

## **POLICIES OF THE PERSONNEL DEPARTMENT**

### **Section 29 – Seniority:**

- 29.1 In computing seniority for layoff purposes, the Commission will carry in its records the service of individuals in old class titles as long as individuals appointed under those titles remain in the service of the City.

Service in the new class or position created by reclassification from one or more old class titles shall continue to be credited to the old class titles under which such individuals were appointed. No layoffs shall be made of any individual in old class titles until those who have been appointed to corresponding new class titles shall first have been laid off in accordance with their seniority in the new class. When all individuals originally appointed to new class titles have been laid off in any given class, further layoff shall be from old class titles in the same manner as heretofore. (7-3-42)

- 29.2 The Commission will grant veterans continuous seniority credit for all military leaves regardless of whether or not the positions they left were affected by layoff during their absence. (1-16-45)

- 29.3 Whenever an individual who has full legal status in a class, which subsequently is divided into two or more classes, is appointed to a position in one of the new classes, seniority in the new class shall be considered to have started on the day of the employee's original regular appointment to the old class. The only effect in such an instance of being appointed from a list is that the individual acquires status rights in the new class and is no longer assignable, except through regular layoff or other procedures, to another class.

No layoff shall be made of any individuals in old class titles until those who have served only in the corresponding new class titles shall first have been laid off in accordance with their seniority in the new class. (Amended 7-27-48)

### **Section 34 – Status:**

- 34.1 The Civil Service Commission will find an employee "legally employed" in a position which is allocated to a class other than the class for which the employee was examined, certified, and appointed, only in cases in which there has been a change in judgment on the part of the Personnel Department as to the proper allocation of the position occupied by the employee. In such circumstances, a finding must be made that the duties of the employee's position have not changed and that the employee was in fact examined for the duties and responsibilities of the position in question. An employee will not be found "legally employed" merely because an appointing authority has, without the approval of the Personnel Department, assigned an employee duties and responsibilities which are not consistent with those of the class for which the employee was examined and appointed. In cases, however, where the original "out-of-class" assignment was erroneously approved by the Personnel Department, the Board may find the employee "legally employed" in the position to which the employee was appointed or assigned. (Effective 4-19-74)