

## ARTICLE I. DEFINITION OF TERMS

Throughout these rules, the following words and phrases shall have the meaning indicated below, except where the context clearly indicates otherwise.

**ACTING CAPACITY** means an interim appointment in a position to fill an existing vacancy in the Classified or Unclassified Service.

**AMERICANS WITH DISABILITIES ACT(ADA)** means Federal regulations which require the City to make reasonable accommodation to qualified applicants and employees which enable them to participate in the employment process and provide access to equal employment opportunities.

**APPLICANT** is a person who has filed a formal employment application with the City Personnel Department for employment by the City of Independence, Missouri.

**APPOINTING AUTHORITY** means the City Manager or the City Council as provided by the City Charter.

**APPOINTMENT** refers to the employment or assignment of a person to a position in the Classified or Unclassified Service who has been qualified for appointment and certified through an assembled or unassembled examination.

**APPOINTMENT RATE** means the pay rate at time of appointment, which is usually the minimum rate of a pay range.

**APPROPRIATION** is an authorization made by the Council that allows the City to incur obligations and to make expenditures of resources for the procurement of goods and services.

**ASSEMBLED EXAMINATION** means a written, oral, performance, assessment center, or physical agility test held at a specified time and place which is used to determine the relative fitness and ability of applicants.

**BOARD** means the Personnel Board of the City of Independence, Missouri, appointed by the City Council, the duties of which are specified in the City Charter, Section 3.29.

**BREAK IN SERVICE** is any lapse of working time between the official separation of an employee and his or her subsequent re-employment.

**CANDIDATE** means an applicant who is being evaluated for eligibility for employment.

**CATASTROPHIC, DEBILITATING, OR LONG TERM ILLNESS OR INJURY** means an injury or illness of the employee that is unanticipated, non-job related, not

willfully self-inflicted. Such illness or injury does not include ailments such as the flu, colds, virus, doctor or dentist appointments, or for attending to or caring for family members.

**CERTIFICATION** means the act of the Personnel Director in qualifying eligible candidates for review and recommendation for appointment.

**CHARTER** means the Charter of the City of Independence, Missouri.

**CLASSIFICATION** refers to one or more positions sufficiently alike in duties, authority and responsibilities, and having similar minimum qualifications and assigned the same pay range.

**CLASSIFICATION PLAN** is a plan classifying all positions on the basis of their respective duties, authority and responsibilities, and designating the minimum requirements.

**CLASSIFIED SERVICE** includes all positions in the municipal service, except those specified under "Unclassified Service: in these definitions.

**COUNCIL** means the City Council of Independence, Missouri.

**COMPENSATORY TIME** is time granted in lieu of payment of overtime to be taken off from work.

**COMPENSATION RANGE** is the minimum rate to the maximum rate of pay established for a classification.

**COMPENSATION PLAN** - see **PAY PLAN**

**COMPLIANT** is any concern an employee may have about the terms or conditions of their employment or department rules and regulations which does not constitute a violation of these policies and procedures or any provision of a work agreement.

**CONTINUOUS SERVICE DATE** is the effective date of an employment appointment or a reemployment, whichever is later.

**DEMOTION** means the voluntary or involuntary movement of an employee from one classification to a classification with a lower pay range.

**DEPARTMENT DIRECTOR** is the head of any operating or support service department.

**DISMISSAL** means the involuntary separation of an employee for cause. See termination.

**DISQUALIFICATION (of APPLICANT)** means determination of the Personnel Director to reject an application for reasons indicated in these policies and procedures.

**DISQUALIFICATION (of an EMPLOYEE)** means an involuntary, no-fault separation of an employee, or action in lieu thereof, based on a legal, physical, mental or emotional impairment or incapacity, occurring or discovered after appointment, which prevents satisfactory performance of the essential duties and responsibilities of the position.

**EFFECTIVE DATE** is the date when a personnel action takes effect; in the case of separation, the employee's last day of work, exclusive of accrued vacation leave, or compensatory time.

**ELIGIBLE CANDIDATE** is a person who meets minimum qualifications for a position, has passed an examination and whose name is placed on an eligibility list.

