediate supervisor (evaluator) shall prepare the employee's performance evaluation in a timely and accurate manner (refer to Section V.C.4.a.) . Prior to presentation of the performance evaluation to the employee, the evaluation shall be discussed with the department director who may recommend modifications (refer to Section V.C.6). **Evaluators will not be directed to change their evaluation of an employee.** Should there appear to be information which was not considered, then the department director may suggest that the immediate supervisor reconsider the evaluation. A division manager and/or department director may attach comments and/or ratings which differ from the immediate supervisor or the other reviewers. After discussion with the department director, or designee, the immediate supervisor shall review the evaluation with the employee after providing the employee adequate time for review of the supervisor's comments. The employee will receive a complete copy of the performance evaluation that is sent to the Human Resources Department for his/her permanent file, to include all

attachments and comments. Additionally, the employee has the right to submit comments relevant to the evaluation, which will be included with the performance evaluation. Such information may be written comments or documentation that the employee feels will give a more accurate picture of his/her performance during the period being evaluated. Such comments shall normally be submitted within 10 working days of the performance evaluation being discussed with the employee. In the case of sworn officers, it shall be within 30 calendar days of the performance evaluation being discussed with the employee, as required by Government Code Section 3306.

3. Probationary Evaluation

Probationary evaluations are part of the examination process as indicated herein. Probationary evaluations which recommend that an employee not be granted regular status must be completed and given to the employee prior to the end of the probationary period. Such evaluations must be completed in consultation with the Human Resources/Risk Management Director.

4. Reporting Periods

Performance evaluations will be given at the completion of six (6) months, the probationary period, and yearly thereafter for all employees. For employees on an annual evaluation, it is strongly encouraged that a six (6) month informal “how goes it” evaluation be conducted with the employee to provide communication and to ensure that the employee is meeting expectations. Should the appointing authority deem it necessary, an employee may be evaluated at more frequent intervals. An employee who fails to maintain the level of performance required by the appointing authority, and consistent with the job specification and these Rules, will be subject to the disciplinary process or to non-punitive remedial action.

- a. Regular full-time employees shall be reviewed annually on the employee’s evaluation date. All performance evaluations are to be completed within 30 days of the employee’s evaluation date, unless the employee is subject to a salary merit increase, in which case the evaluation is to be completed within 11 days of the employee’s salary review date.
- b. Performance evaluations are always required at the time merit step increases are granted.

5. Special Evaluations

To further reflect employee efficiency, character, and conduct, department directors may prepare additional, special performance evaluations as needed.

6. Requests for Review

Employees may request a “review” of their performance evaluation by the Human Resources/Risk Management Director after following the departmental chain-of-command. Although performance evaluations are not subject to the grievance/appeal procedure, the City does provide an opportunity for review and consideration of those issues about which

the employee is concerned. Should there appear to be information which was not considered, then the department director may suggest that the immediate supervisor (evaluator) reconsider the evaluation. **Evaluators will not be directed to change their evaluation of an employee.** (See Section V.C.2.).

7. Use of Job Performance Evaluations

Job performance evaluations may serve as reference documents, related to but not limited to, such personnel actions as merit step adjustments, promotions, transfers, disciplinary, and other appropriate actions.

8. Use of the Performance Improvement Plan (PIP)

An employee who does not receive at least a “Meets Standards” annual evaluation, may be placed on a Performance Improvement Plan (PIP). This Plan will outline deficiencies and expectations in order to assist the employee to improve his/her job performance.

9. Retroactive Pay Rate

Any pay rate increase is retroactive to the evaluation date.

SECTION VI SEPARATION

A. RETIREMENT

1. Service

Regular full-time employees of the City of Pomona, as a condition of employment, shall become members of the California Public Employee's Retirement System (CalPERS) in accordance with the existing legislation governing retirement. Employees contemplating retirement should contact the Human Resources Department at least 90 days prior to their anticipated retirement date.

2. Disability

Employees no longer able to continue working due to illness or injury may be eligible for disability retirement under the laws, rules, and regulations governing the CalPERS. Employees should immediately notify their appointing authority and the Risk Management Division of the Human Resources Department if they can no longer continue to work due to illness or injury.

