

## **ORDINANCE NO. 12-F**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, AMENDING ORDINANCE NO. 07-CCC, WHEREBY THE CITY COUNCIL ADOPTED THE CITY OF ALVIN PERSONNEL POLICY; NOW AMENDING THE PERSONNEL POLICY BY CHANGING THE PERFORMANCE EVALUATION SYSTEM TO EMPLOYEE APPRAISAL SYSTEM AND REVISING THE "PROBATIONARY PERIOD" SECTION; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.**

**WHEREAS**, the City of Alvin adopted a Personnel Policy by Ordinance No. 07-CCC on December 6, 2007; and

**WHEREAS**, the Personnel Policy outlines procedures and guidelines for employees; and

**WHEREAS**, the City Council of the City of Alvin desires to amend the Personnel Policy to change the employee evaluation procedure to an Employee Appraisal System and include changes to the Probationary Period section as well; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:**

**Section 1.** That the City Council hereby adopts and approves the recitals set forth in the preamble hereof and made a part hereof for all purposes as findings of fact.

**Section 2.** That the City Council of the City of Alvin hereby amends the City of Alvin Personnel Policy by changing the "Performance Evaluation System" to "Employee Appraisal System" (attached hereto as Exhibit "A") and revising provisions to the "Probationary Period" (attached hereto as Exhibit "B").

**Section 3. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal or invalid or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Effective Date.** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of *Chapt. 52, Tex. Loc. Gov't. Code*, and the *City of Alvin Charter*.

**Section 5. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

**PASSED AND APPROVED** on first reading this 1 day of March, 2012.

**PASSED AND APPROVED** on second and final reading this 15 day of March, 2012.

**ATTEST:**

**CITY OF ALVIN, TEXAS**

By: \_\_\_\_\_



Thomas W. Peebles, City Clerk

By: \_\_\_\_\_



Gary Appelt, Mayor

## **EMPLOYEE APPRAISAL SYSTEM**

The City uses a thorough employee appraisal process for assisting supervisors in communicating job expectations, measuring the employee's level of past performance, recognizing employee achievements and exemplary performance, and strengthening the supervisor-employee relationship. The employee appraisal process provides necessary information for assisting career development and training, assignments, advancements, transfers, disciplinary actions & retention. The purpose of the appraisal process as outlined herein is to achieve optimum employee performance resulting in outstanding citizen service. A copy of the Employee Appraisal form can be obtained from the Human Resources Manager.

**Schedule.** Regular full-time employees hired are eligible for:

- A written probationary period appraisal before completing their probationary period; and
- Annual employee appraisal on their anniversary date.

Newly transferred or promoted employees who are on probation shall also receive periodic evaluations during their probationary period and a written recommendation at the end of their probation period.

**Supervisory Responsibilities.** All employee appraisal information must be written where required and signed by the Employee, affected Supervisor, Department Director and the City Manager and then forwarded to the Human Resources Manager for retention in the employee's official personnel file. An evaluation is considered complete at the time the employee signs and dates the evaluation document or the supervisor and/or Department Director has a witness acknowledge the employee's refusal to sign the evaluation document.

Supervisors will strive to clearly communicate all elements of job performance, key result areas, performance standards, measures, goals, strengths and areas of development needed by completing the Employee Development Area. Each employee will sign and date a copy of his/her employee appraisal when it is reviewed.

Department Directors are expected to ensure compliance with this policy and ensure that evaluating supervisors and managers under their direction are adequately trained in the employee appraisal process. Department Directors and/or mid-level managers are encouraged to review all employee appraisal documents for validity prior to the department supervisor conducting the appraisal with the affected employee, in order to correct any obvious errors or rating bias.

**Human Resources Manager Responsibilities.** The Human Resources Manager will review all appraisal documents for obvious errors and return them to the Department Directors for any clarifications or procedural corrections. The Human Resources Manager is responsible for maintaining original appraisal documents in official personnel files.

**Employee Responsibilities.** Employees are expected to be knowledgeable of their essential job functions and key result areas and maintain established performance standards and requirements as outlined. Employees are encouraged to address issues and concerns regarding their annual employee appraisal with their evaluating supervisor. If the employee is unable to resolve his/her issues and concerns with the evaluating supervisor, the employee may address them with the Department Director; if the Department Director is the evaluating supervisor, the employee may go to the City Manager to address his/her concerns.

