

PART-TIME EMPLOYMENT ADMINISTRATIVE RULES PAGE 1 OF 5

It is the practice of the Town of West Hartford to provide part-time employment in those operations where it is desirable and cost-effective, in order to supplement full-time staff, or where the need for such staffing is of a seasonal nature. Accordingly, and in accordance with Chapter 30 Section 30-5 of the Code of Ordinances, the following administrative rules are adopted to govern the internal administration of part-time and seasonal employment.

DEFINITIONS

A part-time employee is defined by several sources including the Charter, Personnel Rules, and union contracts. The determination should be done on a case-by-case basis with the assistance of Employee Services. Also refer to the working document: Part-time and Seasonal Employees - Provisions and Definitions.

JOB ANALYSIS AND CLASSIFICATION

All part-time and seasonal jobs shall be reviewed and shall have a job description prepared and approved by the Employee Services department.

New and additional positions in the part-time classification plan may be created only upon approval of the Town Manager. Changes in the duties, responsibilities, and qualifications of existing position descriptions may be made by the Director of Employee Services.

HOURS OF WORK AND PAY

All part-time and seasonal jobs shall be assigned to a pay grade which shall be effective upon recommendation of the Town Manager and approval by the Town Council.

The Town Manager, acting upon the recommendation of the Department Director, reserves and retains sole and absolute discretion with respect to the granting or withholding of merit increases within the salary ranges established for Part-Time and Seasonal employees.

Part-time and seasonal employees are eligible for overtime pay for hours worked in excess of 40 per week.

Work schedules shall be established by the operating department and may be changed upon 24 hour notice.

RECRUITMENT AND HIRING

The recruitment and hiring of part-time and seasonal employees, while not subject to the hiring system as described in the Personnel Rules, shall be governed by the principles of merit and adhere to the rules and procedures as described below:

A. The filling of vacant part-time and seasonal positions shall be done only upon approval of the Town Manager. Such request shall be made on a Personnel Action Form and signed by the Department Director and Town Manager. In cases of seasonal or multiple hires within a classification, the Town Manager may authorize such recruitment on a single Personnel Action Form.

B. Employee Services signature on the Personnel Action Form shall be required in order to certify compliance with any obligations to former Town employees, for affirmative action recruitment efforts, and policy compliance, and for record keeping.

C. Relatives of Town officials or employees may be employed by the Town in part-time and seasonal positions, except that relatives may not be assigned to work together in the same work unit or be in the direct line of supervision of a relative. Directors, as the only authorized hiring authority of the department, may not employ relatives in their department.

D. Part-time and seasonal employees are not eligible for promotional examinations to full time positions with the Town as they are not in the classified service. They may apply for open competitive recruitments, however, there is no additional weight given to their application.

E. Recruitment of part-time employees will be the department's responsibility. Upon request, Employee Services will place standard, in-column advertisement for part-time positions in Horizons or other local publications as appropriate. Employee Services will also, upon request, receive applications and process formal communications to applicants. In all cases the Town policy on charging an application fee shall apply.

F. Employee Services staff will be available to assist Town departments in the selection process. Departments should continue to administer their own examinations and interviews as necessary to measure a candidate's fitness for a position. Any employment test must be reviewed for compliance with the Uniform Guidelines on Employee Selection by Employee Services. Tests for clerical support positions will be administered by Employee Services.

G. Reference verification shall be conducted by the hiring department. Final selection of candidates for Town employment will be the department's responsibility.

H. Departments shall initiate a Personnel Action Form to place a new employee or remove an existing employee from the Payroll system and Personnel system. The department shall also insure that the necessary forms (W-4, I-9, New Employee Data Sheet, Working Papers for minors) are completed.

I. It is the department's responsibility to maintain personnel files for part-time and seasonal employees.

WORKER'S COMPENSATION

Part-time and seasonal employees are covered by Worker's Compensation insurance. The Risk Management Division of the Department of Employee Services should be contacted for questions on this issue.