B. RESIGNATION

1. Voluntary

- a. **Good Standing:** An employee wishing to leave the classified service in "good standing" shall file with his/her supervisor, at least two (2) weeks before leaving City service, a written resignation notice stating the effective date. The resignation shall be forwarded to the Human Resources/Risk Management Director with a statement by the department director as to the resigning employee's service performance and other pertinent information. Failure to comply with this Rule shall be entered on the service record of the employee and may be cause for denying future employment by the City.
- b. **Acceptance:** Resignation occurs when an employee tenders a written notice of his/her intention to resign. A resignation becomes final when accepted by the appointing authority. Subject to the appointing authority's determination, once the appointing authority has accepted a resignation, it cannot be withdrawn.

2. Involuntary

An employee is deemed to have resigned their position when the employee is absent for three (3) consecutive workdays without prior authorization and without notification to the City during that period of the absence. On the third working day of unauthorized absence, the supervisor shall send a telegram or overnight letter to the employee's last known address informing the employee that if the employee fails to report to work within the next two (2) workdays, or receive authorization for such absence, the employee will be deemed

to have resigned their position with the City. Employees separated from employment for job abandonment may be reinstated with such charge removed from the employee's record upon presentation, to the appointing authority and to the Human Resources/Risk Management Director, of justification for absence such as: severe accident, severe illness, false arrest, mental or physical impairment, or other acceptable justification. The decision of the Human Resources/Risk Management Director in these cases shall be final.

C. LAYOFF

1. Authority

The appointing authority may layoff any employee(s) in the classified service due to termination of a position, termination of the program to which the position is assigned, lack of work, or lack of funds. This is not a disciplinary or punitive action and shall not be subject to administrative appeal. At least 30 calendar days before the effective date of a layoff, the appointing authority shall notify the Human Resources/Risk Management Director of the intended action with reasons therefore, and a statement certifying whether or not the job performance of the employee has been satisfactory (Meets Standards or better as measured by their overall performance evaluation rating). If certified as having given satisfactory service, the name of the employee laid off shall be placed on the appropriate eligibility list as provided by these Rules, and shall remain on such eligibility list for one (1) year.

- a. Whenever in the judgement of the City, it becomes necessary to abolish any position or employment, the employee holding such position or employment may be laid off or demoted, consistent with these Rules, without disciplinary action and without the right of appeal.

2. Procedure

- a. Notice: Whenever possible, employees to be laid off shall be given at least 30 calendar days prior notice. The employee shall be advised (in writing) by the Human Resources/Risk Management Director of any and all rights available to employees scheduled to be laid off.
- b. Order of Layoff: Employees shall be laid off in the inverse order of their seniority in their classification. Seniority shall be determined based upon date of hire in the current classification and lower classifications. In cases where two (2) or more employees have the same anniversary date, layoff shall be determined by the most recent performance evaluation. A lay off not in consonance with inverse order may be made if, in the City's judgement, retention of special job skills is required. Within each classification, employees shall be laid off in the following order, unless special skills are required: 1st--temporary, 2nd--probationary, and 3rd--regular.
- c. Bumping: Regular employees that are designated to be laid off and have held regular status in a lower classification within the same classification series (e.g. planning series, police series, accounting series, etc.) in the same department may displace employees in the lower classification provided that the employee exercising the displacement

privilege has greater classification length of service than the incumbent in the classification to which the employee is bumping, and the employee had a “Meets Standards” or better overall rating on his/her most current written performance evaluation. If the employee in the higher classification has not held status in the lower classification, then no displacement rights to the lower classification accrue to that individual.

- d. Transfer: When more than one department is involved in a transfer, then both department directors must agree in order for the transfer to take place.
 - 1) Lower position: The appointing authority may transfer an employee designated for layoff to a vacant lower position even though the employee has not held status in that position. The employee must meet all of the minimum qualifications of the lower position and will be paid the rate of pay for the lower position.
 - 2) Similar or higher position: The appointing authority may transfer an employee to a vacant authorized position not previously held, if the employee meets the minimum qualifications and is technically capable of performing the duties as determined by the appointing authority.
 - 3) Probation: Employees transferred to a lower, similar or higher classification as indicated in 1) and 2) above may be required to serve a probationary period in the new position. If the employee is unsuccessful in passing the probationary appointment, the employee will be placed on the layoff reappointment list.
- e. Layoff List: A layoff list shall be maintained for reappointment for each classification for all regular full-time employees, other than probationary, who have been laid off or placed in a lower classification due to layoff. Individuals with the most seniority in their classification shall be placed highest on the list with all others placed in descending order of seniority. As positions become vacant in the classifications for which layoff lists exist, reappointment shall first be made from said lists.
 - 1) An employee who declines reappointment from the layoff list shall have his/her name removed from the list and will no longer be eligible for reappointment.
 - 2) Layoff lists for reappointment shall remain in effect for one (1) year, after which time they shall expire and all employee reappointment rights are terminated.

