

Introduced by Buffaloe

First Reading 9-6-22

Second Reading 9-19-22

Ordinance No. 025128

Council Bill No. B 244-22

**AN ORDINANCE**

amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 19 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 19-110. General benefits.

(a) Employee health care plan. The city shall pay into the employee benefit fund five hundred ~~forty-two~~ twenty-four dollars and ~~fifty-one~~ sixteen cents (\$~~542.51~~ 524.16) per month for the cost of medical employee health care plan coverage, and thirty-three dollars and sixty cents (\$33.60) per month for the cost of employee dental plan coverage, for each eligible permanent employee and each eligible employee otherwise required to be covered by the city who participates in the plan. The city shall pay a portion of dependent care coverage for those eligible permanent employees who elect to purchase dependent health plan coverage under the city plan, subject to the following maximum amounts:

Employee + Spouse .....	<del>\$642.32</del> <u>620.60</u>
Employee + Child(ren).....	<del>608.69</del> <u>588.14</u>
Employee + Family.....	<del>783.21</del> <u>756.72</u>

These payments by the city shall begin when the employee becomes an eligible employee under the health care plan and end at the date of the employee's termination of employment with the city. Employees choosing not to participate in the health care plan or dental plan or both shall not be entitled to receive the amount the city would have contributed toward the cost of such employees' health care plan and dental plan coverage.

The city shall contribute one hundred twenty-five dollars (\$125.00) per month to the health savings account of each eligible employee with single coverage under the city's high deductible health plan and two hundred fifty dollars (\$250.00) per month to the health

savings account of each eligible employee with single plus spouse, single plus children or full family coverage under the city's high deductible health plan.

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SECTION 2. Chapter 19 of the Code of Ordinances of the City of Columbia, Missouri, is hereby further amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 19-192. Duration.

(a) Every person transferred, demoted, promoted, appointed or reappointed to a permanent position with the city shall be required to complete a successful probationary or qualifying period of at least six (6) continuous months duration.

(b) Individuals placed in entry-level police officer, firefighter, or airport safety officer positions are required to complete a successful probationary or qualifying period of at least eighteen (18) continuous months. All other commissioned police and fire positions will serve a twelve-month probationary or qualifying period. Positions identified as ineligible for overtime in the city's pay plan, are required to complete a successful probationary or qualifying period of at least twelve (12) continuous months; other positions shall serve a six-month probationary or qualifying period.

(c) The probationary or qualifying period shall begin immediately upon appointment to a permanent position. The probation or qualifying time period may be extended if deemed necessary by the department head. Such an extension must be processed as a personnel requisition, with review by the director.

(d) Time spent in an "acting" capacity immediately prior to receiving a permanent appointment to the same classification and department shall be considered as time spent as a probationary or qualifying employee in the position.

(e) An employee who is promoted or transferred prior to completing a probationary period shall begin a new probationary (not qualifying) period in the new position, and shall have no grievance/appeal privileges until a probationary period is successfully completed in one classification. The employee shall, however, be eligible for benefits specified in these policies (or prorated equivalent thereof if in a permanent part-time position).

(f) An employee whose position is reclassified will not be required to complete a new probationary or qualifying period. An employee whose position is reclassified prior to completing a probationary period will not complete a new probationary period, but shall be required to successfully complete the original probationary period.

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Sec. 19-238. Procedures for grievances, disciplinary review and complaints.

(a) Whenever an employee or employee bargaining group eligible to file a grievance, disciplinary review or complaint desires to do so, the employee or employee bargaining group shall follow the procedures set out in this section. An employee may have the assistance of an attorney, a representative of the employee's bargaining group or other representative in any stage of the process. Notification of such assistance shall be given in writing signed by the employee on a form to be provided by the human resources department. A represented employee shall participate fully at all stages of the process. All documents and other submissions by employee's representative shall be read and signed by the employee to verify that submission is truthful and accurate. Employees and their representatives may, with the permission of their supervisors, be granted time off with pay for the purpose of necessary discussions and conferences with city supervisors and administrators relating to the resolution of specific grievances and complaints.

