

FULL TEXT OF MEASURE ____

The people of the City of Albany modify Sections 8.01 – 8.07 of the City Charter to read as follows:

SECTION 8.01. MUNICIPAL CIVIL SERVICE.

(a) There shall be a Municipal Civil Service, hereinafter referred to as the Classified Service. Membership in the Classified Service is defined in Section 8.053(a) of this Chapter. ~~There shall be a Civil Service Board, hereinafter referred to as the Board, to administer the Classified Service.~~

(b) The City Council is authorized to pass ordinances pertaining to the Civil Service System. ~~Ordinance provisions affecting the Classified Service shall require a four-fifths (4/5) vote of the City Council, and shall include not less than one (1) public hearing on the subject matter of the ordinance.~~

~~(c) There shall be a Board consisting of five (5) members who serve without compensation. Each member of the City Council shall have the right to make one (1) appointment.~~

~~(d) No officer, employee, or member of another Board, Commission, or City Council shall be eligible for appointment to the Civil Service Board. (Amended, ratified, January 26, 1935; February 1, 1945; April 15, 1975; November 2, 1982; June 2, 1998)~~

~~SECTION 8.02. ORGANIZATION.~~

~~(a) The Civil Service Board shall choose one (1) member to serve as Chairperson.~~

~~(b) The City Council shall provide a person to serve as a secretary and administrative assistant to the Civil Service Board.~~

~~—(c)— Procedures for organization of the Board, any employees thereof, and duties not hereinafter specified, may be established by resolution. (Added, ratified, November 2, 1982)~~

~~—SECTION 8.03. POWERS AND DUTIES.~~

~~—(a)— The Board shall formulate rules and regulations governing the selection, promotion, reinstatement, re-employment, transfer, of all persons who are in the Classified Service in accordance with any ordinance adopted and/or amended by the City Council.~~

~~—(b)— The Civil Service Board shall hold written, oral, and any such other examinations as may be appropriate for applicants for employment, promotion, re-employment, reinstatement, or transfer, and shall maintain records and certified lists as appropriate. If any open examination is held, the Board shall give reasonable preference to existing City employees within the same department, provisions of Section 8.04(a) of this Chapter notwithstanding.~~

~~—(c)— There shall be a Hearing Board. The Hearing Board shall hear disputes related to members of the Classified Service, the exact nature and severity of such disputes to be defined by ordinance. Members of the Civil Service Board have the authority to serve as members of the Hearing Board. (Added, ratified, November 2, 1982)~~

SECTION 8.04 8.02. DISCRIMINATION PROHIBITED.

(a) All appointments, promotions, or other personnel decisions affecting the status of an employee shall be based upon selection of the best qualified individual.

(b) No person in the Classified Service, or seeking admission thereto, shall be appointed, promoted, demoted, or discharged, or in any way favored or discriminated against

because of political opinions, or affiliations or because of religious belief. (Added, ratified November 2, 1982)

SECTION ~~8.05~~ 8.03. EFFECT ON EMPLOYEES IN POLICE AND FIRE DEPARTMENTS AND OTHER DEPARTMENTS.

(a) Classified Service shall be defined as all sworn public safety personnel except for the Chief of Police and Fire Chief. All members, who are part of the Classified Service prior to the adoption of Chapter VIII, Sections 8.01 et seq., shall be considered as members with their present status of the Classified Service under the system as now adopted. Employees, not part of the previous Classified Service, shall have no change in status until rules, regulations, ordinances or procedures have been passed which may include additional employees. All future employees hired to positions which are part of the Classified Service at this time shall so remain part of the Classified Service.

(b) The City Council is empowered to define other positions to be included in the Civil Service System and to expand the system to include additional members by ordinance. (Added, ratified November 2, 1982)

~~SECTION 8.06. The cost of conducting examinations and other duties of the Civil Service Board shall be charged against the general fund of the City. These costs shall be certified by the Civil Service Board and, when so certified, shall be paid by the City Council in the same manner as other charges against the City. (Added, ratified November 2, 1982)~~

SECTION ~~8.07~~ 8.04. SEVERABILITY.

If any section, subsection, clause, or phrase of this law is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this law. (Added, ratified November 2, 1982)