D. TERMINATION

The appointing authority may terminate an employee from City service for cause. Appeals from just cause terminations are set forth under the City policy on Discipline and Grievance Procedures, the applicable MOU, or Rules A and B, as appropriate.

E. EXIT INTERVIEW

All employees leaving the City service will be encouraged to participate in an exit interview. At the exit interview, employees will be advised of their rights on benefits, insurance, and reemployment. Also, employees will be given an opportunity to discuss their views on the City, their department, training, and other subjects upon which they would like to comment.

F. RETURN OF CITY PROPERTY

Employees are required to return all City property in their possession or control on/or before their final day of employment. This includes City furnished uniforms, tools, equipment, keys, and other materials provided by the City.

G. REEMPLOYMENT

Employees who have retired or resigned in “good standing” are eligible to be considered for reemployment on a full or temporary basis. Individuals retiring under CalPERS need to check with CalPERS regarding restrictions for employment while retired or when considering returning to full-time government employment. Reemployment of former employees is covered under Section III. Compensation Plan, Article D.8 of these Rules.

SECTION VII RECORDS

A. OFFICIAL FILE

The Human Resources Department shall maintain the “official” personnel file for each employee in the service of the City. Information contained in these files shall include classification title, the department to which assigned, salary, changes in employment status, disciplinary actions, performance evaluations, commendatory materials, and such other information as may be considered pertinent.

1. Every appointment, transfer, promotion, demotion, change of salary rate, and other temporary or permanent changes in status of employees shall be reported to the Human Resources/Risk Management Director by the appointing authority for the employee, and shall be retained in the employee’s “official” personnel file in the Human Resources Department.

B. REVIEW OF FILE

An employee, or the employee’s representative with written consent, shall be entitled to review his/her personnel file, which is retained in the Human Resources Department. An employee also has the right to inspect the “satellite” personnel records that the employer may maintain relating to the employee’s performance or to any grievance concerning the employee. If an employee wishes to view his/her personnel file, he/she will schedule an appointment with the Human Resources/Risk Management Director, or designee, a minimum of 24 hours in advance of the review time. Employees desiring photocopies of any documents in their personnel files may be charged an applicable fee for the service.

C. UPDATE OF FILE

It shall be the responsibility of each employee to keep his/her department director and the Human Resources/Risk Management Director notified (in writing) concerning the employee’s marital status, number of dependants, correct address, telephone number, and the person to be contacted in case of an emergency.

SECTION VIII DEFINITIONS

Accelerated hiring rate of pay	An initial rate of pay at other than the first step of the salary scale.
Acting assignment	Assignments to fill a position vacant due to a separation, extended absence from the position by the incumbent, illness, or leave without pay in a job classification higher than the one held by the employee.
Allocation	The assignment of an individual position to an appropriate classification on the basis of the type, difficulty, and responsibility of work required in the position. As used in these Rules, employees are appointed to positions; positions are allocated to classifications.
Anniversary date	For those employees hired during the first week of the pay period, they shall have the date set to beginning of the pay period. For those employees hired during the second week of the pay period, they shall have the date set to the first day of the following pay period. Vacation, sick leave, probationary period, and retirement status are calculated as of this date. The anniversary date for an employee who is absent from work, in a non-pay status, for any amount of time shall be adjusted forward by an equal amount of time.
Applicant	A person who has filed a City application form for employment with the City.
Appointment	The authorized employment, by the appointing authority, of a person to a position. Types of employment include regular, temporary, full-time, and part-time.
Appointing authority	The City Council, City Manager, department director, person or group of persons designated by law or by lawfully delegated authority to make appointments.
Base hourly rate of pay	For purposes of payroll computation: The monthly amount of pay that the employee is designated to receive within the salary scale for the employee's job classification, excluding any additional types of pay; multiplied by 12 and divided by 2080.
Cancelled Eligibility list	A list of eligible candidates from which there are fewer than the required number of qualified candidates that can be certified to an appointing authority for a vacant position, and from which the appointing authority does not choose to make an appointment. Also, an eligibility list that existed for a certain time and that time period has expired.