## **PROBATIONARY PERIOD**

All new employees hired to fill regular full-time or part-time positions must satisfactorily complete a probationary period of six (6) months. Additionally, all current employees who are transferred, promoted, or reclassified to a supervisory position, as well as former City employees who are rehired must satisfactorily complete a probationary period of four (4) months. The probationary period assists the City in maintaining an effective, productive, and efficient workforce to provide quality services to the citizens. Only those employees who meet acceptable performance and other standards during their probationary period will be retained as employees. An extension of ninety (90) days of orientation and/or training time may be added to the probationary period. Employees are considered probationary employees until they have actually performed their regular job duties for at least nine (9) months to assure their ability to meet acceptable standards of work performance and behavior for the employee's position. The probationary period is not to exceed nine months.

**Seasonal/Temporary Employees.** Seasonal and temporary full and part-time employees do not serve a probationary period and have no right of appeal when terminated at any time.

**Change In Assignment of Probationary Employee.** Probationary employees may not request or make application for reassignment, promotion, or voluntary transfer during the probationary period without written approval from the City Manager, as requested by their Department Director. If the reassignment, promotion, or transfer is approved, the employee will serve a four month probationary period in the new position beginning with the date of the position change.

**Absences During Performance Probationary Period.** During the probationary period, an employee is not eligible to use sick leave or vacation leave for any absences. Compensatory time off or recognized holidays during the probationary period may be used as approved per established City/departmental policy or practice. Transferred or promoted employees serving probationary periods retain their eligibility for all types of leave established by City policy.

**Probationary Evaluations.** All probationary employees shall receive an "Employee Appraisal" midway through their probationary period identifying their overall performance. The content of this appraisal will be used to help guide the employee to a successful conclusion of their probationary period. Upon successful completion of an employee's probationary period an "Employee Probationary Period Appraisal" form will be completed with proper signatures and forwarded to the City Manager's office for approval. The Employee Probationary Period Appraisal form can be obtained from the Human Resources Manager.



**Extensions to Probationary Period.** The performance probationary period may be extended under the following circumstances:

At the end of the six (6) months probationary period, probation may be extended for up to an additional ninety (90) days when a probationary employee's performance has been marginal due to extenuating circumstances, additional training is warranted, or an employee's absence from work for an extended period of time did not permit an opportunity for adequate assessment of performance. The decision to extend or not to extend an employee's probationary period may not be appealed. If an extension is granted, the employee will be advised in writing and given the date on which the extended probation period will be completed. Such extension will be at the sole discretion of the Department Director.

A probationary period may be extended for time spent on an approved Leave of Absence including leaves of absences due to injury or illness or approved Military Leave. The approved extension will normally equal the length of time away from work.

**Successful Completion of Probation/"Regular" Status Granted.** An employee is granted "regular" status in the new position if the employee satisfactorily completes the performance probationary period.

**Failure of Probation.** An employee is considered to have failed probation when it is determined that the employee's fitness, job performance, quality or quantity of work, attendance, or combination thereof, does not meet minimum job performance standards and expectations for the position. Failure of probation may occur at any time within the probationary period. An employee who fails probation will normally be terminated from the City's employment. If desirable and feasible, the employee may be administratively transferred to a more suitable position at the sole discretion of the City. A transferred or promoted employee who fails probation may, at the sole discretion of the City, be reinstated to his/her former position provided there is a vacancy and if approved by the affected Department Director(s). Department Directors are responsible for ensuring the thorough written documentation of all cases of failure of probation, including counseling, training, and other efforts to help employees during their probationary period.

**Termination of Probationary Employment.** Probationary employees are at-will employees and may be terminated at any time during the probationary period, with or without notice or cause. A probationary employee who is terminated has no right of appeal. Probationary employees are not entitled to progressive levels of discipline. Probationary employees are otherwise subject to all policies and procedures of the City.

**Sexual and Other Unlawful Harassment.** Probationary employees are subject in all respects to the City's Sexual and Other Unlawful Harassment Policy. While probationary employees have no right of appeal, if they believe they have been subjected to unlawful harassment or discrimination, they must immediately report such conduct as set out in the City Policy.