



**HB 470 EXPLAINED**  
**as amended**



## Overview of HB 470 – Civil Service Board

- ◆ Legislation was introduced to the North Carolina House of Representatives which proposes the establishment of a Civil Service Board (CSB) for the City of Winston-Salem. This Board would have the authority, among other things, to establish pay and disciplinary guidelines relating to City employees.
- ◆ The legislation also establishes a CSB for the City of Greensboro.



3

## Goals

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- ◆ Educate
- ◆ Outline Current Policies
- ◆ Share Future Plans
- ◆ Open Discussion
- ◆ Answer Questions



## **Proposed CSB Structure (Sec. 111.1(b))**

- ◆ 5 Members
  - ◆ 2 appointed by elected City Council
  - ◆ 1 elected by City employees
  - ◆ 1 appointed by Fire Chief and Police Chief jointly
  - ◆ 1 elected by the other 4 members
- ◆ 2-year terms, no clear indication of term limit
- ◆ No current City employee may serve
  - ◆ Former employees may serve on the CSB after they have been separated for at least 7 years



## **Proposed Staff Support (Sec. 111.1(b))**

- ◆ City Clerk as Board Secretary
  - ◆ Keep minutes
  - ◆ Issue notices
  - ◆ Distribute agenda and approved minutes
- ◆ Human Resources Director shall notify employees of all Board actions taken
- ◆ Outside legal counsel serves as attorney for the CSB. The City would be responsible for payment of professional legal services



## **Proposed Covered Employees (Sec. 111.1(h))**

- ◆ Creates a class of employees entitled “classified service”
  - ◆ All officers and employees except:
    - ◆ Officers elected by the people
    - ◆ City Manager
    - ◆ Department Directors and Assistant Directors
    - ◆ City Clerk
    - ◆ Members of Boards and Commissions



## **Rules may provide (Sec. 111.1(i))**

- ◆ (1) Standardization of job classifications
- ◆ (2) Temporary/Part-Time Labor
- ◆ (3) Probationary Employment Period
- ◆ (4) Suspension Less Than 90 Days
- ◆ (5) Public Hearings for Discharged/Reduced Employees
- ◆ (6) Investigating and Record Keeping



## **Proposed Job Classification Standardization (Sec. 111.1(i)(1))**

### **Proposed**

- ◆ Calls for the classification of positions into groups based on duties and responsibilities
- ◆ Requires the filling of higher grades, as practical, by promotion
- ◆ Requires consultation with police and fire employees for the establishment or adjustment of criteria. However, per the amendment the CSB does not make hiring decisions

### **Current**

- ◆ City Council has approved a pay plan that groups positions into classifications based on similar work
- ◆ City Code Sec. 50-2:  
“The position classification plan shall be maintained by the human resources director covering all positions in the city service. It is the purpose of this plan to group together into classes of positions those positions which are substantially similar in kind of work and in difficulty and responsibility of work...”





## **Proposed Probationary Period (Sec. 111.1(i)(3))**

### **Proposed**

- ◆ Provides authority for the Board to establish a probationary period for employees before becoming a member of classified service, not to exceed one year.

### **Current**

- ◆ City employees serve a six-month probationary period following
- ◆ Personnel Resolution Article I. Sec. 7: “Regular full-time employees who are newly appointed, transferred or promoted shall serve the first six (6) months of employment, transfer or promotion as a probationary period.”



## **Proposed Suspension for Discipline (Sec. 111.1(i)(4))**

### **Proposed**

- ◆ Provides authority for the Board to establish rules for suspension for the purpose of discipline, with or without pay, for not longer than 90 days.

### **Current**

- ◆ Immediate supervisors may suspend an employee for up to five (5) days.
- ◆ Department director may suspend an employee for up to 30 days.
- ◆ City Manager may suspend an employee for more than 30 days.
- ◆ Code of Conduct established in Personnel Resolution Article I. Sec. 16
- ◆ Disciplinary standards established in Personnel Resolution Article I. Sec. 8 - 9



## **Proposed Discharge or Reduction in Status (Sec. 111.1(i)(5))**

### **Proposed**

- ◆ Provides authority for the Board to establish rules for discharge or reduction in rank or compensation.

### **Current**

- ◆ Any recommendation for dismissal must be precipitated by a 5-day suspension, giving the employee the opportunity to appeal to the City Manager.
- ◆ Personnel Resolution Article I. Sec. 9