Candidate	An applicant that has participated in one or more portions of the selection process.
Certified eligibility list	The submission of names by the Human Resources/Risk Management Director, to the appointing authority, or designee, of candidates from an approved eligibility list.
Chief Personnel Officer	The City Manager of the City of Pomona, who is responsible to the City Council for Personnel Rules and Policies.
City	The City of Pomona.
City Council	The City Council of the City of Pomona.
Classification	A group of positions sufficiently similar as to duties performed, degree of supervision exercised or required, minimum requirements of education, experience or skill, and such other qualifications, that the same title, the same tests of fitness, and the same scale of compensation may be applied with equity to each position within the group.
Classification series	A group of classifications sharing similar functions but differing as to salary and level of complexity, difficulty, responsibility, and minimum qualifications for appointment (e.g. Engineer, Senior Engineer, Principal Engineer).
Classification specification	A written description for a position setting forth factors and conditions that are essential functions of the position in that classification.
Classification Plan	The grouping of all positions by classification specification in a horizontal and vertical relationship based upon compensation, authority, duties, and responsibility.
Classified service	All positions and employment in the service of the City, except for those positions indicated under the “Exclusions” Section of these Rules.
Classification title	A definite descriptive name applied to a classification and to all positions of the classification.
Continuous service	The period of employment since original appointment, served without a break in service caused by a layoff of more than one year, resignation, or discharge.
Continuous recruitment	An ongoing procedure or procedures for attracting applicants in which the last day for filing of applications is not specified, and examinations are conducted as the needs of the City may require.
Days	Consecutive calendar days unless otherwise stated.

Demotion	The movement of an employee to a different job classification within the City service having less responsible duties, and/or lower job qualifications, and/or a lower salary range level.
Human Resources/ Risk Management Director	The department director of the Human Resources Department, who is the human resources advisor to the City and is responsible for the daily operations of the City's human resources program.
Discharge	The termination of an employee from the classified service by the appointing authority for cause.
Eligible	A person whose name appears on an eligibility list and is qualified to be appointed.
Eligibility list	An officially approved list of eligibles for a classification or position in the order of their final rating in a merit examination (utilized by the Human Resources Department to establish a certified eligibility list).
Employee	A person who is legally the incumbent of a specific position or who is on an authorized leave of absence from a position.
Entry level position	The classification with the lowest salary and minimum qualifications of all classifications in a classification series.
Examination	The process of using assessment techniques to measure the extent to which applicants possess the critical skills, knowledge, abilities, and traits required to successfully perform the essential functions of a particular classification, and the comparative capabilities of the candidates regarding those factors.
Examining agency	Any agency selected by the Human Resources/Risk Management Director to conduct personnel system examinations or tests for the City of Pomona.
Exempt classifications	Positions that are "exempt" from the overtime provisions of the Fair Labor Standards Act (FLSA).
Evaluation date	The date on which an employee is to receive a performance evaluation in accordance with the salary step plan and the probationary period.
Frozen salary (y-rate)	The employee's current salary will be frozen at its current rate, until the salary scale the employee is placed on catches up to the current salary. "Freezing" or "Y-rating" an employee's current salary may occur in the event that an employee's position is moved from a higher classification to a lower classification such as a voluntary demotion in lieu of layoff or downward reclassification of the position. "Freezing" (y-rate) does not apply to a demotion imposed for disciplinary reasons.
Full-time employee	An employee who normally works 40 hours per week, 52 weeks per year and is entitled to City benefits.

