

An Ordinance of the Haines Borough amending Chapter 2.74 of the Haines Borough Code to allow for appointments by promotion.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately following adoption.

Section 4. Amendment of Chapter 2.74. Chapter 2.74 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

Chapter 2.74

HIRING AND PROMOTION PROCEDURES AND POLICIES

2.74.010 Hiring policy.

Hiring of borough employees shall be made on the basis of qualification.

2.74.030 Application for employment.

All applications for employment shall be made to the clerk and shall be submitted on a form prepared by the clerk and approved by the assembly **manager**. The clerk shall transmit to the assembly a copy of all applications for appointment as a borough officer, and to the manager all other applications for employment. The department head receiving any applications from the manager shall file the department head's comments and recommendations with the manager.

2.74.035 Method of filling vacancies.

A. Generally.

Whenever a new position is created or a vacancy occurs in an existing position, unless the position is abolished **or is filled by promotion pursuant to subsection B**, the clerk shall advertise for applications for the position to be filled for at least one week in a newspaper of general circulation in the borough and/or posted for **at least** one week in three public places **in and on** the borough **website**. If, in the opinion of the person or group responsible for hiring, none of the applicants are qualified to fill the vacant position, the clerk may re-advertise for the position and delay hiring to fill the vacancy, or may request a special hire.

~~D-1.~~ **Regular Employees.** On the deadline for applications, the clerk shall prepare and submit to the department head a list of the persons requesting employment as a regular employee **applicants** along with their applications. A copy of the list of applicants shall be submitted to the manager. If it is found that there are qualified applicants, the department head shall short-list, interview and make a **hire** recommendation to the manager as to the person with the best qualifications for the vacant position.

~~B.2. Hiring a Borough Officers.~~ On the deadline for applications, the clerk shall prepare a list of the persons requesting employment as a borough officer **applicants** along with copies of their applications and submit them to the assembly at its next meeting. If it is found that there are qualified applicants, the assembly shall short-list, interview and hire the **most qualified** person with the best qualifications for the vacant position.

~~C.3. Hiring a Department Heads.~~ On the deadline for applications the clerk shall prepare and submit to the manager a list of the persons requesting employment as a department head **applicants** along with their applications. If it is found that there are qualified applicants, the manager shall short-list, interview and hire the person with the best qualifications for the vacant position. **All department head appointments are subject to confirmation by the assembly (Charter 5.03).**

~~E.4. Seasonal Employees.~~ The hiring of seasonal employees shall follow the standard requirements set forth under subsections (A) and (D) of this section **for regular employees**, except that if, at the recommendation of the department head, it is desired to rehire previously employed seasonal personnel for the same position, no advertisement shall be necessary.

~~F.5. Special or Emergency Hires.~~ The manager may hire persons to fill positions arising from a situation requiring such temporary hiring without going through the advertising procedures. **Emergency or special situations are as declared by the mayor whenever, in the mayor's opinion, such a declaration is in the borough's interest.**

~~a. Special hires shall submit a completed employment application form to the clerk before commencing work, and the chief fiscal officer shall be notified. When a person has been hired to fill a temporary position caused by an emergency or special situation, the clerk and chief fiscal officer shall be immediately notified by the manager or the borough officer or department head under whose department the temporary employee will be working.~~

~~b. Positions filled by the manager in emergency or special situations under subsection (F) of this section shall not exceed 90 calendar days. Emergency or special situations are as declared by the mayor whenever, in the mayor's opinion, such a declaration is in the borough's interest.~~

~~H.6. If an employee, other than a borough officer or department head, terminates employment with the borough within six months of hire, and in the opinion of the manager other qualified persons have applications on file for that position, no advertisement shall be required and hiring may take place from those applications on file, following the procedures set forth above.~~

B. Appointment by Promotion.

To provide for continuity when an employee is uniquely qualified and experienced to fill a vacancy, the borough manager may recommend promotion of the person to the position without competitive recruitment. Promotion to a borough officer position shall be by assembly appointment. Promotion to a department head position shall be by manager appointment with assembly confirmation.

1. "Promotion" means the movement of an employee from one position to another related position in a higher classification or salary range without a break in service.

2. "Related position" means a position requiring similar, but progressively greater, knowledge, skills, certifications, and abilities in order to perform the higher level duties.

3. "Uniquely qualified and experienced" means the employee has been serving as a deputy, apprentice, or assistant to the higher level position. In such cases, the borough has progressively invested in specific trainings and certifications. There is an expectation the employee will periodically assume, in an acting capacity, responsibility for the higher level duties.

4. Employees may be promoted only when the employee has met the minimum qualifications of the higher position and the employee's performance evaluations merit the promotion.

5. Promoted employees must serve a new probationary period of at least six months.

6. Advertising. A public notice in substantially the following form shall be published at least once:

POSITION VACANCY TO BE FILLED BY PROMOTION

The Haines Borough plans to fill the position of <job title> by promotion of <name of employee> as permitted under HBC 2.74.035(B). Questions about this action should be directed to the Borough Manager prior to <date>.

2.74.040 Tests.

Before appointment, each applicant shall take such tests of the applicant's qualifications as the personnel officer may consider appropriate.

2.74.050 Minimum age.

Minimum age for borough employment shall be in accordance with state law.

2.74.060 Reserved.

2.74.070 Hiring and promotion preference.

Other qualifications being equal, preference in employment shall be given first to borough employees and then to residents of the Haines Borough. When considering all applicants, other qualifications being equal, veterans, as defined by state law, shall be preferred for employment.

2.74.080 Disabilities.

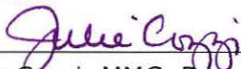
Employment of qualified persons with disabilities is encouraged.

2.74.100 No discrimination.

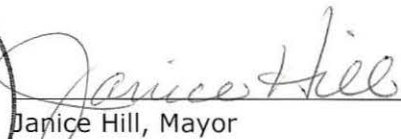
There shall be no discrimination in the employment procedure, including appointment, promotion, demotion, suspension or removal for racial, sexual, political, national origin, religious or other nonmerit reasons.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 13th DAY OF FEBRUARY, 2017.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor

Date Introduced: 10/10/17 - Referred to Personnel Committee
Date of First Public Hearing: 01/23/17
Date of Second Public Hearing: 02/13/17