



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

February 16, 2023

City Council President Linda Morad
And Honorable Members of the City Council
City of New Bedford
133 William Street
New Bedford, MA 02740

Re: Amendment to Unit C Schedule, Step Date Adjustments

Dear Council President Morad and Members of the City Council:

Enclosed, please find a proposed ordinance which amends the Unit C Schedule, set forth in Chapter 19, Section 19-7.1(b) of the Code of Ordinances, by adjusting the step dates assigned to Unit C employees who were currently employed on October 1, 2022.

This measure is a technical amendment which clarifies the timing of step increases so the City follows the identical approach to step increases used in the previous (2017) reclassification exercise. Under the attached ordinance, following the initial round of changes in grades and steps required by the recently passed reclassification ordinance, all Unit C employees who were employed on the October 1, 2022 will receive their next step increase on October 1, 2023 (and every 52 weeks thereafter). Similarly, Unit C employees who were appointed to their positions after October 1, 2022, will receive their next step increase 52 weeks after date of their appointment (and every 52 weeks thereafter). This approach is consistent with the briefings provided to the Council during its deliberations this past fall. Passage of this measure will ensure there is no ambiguity as the City moves forward with implementing the reclassification ordinance.

Finally, be advised that, in the absence of this measure, the City would incur \$808,000 in additional, unplanned salary expenses in FY23/24 beyond the cost estimate previously provided to the Council—additional expenses which are unaffordable given the City's financial limitations. Thank you for your consideration of this request.

Sincerely,


Jonathan F. Mitchell
Mayor



CITY OF NEW BEDFORD

In the Year Two Thousand and Twenty-Three

AN ORDINANCE

Amending Chapter 19, Personnel

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1. Chapter 19, Section 19-7.1(b) is hereby amended by striking the Section in its entirety and inserting in its place the following language:

(b)

(i) Notwithstanding the provisions of Section 19-7.1(c), an employee appointed to a position in the Unit C Classification and Salary Plan shall be paid at the minimum rate (Step 1) for the pay grade to which the appointment is made. Advancement within a pay grade shall be by step rate increase upon completion of a satisfactory evaluation of the employee's performance, which evaluation shall be conducted at least annually, prior to the completion of each year of creditable service and the anniversary of the employee's appointment to that position (the employee's "Step Date"); and provided further, that step advancement upon completion of one (1) year of creditable service shall be subject to available appropriations. Creditable service shall be based on a period of fifty-two (52) weeks of actual service. Nothing in this paragraph shall be construed to allow advancement of any employee's compensation by more than one step upon completion of one (1) year of creditable service without authorization of the mayor and city council. No step rate increase shall be implemented if an employee eligible for such step rate increase receives an overall performance rating of "Not Met." Upon issuing a "Not Met" overall performance evaluation to a Unit C employee, the department head, except in the case of employees who work exclusively for the city council, shall recommend to the mayor in writing and with reasons therefore and with a copy to the employee, that the employee received an overall performance rating of "Not Met" and a step rate increase is not warranted or justified upon review of the employee's performance. The employee shall have ten (10) days from receipt of said reasons to submit supplemental information to the mayor. Except in the case of employees who work exclusively for the

city council, the mayor shall decide to grant or disapprove a step rate increase and said decision shall be final.

(ii) In the case of employees who work exclusively for the city council, except for the city clerk, clerk of committees and the legislative counsel, upon issuing a "Not Met" overall performance evaluation to a Unit C employee, the city clerk shall make recommendation to the city council president in writing with reasons therefore and with a copy to the employee, that received an overall performance rating of "Not Met" and a step rate increase is not warranted or justified upon review of the employee's performance. The city council employee shall have ten (10) days from receipt of said reasons to submit supplemental information to the city council president who shall then decide to grant or disapprove the step rate increase and said decision shall be final.

(iii) In the case of the city clerk and clerk of committees, the performance evaluation shall be completed by the city council president. Upon issuing a "Not Met" overall performance evaluation for the city clerk or clerk of committees, the city council president shall make recommendation to the city council in writing with reasons therefore and with a copy to the city clerk or clerk of committees who received an overall performance rating of "Not Met" and a step rate increase is not warranted or justified upon review of the employee's performance. The city clerk or clerk of committees shall have ten (10) days from receipt of said reasons to submit supplemental information to the city council that shall then decide to grant or disapprove the step rate increase and said decision shall be final. In the case of the legislative counsel, the annual re-appointment shall be sufficient approval of the next step rate increase.

(iv) Notwithstanding any ordinances or provisions of the Code of Ordinances to the contrary, no employee appointed to a position in the Unit C Classification and Salary Plan who was a current employee on October 1, 2022 shall have his or her compensation advanced to the next higher step from October 2, 2022 to September 30, 2023, but on October 1, 2023, all such employees shall advance to the next higher step, except for each such employee who has received an overall performance rating of "Not Met" pursuant to subsections 19-7.1(b)(i), 19-7.1(b)(ii), and 19-7.1(b)(iii) of this chapter. After October 1, 2023, October 1 shall be the Step Date for all employees appointed to a position in the Unit C Classification and Salary Plan who were current employees on October 1, 2022, and subsequent step increases shall then occur in accordance with subsections 19-7.1(b)(i), 19-7.1(b)(ii), and 19-7.1(b)(iii) of this chapter. Nothing in this paragraph shall be construed to allow advancement of any such employee's compensation by more than one step from October 2, 2022 to October 1, 2023, or in any subsequent year, without authorization of the mayor and city council.

(v) The Step Date for all employees appointed to a position in the Unit C Classification and Salary Plan who were current employees on October 1, 2022 but who were appointed to a new position after October 1, 2022 shall be the anniversary of the employee's appointment to that position in accordance with subsection 19-7.1(b)(i) of this chapter, and subsequent step increases shall then occur in accordance with

subsections 19-7.1(b)(i), 19-7.1(b)(ii), and 19-7.1(b)(iii) of this chapter. Nothing in this paragraph shall be construed to allow advancement of any such employee's compensation by more than one step from October 2, 2022 to October 1, 2023, or in any subsequent year, without authorization of the mayor and city council.

SECTION 2. This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.