Hire date	Date of original or most recent employment with the City. This date may be adjusted due to time off without pay.
Incumbent	An employee assigned to a particular position within a classification.
Initial probationary period	A work test period served by an individual in the first position appointed to by the City.
Interview	An oral examination of an applicant to determine the relative extent of their suitability for the position for which they are applying.
Job analysis	A systematic study of a position(s) in a classification to determine which, and to what degree, various duties and tasks are essential to the job and to define and link knowledge, skills, abilities, and traits which are necessary to successfully perform the essential functions and tasks of the position.
Leave	Authorized or unauthorized absence from an employee's place of work.
Merit principle	The appointment and promotion of employees based on merit.
Merit System	The concept of employment whereby individuals are selected and promoted based upon comparative assessment through an evaluation/ examination process.
Miscellaneous employee	A full-time employee, other than a Safety Employee, who is classified as a "miscellaneous member" under the California Public Employees' Retirement System (CalPERS).
MOU	A Memorandum of Understanding approved by the City Council setting forth an agreement between the City and a recognized bargaining unit.
Open competitive examination	A testing process open to all qualified applicants and is not restricted to current City employees.
Original appointment	The individual's first appointment as a City employee. An employee receives a new adjusted original date of hire when rehired following resignation or termination (other than layoff).
Personnel action	Any action taken with reference to appointment, compensation, promotion, transfer, layoff, discharge, discipline, commendation, or any other action affecting the employee's status of employment.
Performance evaluation	An employee receives an annual, formal written document used for evaluating the quantity and quality of work performed by the employee as well as the work related behaviors essential to the successful achievement of the work assigned to the classification. Normally, performance evaluations are: probationary, six (6) month, annual, or special in nature.
Position	A specific employment description, whether, occupied or vacant, carrying certain duties by an individual who is either a full-time or part-time employee.

Probationary appointment	The employment of an eligible candidate to a regular position for a working test period during which job performance is evaluated as the basis for consideration for regular appointment.
Probationary employee	An employee who is serving a probationary work test period for a regular position in a classification in which he/she is currently employed.
Probationary period	The probationary period shall be regarded as a part of the testing process and shall be utilized for closely observing the employee's work to determine the employee's fitness for the position. All appointments made to a vacant regular position, whether initial or promotional, shall be considered probationary.
Promotion	The advancement of an employee from a position in one (1) classification to a position in another classification having a higher level of duties, responsibilities, qualifications and a higher maximum rate of pay.
Promotional examination	A test for positions of a particular classification; admission to the test being limited to current, qualified, regular full-time and hourly, part-time employees in the classified service.
Promotional list	An eligibility list resulting from an examination process, limited to current full-time and hourly, part-time qualified employees.
Rank	A candidate's position on the Human Resources Department's eligibility list.
Reappointment	The rehire of an employee within a specified period of time following a layoff based upon the rules governing layoff.
Reclassification	A change in the classification level of an individual position by an upgrade to a higher classification, a downgrade to a lower classification, or by a lateral transfer to another classification at the same level, on the basis of significant changes in kind, difficulty, or responsibility of the duties and work required for the position. Reclassifications may occur only through a gradual accretion or growth of duties. Reclassification may or may not be accompanied by a change in salary scale.
Reduction in pay	A salary decrease within the limits of the established pay scale for a classification, generally associated with a disciplinary action.
Reemployment list	Former employees that resigned in "good standing" may be re-employed based upon the recommendation of the department director and approval of the Human Resources/Risk Management Director.
Regular appointment	The employment of a person in a regular budgeted position following the successful completion of a probationary period.
Regular employee	An employee who has successfully completed an initial probationary period in a regular position.

