



Legislation Text

File #: 2638, Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 723., Jackson County Code, 1984, relating to the probationary periods of Jackson County employees, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE # 2638, February 24, 1997

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, Article IX, 4 of the Jackson County Charter provides that the Merit System Commission shall recommend to the Legislature probationary periods for merit employees; and,

WHEREAS, the Director of the Parks and Recreation Department has appeared before the Merit System Commission and requested that the probationary period for park rangers be extended to a six-month period following the completion of statutorily-required training; and,

WHEREAS, after discussion, the Commission has recommended to the Legislature the extension of the probationary period for park rangers as proposed by the director; therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section A. Enacting Clause. Section 723., Jackson County Code, 1984, is hereby repealed, and one new section enacted in lieu thereof, to be known as 723., to read as follows:

723. Probation, Employees.

The following apply to the county employees subject to probation.

723.1 Duration.

Probationary periods are as follows:

a. Merit Employees.

All full-time and part-time merit employees shall serve a six (6) month probationary period, commencing on the date of employment in a merit position.

b. Sheriff's Deputies.

The probationary period for Sheriff's deputies shall be one (1) year following the completion of training.

c. Park Rangers.

The probationary period for park rangers shall be six (6) months following the completion of training.

d. Promotional Probation.

If a permanent merit employee is promoted to a higher classification, that employee shall serve a three (3) month probationary period commencing on the effective date of the promotion.

723.2 Actions Affecting Probationary Employees.

The following actions may be taken during probation:

a. Merit Employees.

Merit employees may be dismissed during the probationary period for any reason except for race, color, sex, age, creed or religion, ancestry or national origin, handicap, lawful political activity or lack of political activity or union or nonunion membership.

b. Promoted Merit Employees.

If during the probationary period of a permanent merit employee promoted to a higher classification, the appointing authority subsequently determines that the promoted merit employee is unable to adequately perform the duties of the promoted position, the employee shall be returned to his former position or an equivalent position at the previous salary level.

723.3 Special-Fund Employees.

Special-fund employees shall have the same rights and be subject to the same rules as merit employees.

a. Excluded by Charter.

This chapter shall not apply to any special-fund employees who would be excluded by the Jackson County Charter and the merit system provisions.

b. Excluded by Terms of Grant.
This chapter shall otherwise apply unless the terms of the grant funding a position prohibits the application of this chapter.

723.4 Dismissal, Review by Director of Personnel.
The Personnel Director shall review all dismissals made during the probationary period.

a. Reinstatement.
If warranted, the Personnel Director may, in his discretion, seek reinstatement of the employee or recommend the employee for reemployment in another department.

b. Probationary Period.
Probationary merit employees who are reinstated or reemployed after separation shall begin a new probationary period.

c. No Compensation.
Probationary merit employees who are reinstated or reemployed after separation shall not be compensated for the time lost by separation.

723.5 Appeals During Probation.
The following apply to appeals during the probationary period.

a. Merit Employees.
The dismissal of a merit employee shall not be subject to review by the Merit System Commission.

b. Promoted Permanent Employee.
A promoted permanent employee may not appeal the decision by the appointing authority to return the promoted employee to his former position or its equivalent to the Merit System Commission unless the basis for this decision was on account of race, creed, color, religion, national origin, handicap, sex, ancestry, political activity or the lack of political activity.

c. Probationary Employees.
Probationary employees are not entitled to appeal any matter to the Merit Commission.
Effective Date: This Ordinance shall be effective immediately upon its passage by the County Executive.

APPROVED AS TO FORM:

_____ County Counselor

I hereby certify that the attached Ordinance, Ordinance #2638 introduced on February 24, 1997, was duly passed on _____ March 10 _____, 1997 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 9 _____ Nays _____ 0 _____

Abstaining _____ 0 _____ Absent _____ 0 _____

This Ordinance is hereby transmitted to the County Executive for her signature.

_____ Date _____ Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2638.

_____ Date _____ Kathryn J. Shields, County Executive