



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.