

PERSONNEL ACTIONS COMMITTEE
Advisory

APPOINTED

GRAFTON SMITH
17858 QUAIL LANE
FOLEY, AL 36535
970-1335

01/27/2011

SKIP DAVIS, CHAIR PERSON
120 SOUTH MCKENZIE STREET
FOLEY, AL. 36535
943-1516

10/07/2013

(Appointed to take the place of Marita Johnson who resigned due to health reasons.)

FORREST MIXON, ALTERNATE
204 WEST FERN AVENUE
FOLEY, AL 36535
269-0605

10/07/2013

Clerk/Administrator, and the Department Head or other manager recommending discipline will attend the hearing. The Mayor may uphold, revoke or modify the proposed action. At the hearing, the employee may: (a) present any response the employee may wish to offer to the reasons for the proposed discipline, (b) offer any documents the employee would like to be considered, and (c) present any witnesses the employee would like to be heard. The pre-determination hearing is the opportunity for the employee to give his or her "side of the story" before the decision is made to impose discipline. The pre-determination hearing shall be informal. Legal counsel may attend, but shall not be allowed to participate in the hearing. Following the hearing, the Mayor shall make the decision whether discipline will be imposed and, if so, the nature of the discipline to be imposed, or whether the proposed adverse employment decision will be implemented. The City Administrator will deliver written notice of the Mayor's decision to the employee. The City will impose any discipline or adverse employment decision at that time (except for dismissal of an appointed executive, which must be by vote of the City Council). All documents related to the discipline, the pre-decision review and the predetermination hearing shall be maintained in the employee's personnel file.

Section 5.11: Grievance Procedure/Post Disciplinary/Adverse Employment Decision Hearing.

(1). **Grievance Procedure.** Regular Full-Time and Part-Time Employees have access to a grievance procedure to obtain a post-decision hearing on a suspension without pay or dismissal and on certain adverse employment decisions (*that is*, a demotion that results in a loss of pay, a job reassignment that results in a loss of pay; a denial of a pay increase, a reduction in pay, or dismissal from employment).

Probationary Employees, Executives (including Appointed Executives) and Department Heads, Temporary Employees and Interns do *not* have access to the grievance procedure.

Regular Full-Time and Regular Part-Time employees may seek review of these disciplinary actions or "adverse employment decisions" by filing a grievance under this Grievance Procedure. Disciplinary actions resulting in a verbal warning or counseling or a written warning or counseling are *not* subject to the grievance procedure. If a Regular Full-Time or Regular Part-Time employee wishes to file a grievance to seek review of an action covered under this section, the employee must prepare a written grievance and deliver the grievance to the City Administrator within five (5) calendar days after the employee is notified of the final action. The grievance should describe the action taken, the reason(s) the employee believes the action should be changed or rescinded, and specifically request a hearing before the Personnel Action Committee. The hearing before the Personnel Action Committee shall be scheduled within thirty (30) calendar days after the employee's written request and the grievance is delivered to the City Administrator unless the time is extended by the City Administrator for good cause.

(2). **Personnel Action Committee.** The Personnel Action Committee shall be composed of three members who are appointed by the Mayor with approval of the City Council. Personnel Action Committee members shall serve until removed by the Mayor with approval of the City