

PROPOSED PERSONNEL RULES

When adopted by Council via resolution, the following rules shall be adopted as amended and filed with the Personnel Director

(Note New language appears in highlighted print)

Section 4-020 Transfers

- (1) A position may be filled by transferring an employee
- (2) Transfers must be approved by the affected appointing authorities, notification of which shall be submitted to the Personnel Director
- (3) Employee requests for transfer must be submitted in writing to the Personnel Director prior to the effective date of the transfer
- (4) The employee's name shall remain on the transfer list for a period of six months
- (5) Prior to certifying eligibles from the appropriate lists, the Personnel Director shall advise the appointing authority concerned of the names of those employees who have requested transfer
- (6) During a period of time declared by the Council in response to a fiscal emergency or other decrease in City revenue sources, employees may transfer to any job classification which has a maximum rate of not more than 20% above the maximum rate of the job class from which they transfer. Transfers below and above employees' current classes must meet these requirements
 - a) The employee selected for transfer must meet the qualifications of the job classification as determined by the Personnel Director or designee
 - b) Approval by the affected hiring authorities
 - c) Approval by the Personnel Director or designee of transfers between job classifications
 - d) No layoff list can exist for the classes to which transfers are sought.
 - e) There are no qualified injured workers available
 - f) A posted, City-wide competitive process, evaluating all interested employees, is used in selecting the employee for the position
 - g) Do not involve movement from sub-journey to journey, journey to supervisory or supervisory to managerial levels, nor involve upward movement within an occupational series
- (7) Any employee who transfers as described above in (6) to a different job class or to a different bureau shall work through a three (3) month trial period. In the event this trial period is not completed, the employee shall return to a vacancy in the former job class in the former bureau. If no vacancy exists the employee shall be subject to the Personnel Rules on layoff and recall or the applicable labor agreement

Section 8-030 Voluntary Demotion

- (1) A permanent employee may upon written request and approval by the appointing authorities concerned, and the Personnel Director, be demoted and granted status to a position in a classification having a lower maximum rate of compensation, provided the employee meets the qualifications of the position, a vacancy exists and no layoff list exists in that class. Seniority, if not otherwise established in the lower class, shall commence on the effective date of such demotion
- (2) During a period of time declared by the Council in response to a fiscal emergency or other decrease in City revenue sources, employees who voluntarily demote under this rule to a vacancy in a job class in which the maximum rate is within 20% of the maximum rate of the job class from which they transfer, shall maintain their rate of pay in the former classification ("red circle") for one (1) year. After one (1) year represented employees shall be paid in compliance with Rule 10-010 (2) (d) and non-represented employees shall be paid in compliance with City Code 4 080 130 (c). During the time an employee's rate of pay is "red-circled" the employee will not receive any contractual or other increase in rate of pay unless the maximum rate of the class exceeds the "red-circle" rate. Such a voluntary demotion shall not cancel seniority in the higher class for purposes of layoff

RESOLUTION No.

35610

Approve amendments to Personnel Rules concerning employee transfers and voluntary demotions (Resolution)

WHEREAS, the City of Portland is committed to mitigating the impact on the employment of City employees by a fiscal emergency or other decrease in City revenue sources, and

WHEREAS, current Personnel Rules restrict transfers of permanent employees, except to positions within an employee's current classification, and

WHEREAS, current Personnel Rules limit the wage step of employees who are approved for voluntary demotions to the top of the range of the new classification, and cancel seniority entitlement to the higher class until reinstatement as provided by the Personnel Rules, and

WHEREAS, the impact of a fiscal emergency or other decrease in City revenue sources could be mitigated through amending the Personnel Rules to allow for an expanded transfer rule and to allow for enhancements to rules pertaining to voluntary demotions which prevent the cancellation of seniority entitlement to the higher class and the temporary maintenance of salaries in voluntary demotions, and

WHEREAS, in order to activate the proposed rules, the Council will need to declare a specific period of time as a time during which the proposed rules will be in effect as a result of a fiscal emergency or other decrease in City revenue sources, and

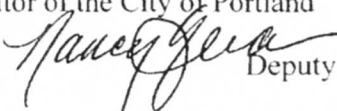
NOW THEREFORE BE IT RESOLVED that the City Council of Portland, Oregon does hereby approve the rules and amendments attached hereto as Exhibit A

BE IT FURTHER RESOLVED that the Personnel Director is authorized to adopt and carry out the provisions of Exhibit A and that the Council declares May 12, 1997 though December 31, 1997, as a period of time during which the adopted rules are in effect as result of a fiscal emergency or other decrease in City revenue sources

Adopted by the Council, **MAY 14 1997**

Mayor Katz
Janice Deardorff
April 20, 1997

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BARBARA CLARK
Auditor of the City of Portland
By  Deputy

Agenda No

RESOLUTION NO

35610

Title

Approve amendments to Personnel Rules concerning employee transfers and voluntary demotions
(Resolution)

INTRODUCED BY	Filed	MAY 08 1997
MAYOR VERA KATZ	Barbara Clark Auditor of the City of Portland	
NOTED BY COMMISSIONER		
Affairs		
Finance and Administration <i>OK JLL</i>	By <u>Britta Olson</u> Deputy	
Safety	For Meeting of _____	
Utilities	ACTION TAKEN	
Works		
BUREAU APPROVAL		
Bureau Finance and Administration		
Prepared by Date John Worcester/ David Rhys <i>JWR</i> for Janice Deardorff		
Budget Impact Review		
XX Completed _____ Not Required		
Bureau Head <i>Janice Deardorff</i> <i>in conference</i>		

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS		
Consent	Regular XX	Francesconi	Francesconi	YEAS ✓	NAYS
NOTED BY		Hales	Hales	✓	
City Attorney	<i>mk</i>	Kafoury	Kafoury	✓	
City Auditor		Sten	Sten	✓	
City Engineer		Katz	Katz	✓	