Regular employment	Employment into a full-time position after completion of an initial probationary work test period which is not temporary or emergency in nature.
Regular full-time employment	Employees who successfully complete their probationary period and who regularly work a minimum of 40 hours per week shall become regular, full-time employees and shall be entitled to all the benefits provided herein.
Regular hourly rate of pay	The monthly amount of pay the employee is designated to receive within the salary scale or range for the employee's job classification, including other applicable, additional types of pay to which the employee's specific assignment may entitle him/her, multiplied by 12 and divided by 2080.
Rehire	The reemployment, without examination and within one (1) year of separation, of a former employee into the same classification from which the employee separated from City service.
Rejection	The separation of an employee from City service during the probationary period.
Reprimand	Oral or written notice of unsatisfactory performance or improper conduct; normally given as a form of progressive disciplinary action.
Resignation	Occurs when an employee tenders a written notice of intent to resign his/her position. A resignation becomes final when accepted by the appointing authority. Once the appointing authority has accepted a resignation, normally it cannot be withdrawn.
Restoration	The reinstatement to duty of an employee with all rights and benefits held prior to the break in service. This action occurs when a person is returned to duty following a demotion, dismissal, or termination as a result of a disciplinary action in which it has been determined that the employee must be made whole and returned to duty.
Retirement	<p>There are two (2) types of retirement:</p> <ol style="list-style-type: none"> 1) Service- the voluntary termination of a regular employee from a regular position after becoming eligible for and applying to the California Public Employees Retirement System (CalPERS) for retirement benefits. 2) Disability- the termination of an employee due to physical or medical inability to perform the duties of the position after an employee has become eligible for benefits under the California Public Employees Retirement System (CalPERS).
Safety employee	A sworn member of the Pomona Police Department whose official duties, in the protection of life and property, qualify them as "safety members" under the California Public Employees Retirement System (CalPERS).

Salary or wage	The amount of money or credit received as compensation for services rendered exclusive of mileage, travel allowances, and other sums received for actual and necessary expenses in the performance of duties in a position in the classified service.
Salary adjustment	The reassignment of a classification from one (1) salary scale or hourly rate to another salary scale or hourly rate.
Salary advancement	A base salary increase within the limits of the pay scale established for a classification.
Salary rate	The amount of money authorized to be paid on an hourly, daily, weekly, monthly or annual basis for a specific classification or contract.
Salary review date	Initially, the date based on the employee's date of hire which may be adjusted due to leaves of absence or job changes.
Salary scale or Salary range	A series of consecutive salary steps or a salary range that comprise the rates of pay for a classification defined in the current salary schedule which has been approved by the City Council.
Salary step	Each of the steps defined in the current salary schedule for a position, which has been approved by the City Council.
Seniority	Status secured by length of service to which certain rights attach including but not limited to, order of layoff, allocation of benefits or other privileges provided by the City or a valid MOU.
Separation	The termination of an employee's employment with the City because of layoff, resignation, retirement, work completion, death, or discharge.
Series	Classifications of positions related by the nature of the work performed, grouped from the most to the least complex (See Classification Series.).
Service period	A period of time in which the employee spent 80 hours in a paid status for one (1) biweekly pay period (or 40 hours in each pay period) as long as it begins and ends within any given calendar month.
Supervisor	An employee assigned the responsibility for the evaluation of regularly assigned employees and for organizing, assigning, and reviewing their work.
Suspension	The temporary and involuntary separation of an employee, for a specified period of time, from their position for disciplinary reasons.
Temporary employee	An employee appointed for a period not to exceed 180 working days (unless extended by the City Manager) in any fiscal year; or, an employee working for a designated period of time which may be limited to a particular season or event (e.g., Easter, Christmas, summer, etc.), or other designated limited period of time. Employees holding a temporary appointment shall not be provided any

benefits other than those required by State or Federal law. A temporary employee who is appointed to fill an existing, budgeted, full-time position for a specified period to cover a leave of absence or other such vacancy until the return of the vacant employee, may receive benefits with the approval of the City Manager.

Temporary employees are “**at-will**” and serve at the pleasure of the appointing authority and may be removed at any time without cause, notice, or right of appeal.

Test or Examination	Types of tests may include written, performance, oral interview, or any other method of assessment deemed appropriate by the Human Resources/Risk Management Director or designee.
Transfer	<p>A change of an employee from one position to another position in the same classification or a comparable classification at the same salary scale.</p> <p>Voluntary-- a transfer request initiated by a regular employee to move to another position in the same or lower classification for which the employee is qualified.</p> <p>Involuntary--a City initiated transfer. Whenever possible, an employee being transferred from one position to another position in the same classification, or a comparable classification at the same salary level, shall receive five (5) working days notice. If the transfer requires the employee to move equipment from one location to another, the employee shall receive seven (7) working days notice.</p>
Unauthorized absence	Failure to obtain permission to be absent from duty for a specified purpose.
Vacancy	An authorized position for which funds are available but which is not occupied.
Waiver of eligibility	The voluntary relinquishment by an individual of any right to consideration for appointment from an eligibility list.
Y-rate	See “Frozen salary”.