

ORDINANCE NO. 4368

ENTITLED: "AN ORDINANCE REPEALING CHAPTER 2.52, PERSONNEL COMMISSION, AND CREATING A NEW CHAPTER 2.52, PERSONNEL SYSTEM, OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE CODE OF THE CITY OF CHEYENNE, WYOMING."

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE WYOMING:

Section 1. That Chapter 2.52, Personnel Commission, of Title 2, Administration and Personnel, of the code of the City of Cheyenne, Wyoming, is hereby repealed in its entirety as set out in this ordinance.

Chapter 2.52
PERSONNEL COMMISSION

~~2.52.010 — Establishment and purpose.~~

~~— A. — The city establishes a personnel commission to be known as the "Cheyenne personnel commission." Rules and regulations of the commission are on file with the office of city clerk.~~

~~— B. — The purpose of the commission will be to:~~

~~1. — Provide reasonable interpretation of the city personnel (employee) rules and regulations adopted in accordance with the Wyoming Administrative Procedure Act, Wyo. Stat. Sections 16-3-101 et seq.;~~

~~2. — Hear and decide grievances of any eligible city employee;~~

~~3. — Fulfill all duties and responsibilities of the commission;~~

~~4. — Make recommendations to the governing body which it deems proper.~~

~~2.52.020 — Powers and duties.~~

~~— A. — Duties:~~

~~1. — To conduct hearings as necessary to accomplish the purposes and provisions of the commission;~~

~~2. — To advise the mayor and members of city council on matters of personnel policies and problems of personnel administration and make related recommendations.~~

~~— B. — Powers:~~

~~1. — To adopt rules and regulations pursuant to the Wyoming Administrative Procedure Act, Wyo. Stat. Sections 16-1-101 et seq., setting forth the commission's duties and responsibilities;~~

~~2. — Receive and make decisions on disciplinary actions and grievances properly filed with the commission by eligible employees as clarified in the city personnel rules and regulations;~~

~~3. — To affirm, modify or reverse any disciplinary action properly brought before the commission.~~

2.52.030 — Hearings.

~~Hearings conducted by the commission shall be in accordance with applicable provisions of the Wyoming Administrative Procedure Act, Wyo. Stat. Sections 16-3-107 through 115.~~

2.52.040 — Membership Election of employee members Terms.

~~A. The commission consists of the following voting members:~~

~~1. Four residents of the city, not employed by the city, who shall be appointed by the mayor with the advice and consent of the city council, and who shall be termed resident members;~~

~~2. Two employees of the city who are classified as below executive or administrative employees pursuant to the Fair Labor Standards Act criteria who shall be elected by all employees below executive or administrative levels by majority vote, and who shall be termed employee members;~~

~~3. One employee of the city who is classified as an executive or administrative employee, pursuant to the Fair Labor Standards Act criteria who shall be elected by all executive or administrative employees by majority vote, and who shall be termed supervisor member.~~

~~B. The election for the supervisor and/or employee member shall be held in December of each year.~~

~~C. All voting members of the commission shall serve two-year staggered terms.~~

~~D. One member of the city council shall be appointed by the mayor with the advice and consent of the governing body to serve as an ex-officio non-voting member of the commission whose duty it shall be to act as liaison between the commission and the governing body.~~

~~E. The city clerk, or clerk's designee, shall serve as ex-officio clerk of the commission without vote. The clerk shall be responsible for all administrative or clerical tasks and shall maintain the record of proceedings (minutes) of all meetings.~~

2.52.050 — Officers Quorum Compensation.

~~A. In January of each year, the commission shall hold an organizational meeting at which a chairperson and vice chairperson shall be elected by a majority vote of all voting members. The chairperson and vice chairperson shall be resident members.~~

~~B. A majority of all voting members shall constitute a quorum. The approval of all official business shall require a minimum of four votes.~~

~~C. Commission members shall serve without pay. Necessary expenses and clerical assistance shall be provided by the city.~~

Section 2. That a new Chapter 2.52, Personnel System, of Title 2, Administration and Personnel, of the code of the City of Cheyenne, Wyoming, is hereby created as set out in this ordinance.

**Chapter 2.52
PERSONNEL SYSTEM**

2.52.010 Regulations and benefits.

Unless otherwise provided by law or contract, officers and employees of the city are governed by the city personnel (employee) rules and regulations on file in the offices of human resources and the city clerk.

A. Changes to the city personnel (employee) rules and regulations shall be in accordance with the Wyoming Administrative Procedure Act, Wyo. Stat. Sections 16-3-101, *et seq.*

B. Any employee appeal from administrative decisions regarding city personnel (employee) rules and regulations must be filed with and pursuant to established procedures of Chapter 2.92, Administrative Hearing Procedure. This procedure does not apply to grievance procedures prior to an appeal.

Section 3. That this ordinance shall be in full force and effect upon adoption of new personnel rules.

FIRST READING: _____ May 10, 2021 _____

SECOND READING: _____ May 24, 2021 _____

THIRD AND FINAL READING: _____ June 14, 2021 _____



Patrick Collins, Mayor

(SEAL)

ATTEST:



Kristina F. Jones, City Clerk

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