## **Proposed Hearings (Sec. 111.1(j)(k))**

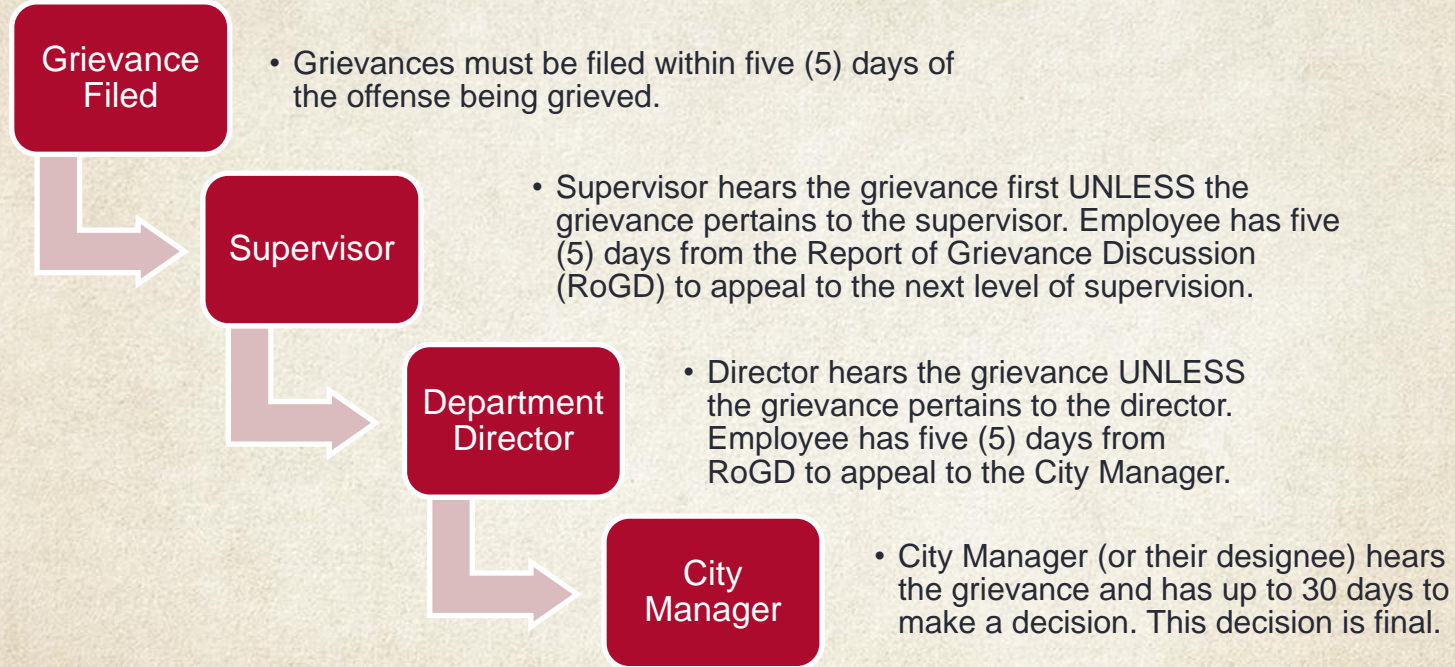
### **Proposed**

- ◆ Provides authority for the Board to investigate and keep records on the efficiency of officers and employees in the classified service and to conduct hearings for employees who have been discharged, suspended, reduced in rank, transferred or denied promotion or raise. Requires the City's grievance hearing to conclude within 30 days.

### **Current**

- ◆ Employees may file a grievance when they believe insufficient or unfair consideration or treatment has been given the employee or their group pertaining to the conditions of employment.
- ◆ Personnel Resolution Article I. Sec. 17

# Current Grievance Process Overview



**An employee has the right to appeal their grievance all the way up to the City Manager.**



# Council-Manager Government

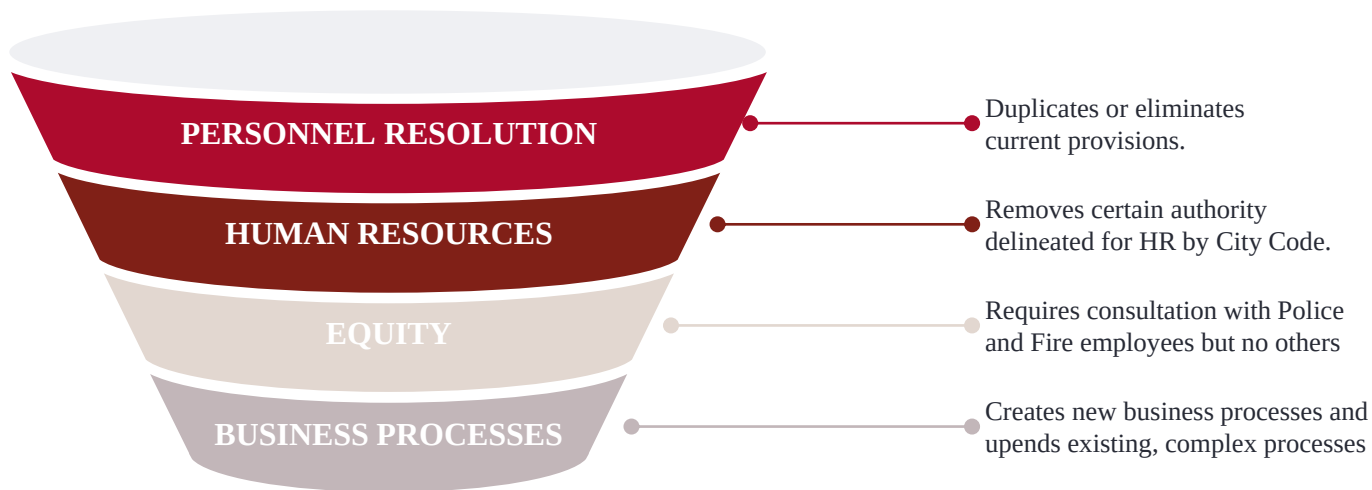
N.C.G.S. 160A-148

(a) The manager shall be the chief administrator of the city...

(1) He shall appoint and suspend or remove all city officers and employees not elected by the people, and whose appointment or removal is not otherwise provided for by law, except the city attorney, in accordance with such general personnel rules, regulations, policies or ordinances as the council may adopt.



## Other Concerns





## **FUTURE STATE**

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- ◆ Pre-Disciplinary Hearing Model
- ◆ Grievance Policy Changes
- ◆ Code of Conduct





# DISCUSSION