

ORDINANCE NO. 04-04

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>	X	
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>		X

I MOVE this ordinance be adopted: Councilmember Kelepolo

I SECOND the foregoing motion: Councilmember Sorensen

ORDINANCE 04-04

AN ORDINANCE MAKING CHANGES TO THE EMPLOYEE PERSONNEL SYSTEM

WHEREAS, Spanish Fork City has created a personnel system for the benefit of its employees and to comply with state law; and

WHEREAS, changes in the state law require some modification to the City Ordinance;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Section 4.04.010 (definitions) of the Spanish Fork Municipal Code is hereby repealed.

II.

Section 4.04.030 of the Spanish Fork Municipal Code is hereby amended to read as follows:

4.04.030 Merit Service

Except for those employees set forth in the state law (Utah Code Ann. §10-3-1105(2)), each employee of Spanish Fork City shall hold employment without limitation of time. Discharge (termination), involuntary transfer to a position with less remuneration (demotion), or suspension of over two days without pay may occur only for cause and in compliance with state law and in accordance with the procedures set forth in the Spanish Fork City Personnel Policy Manual. All other grievance and/or disciplinary matters shall be handled as set forth in the Personnel Policy Manual.

III.

Section 4.04.045 of the Spanish Fork Municipal Code is hereby created to read as follows:

4.04.045 Appeal Board.

- A. There is hereby created an Appeal Board, which shall consist of the Mayor and the City Council and which will be chaired by the Mayor.
- B. Any employee afforded merit protection under the law (Utah Code Ann. §10-3-1105) shall be entitled to appeal discharge (termination), involuntary transfer to another position with less remuneration (demotion), or suspension without pay for more than two days, to the Appeal Board. The procedures for an appeal shall be set forth in the Spanish Fork City Personnel Policy Manual. Exhaustion of all appeal procedures set forth in the Personnel Policy Manual shall be a prerequisite to filing an appeal with the Appeal Board, including meeting all time deadlines.

DATED this 20th of April, 2004.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH, this 20th of April, 2004.



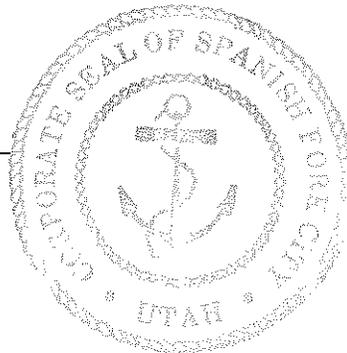
DALE R. BARNEY, Mayor

ATTEST:



KENT R. CLARK, City Recorder

FAORDBOOK\ORD\2004\Ord04-04



Proof of Publication

I **Steve Hardman** being first duly sworn according to law, disposes and says that he is the General Manager of **THE SPANISH FORK PRESS**, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

ORDINANCE 04-04,

AN ORDINANCE MAKING CHANGES TO THE EMPLOYEE PERSONNEL SYSTEM

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

Section 4.04.010 (definitions) of the Spanish Fork Municipal Code is hereby repealed.

Section 4.04.030 Merit Service of the Spanish Fork Municipal Code is hereby amended to read as follows:

Except for those employees set forth in the state law (Utah Code Ann. §10-3-1105(2)), each employee of Spanish Fork City shall hold employment without limitation of time. Discharge (termination), involuntary transfer to a position with less remuneration (demotion), or suspension of over two days without pay may occur only for cause and in compliance with state law and in accordance with the procedures set forth in the Spanish Fork City Personnel Policy Manual. All other grievance and/or disciplinary matters shall be handled as set forth in the Personnel Policy Manual.

4.04.045 Appeal Board of the Spanish Fork Municipal Code is hereby created to read as follows:

A. There is hereby created an Appeal Board, which shall consist of the Mayor and the City Council and which will be chaired by the Mayor.

B. Any employee afforded merit protection under the law (Utah Code Ann. §10-3-1105) shall be entitled to appeal discharge (termination), involuntary transfer

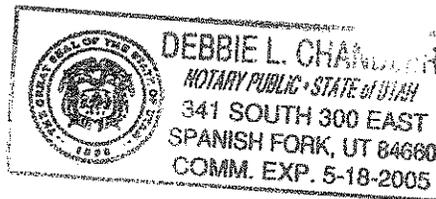
for consecutive 1 weeks,

the first publication on the 20 day

of May 2004

And the last on the 20 day

of May 2004



Subscribed and sworn

20th

day of

May

2004

Dee
Notary Public