**ELIGIBILITY LIST** is a list of applicants who have met the requirements for a given classification in the Classified Service.

**EMERGENCY** refers to any condition where the health, safety and services to the citizens of Independence are disrupted or threatened to the extent that physical damages to property, or injury to citizens can occur, or the welfare of the citizens of the City are endangered.

**EMERGENCY APPOINTMENT** is an appointment made to meet the immediate requirements of an emergency situation.

**ENTRY RATE** means the minimum pay rate of any pay range.

**EXEMPT EMPLOYEE** is an employee who works in an administrative, management, supervisory, or professional classification which is paid a salary, and the employer is not required to pay overtime.

**FAIR LABOR STANDARD ACT (FLSA)** is Federal legislation which regulates hours of work and pay.

**FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA)** is Federal legislation which requires employers to provide eligible employees up to twelve (12) weeks of leave for certain types of leave required for a serious medical condition, to care for a spouse or child suffering a serious medical illness, or to care for a newborn, or an adopted or foster child who has been placed with the employee.

**FRINGE BENEFITS** are vacation, holiday, sick leave, payments for injuries or sickness received in the line of duty, health insurance, disability pay, pensions, termination pay, uniform and equipment allowance, dependent's benefits, longevity pay, and any other financial or economic benefits provided to employees.

**FULL-TIME POSITION** is one in which the employee is scheduled to work at least forty (40) hours per week or is scheduled to work eighty (80) hours in two (2) weeks under an authorized special work schedule.

**GENERAL SERVICE EMPLOYEE** means an incumbent of a position in the Classified and Unclassified Service other than those hereinafter designated and defined as "Public Safety Employees."

**GRIEVANCE (or APPEAL)** is an action taken by an employee which alleges a violation involving the application or interpretation of the terms and provisions of these Personnel Policies and Procedures.

**IMMEDIATE FAMILY** shall mean: spouse, mother, father, sister, brother, daughter, son, mother/father-in-law, sister/brother-in-law, son/daughter-in-law, grandparents, spouse's grandparents, grandchildren, stepmother/father, stepbrother/sister, and half brother/sister.

**INCUMBENT** is the current occupant of a position in the classified or unclassified service.

**INITIAL PROBATIONARY PERIOD** is a test period of actual service following original appointment or re-employment in an authorized position to determine recommendation for regular status or termination; based upon the employee's ability to meet acceptable standards of performance in that position.

**LAY-OFF** means the separation of an employee which occurs when a permanent or limited position has been abolished due to projected shortage of funds.

**LEAVE** is an authorized absence from regularly scheduled work hours which has been approved by proper authority.

**LIMITED POSITION** is a position which has a specified ending date, also referred to as a temporary position.

**LONGEVITY PAY** is a pay adjustment added to an employee's base pay based on his or her length of service.

**MERIT SYSTEM** assures the fair treatment of applicants and employees in all aspects of personnel administration. Provides for recruiting, selecting, promoting, and retaining employees on the basis of their relative ability, knowledge and skill, the guidelines for which are set forth in Section 3.25 of the Charter.

**MINIMUM QUALIFICATIONS** are the qualifications contained in the class specification which a person must possess in order to qualify or compete for a given position(s) in the classified or unclassified service.

**NEPOTISM** means the appointment or supervision of an employee by any City official or employee who is a member of their immediate family, which is prohibited by Section 5.11 of the Charter.

**NON-EXEMPT EMPLOYEE** is an employee who is entitled to overtime pursuant to the Fair Labor Standards Act and these Personnel Policies and Procedures.

**OUT-OF-POSITION** refers to a regular full-time employee temporarily assigned to perform all duties and assume responsibilities of a position with a higher salary range.

**OUTSIDE EMPLOYMENT** means any employment with an employer other than the City of Independence, including self employment.

**PART-TIME POSITION** is a position in which an employee is scheduled to work fewer than forty (40) hours a week or less than the standard work week of others in the same classification or work unit.

**PAY PLAN (COMPENSATION PLAN)** is the listing of pay ranges for all positions in the classification plan.

**PAY RATE ADJUSTMENTS** are changes in pay as a result of any personnel action which affects the employee's pay status, such as a promotion or demotion.