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(e) Disciplinary review procedures.

(1) An employee may request disciplinary review of written discipline, other than suspension without pay, dismissal or disciplinary demotion. Any employee requesting disciplinary review shall file the request for review in writing on a form provided by the human resources department within ten (10) working days of receiving the written notice under section 19-226. The request must be filed with the human resources department, which shall promptly forward a copy to the employee's department head. Within ten (10) working days of receipt, the department head, or the department head's designee, shall meet with the employee and any other necessary staff for a determination of the request, as well as review any documentation relating to the disciplinary action. The department head's designee shall not be the same person who imposed the discipline. Upon completing the review, the department head, or the department head's designee, shall issue a decision on a form provided by the human resources department either affirming the disciplinary action or making such modification as the department head, or the department head's designee, deems appropriate, and shall give notice of that decision to the ~~employee and the human resources department.~~ The human resources department shall give notice of that decision to the employee.

(2) If the employee is dissatisfied with the department head's decision, within five (5) working days of receipt of the decision, the employee may request that the original review request ~~complaint~~ be forwarded to the human resources director ~~department~~ within five (5) working days for elevated review. The human resources director, or the director's designee, may attempt to conciliate the matter within ten (10) working days of receipt. The

determination of whether to modify the discipline shall be made by the department head.

- (f) Grievance procedures.
- (1) Employees suspended without pay, dismissed or given disciplinary demotion, including discharged employees, may file a grievance in response to receiving the written explanation of disciplinary action required by section 19-226.
- (2) The employee must file the grievance with the human resources department within ten (10) working days of receiving the written notice under section 19-226.
- (3) The written reasons shall be on a form provided by the human resources director, and include:
  - (a) A plain statement of the action taken.
  - (b) A list of evidence, documents and witnesses supporting the grievance.
  - (c) The summary of the facts supporting the grievance.
  - (d) The applicable laws, ordinances or rules.
  - (e) The specific relief requested.
  - (f) Any request that the human resources director review documents unavailable to the employee.
  - (g) As an attachment, any notice received by the employee regarding the action.
  - (h) Any other information deemed relevant by the employee.
- (4) Within ten (10) working days of receipt of the notice from the employee, the human resources department shall provide a notice of receipt of the filing of the grievance to the department head. Within ten (10) working days of receipt of the notice from the human resources department, the department head will provide a written response to the grievance to the human resources department on the form provided by the human resources department. If not resolved with the issuance of the department head's written response, within five (5) working days of receiving the department head's response, the employee shall notify the human resources department that the grievance is not resolved. Within five (5) working days of receipt of notice from the employee, the human resources director shall assure that all required procedural steps have been taken by the department issuing the action and,

if the required steps have not been taken, return the disciplinary action to the department, which shall, within five (5) working days, correct any deficiencies or rescind the action.

The human resources department may independently investigate the matter and will notify the employee and the department head if an investigation is conducted. If the human resources director determines that the disciplinary action, as currently documented, appears inconsistent with prior departmental or city disciplinary actions, the human resources director, or the director's designee, shall meet with the department head to determine if any modification to the action should be taken; the determination of whether to modify the discipline shall be made at that time by the department head.


The director of human resources shall inform the employee of the outcome of the review and conference with the department head. If the employee is not satisfied with the outcome of the review, the employee may request mediation or appeal to the personnel advisory board pursuant to section 19-239. An appeal to the personnel advisory board must be taken within five (5) working days of the date on which the human resources director informs the employee of the outcome of the review or within five (5) days of the written notice from the mediator issued pursuant to section 19-238(g) that the mediation has concluded.

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SECTION 3. Section 1 of this ordinance shall be effective as of January 1, 2023 and Section 2 of this ordinance shall be effective as of October 1, 2022.


PASSED this 19th day of September, 2022.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
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Mayor and Presiding Officer

APPROVED AS TO FORM:

  
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City Counselor