**PAY DIFFERENTIAL** is a pay additive for working a late shift or for performing certain duties different from those defined in the classification specification, when approved by the City Manager.

**PERFORMANCE APPRAISAL SYSTEM** is an evaluation process for establishing performance standards, providing feedback to employees and determining effective job performance.

**PERFORMANCE APPRAISAL REPORT** is a written evaluation of the performance of an employee designed to inform the employee of the manner in which he or she is meeting expected work objectives established in the performance appraisal system.

**PERFORMANCE PAY INCREASE** means pay increases based on good work and successful achievement of expected work objectives justified by a performance appraisal report.

**PERSONNEL DIRECTOR** is a trained, experienced personnel professional in human resources who directs the City Personnel Department and follows appointed duties as outlined in the City Charter, section 3.26.

**POSITION** means a combination of duties and responsibilities as defined by the

current job description for the classification, requiring the full-time or part-time employment of one person.

**POSTING** is a written announcement of a job vacancy.

**PROBATIONARY PERIOD** is a working test period following appointment or promotion in which an employee in the Classified Service must demonstrate his or her ability to successfully perform the essential functions of the position to which the employee has been appointed or promoted.

**PROMOTION** is the movement of an employee from one position to another position having a higher salary range.

**PROMOTIONAL EXAMINATION** is an examination which limits competition to employees in the Classified Service meeting the minimum qualifications for the position.

**PUBLIC SAFETY EMPLOYEE** refers to employees in the Police Department who are commissioned police officers and all employees in the Fire Department who have successfully completed required training for the Fire Fighter position.

**REASONABLE ACCOMMODATION** is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions.

**RECLASSIFICATION** is the change, or movement of an employee in a position in one classification to another due to a change in duties or responsibilities.

**RECOMMENDING AUTHORITY** means the department director who recommends to the appointing authority actions to be taken regarding the employment of individuals to positions in the Classified or Unclassified Service.

**REDUCTION IN FORCE** is a reduction in the City work force necessitated by a material change in duties and the organization.

**REGULAR EMPLOYEE** is an employee who has met all requirements for a position, has been recommended by the appropriate department head and has been approved by the City Manager for regular status following satisfactory completion of the initial probationary period.

**REQUISITION (OR REQUEST) FOR PERSONNEL** is the process to request recruitment to fill a funded, vacant position.

**RESIGNATION** is the voluntary separation of an employee from City service.

**RETIREMENT** is when an employee leaves City service, who is vested in the

LAGERS pension plan, and starts to receive benefits from LAGERS.

**SUSPENSION** means the temporary separation of an employee from City service with or without pay.

**TABLE OF ORGANIZATION** is a complete list of Council authorized positions in all departments at any point in time.

**TEMPORARY EMPLOYEE** is a person appointed to a position with a limited tenure, either full-time or part-time.

**TERMINATION** means the involuntary, permanent separation of an employee from the Classified or Unclassified Service of the City.

**TRANSFER** means the movement of an employee from one department or division to another, or from one position to another position of the same class-or another class, having the same salary range.

**UNASSEMBLED EXAMINATION** means a process consisting of an assessment of education and training, experience, work history, or any other job related factors, and an employment interview by a recommending authority.

**UNCLASSIFIED SERVICE** means any person and position as listed in Section 3.30, paragraph (1), of the Charter:

- Council members, the City Clerk, the Management Analyst, and such other personnel as may be elected or appointed by the Council;
- Municipal Judge or Judges, and the Clerk of the Municipal Court;
- City Manager, and Assistant City Manager(s);
- Directors of all departments;
- Members of each board, commission, or other plural authority;
- All personnel who serve without compensation; and
- Persons appointed or employed on a temporary basis to make or conduct a special audit, inquiry, investigation, study, examination, or installation, or to perform a temporary service subject to such exceptions, limitations, and regulations, as the Personnel Policies and Procedures may provide.

**VACANCY** means a position in the Table of Organization which is not occupied and for which funds have been budgeted.

**WORK(ING) AGREEMENT** is a formal agreement between members of a bargaining unit and the City which outlines mutually agreed upon rules for operation and conduct.