LAYOFFS

The Town in its sole discretion shall determine whether layoffs are necessary. Although not limited to the following, layoffs shall ordinarily, but not exclusively, be for lack of work, elimination of position, bargaining unit contractual obligations, and/or lack of funds. If the Town determines that layoffs are necessary, part-time and seasonal employees shall be laid off in the following manner:

- A. The Town shall retain the most qualified employee for the position. If two or more employees are equally qualified the more senior employee will be retained. Determination of qualification level shall be at the sole discretion of the hiring authority and will generally be defined as, but not limited to, the possession and use of the required knowledge, skills, and abilities to perform the job and demonstrated performance and productivity on the job.
- B. Layoffs will be by job classification within a single department. Department Directors will determine layoffs in accordance with the provisions of this section.
- C. Employees who are laid off shall not have the option to displace other part-time or seasonal employees in the same or any other classification in the department they work or in any other department.

Seniority shall be defined as an employees length of continuous service since their last date of hire in the position classification occupied at the time of layoff.

There shall be no re-employment list established for laid off part-time and seasonal employees.

Prior to implementation of layoffs, such plans shall be submitted to Employee Services for review of compliance with these policies, discrimination laws and regulations, bargaining unit agreements and documentation requirements.

Final authorization of layoff plans shall be the authority of the Town Manager.

Any person who occupies a regular part-time position in the Town and is to be laid off due to the elimination of such part-time position shall be given consideration for other vacant positions in the Town for which they are qualified. This shall only apply to positions being filled on an open competitive basis after consideration of any re-employment list. The Director of Employee Services shall certify the name(s) of such person(s) for appointment to any full or part-time position provided that they: apply for the position in the period it is being recruited, that they meet the minimum requirements for the position, and they have received high enough ratings on any employment tests for the position to be certified as eligible for such position. The hiring authority for the position may consider such persons in addition to and in conjunction with any eligibility list established for the position. The hiring authority is not required to give preference to any person considered under this provision and is not required to hire from this list. This provision shall be utilized in the time period from six months prior to an expected layoff until six months after the actual layoff.

REMOVAL FOR OTHER REASONS

For reasons other than those specified for layoffs, part-time and seasonal employees may be removed from their position. Such reasons include, but are not limited to, unsatisfactory performance of their duties, insubordination, violation of the ethics ordinance or other Town policies, failure to adhere to established work hours, reasons as outlined in the Personnel Rules, Section 30.0.43(a), or any action that reflects unfavorably upon the Town.

The process to be used in such circumstances will normally include a pre-determination hearing with the department director, where the part-time or seasonal employee will be allowed an opportunity to hear the facts of the situation and to offer any mitigating circumstances or other information regarding the issue. The department director shall make a final determination within 48 hours after such hearing unless additional investigation is needed. The director's final determination shall be put in writing and mailed to the employee by certified mail. During the investigation and hearing process the department director may, at their discretion, place the part-time or seasonal employee on leave, without pay, pending final determination.

SEPARATION FROM EMPLOYMENT

Part-time employees shall be requested to submit letters of resignation if they are resigning from their position.

A part-time employee shall provide at least ten (10) working days prior notice unless there are extenuating circumstances requiring a shorter notice period.

An Unemployment Notice form UC-61 shall be provided to all employees upon separation regardless of the reason for separation.

A Personnel Action Form shall be completed for any part-time employee who receives an Unemployment Notice Form (pink slip). The Personnel Action form shall include the last actual work day, position held, and reason for termination.

All documentation supporting progressive discipline shall be maintained for any part-time employee who has been terminated by the Town. This information will be required to substantiate a repeated, willful misconduct defense.

UNEMPLOYMENT COMPENSATION BENEFITS

Part-time or seasonal status has no effect on an individual's eligibility for Unemployment Compensation benefits.

Part-time employees may be entitled to collect unemployment compensation under the following conditions:

- * Termination of employment, unless the employee left suitable work voluntarily and without sufficient cause.
- * Termination for misconduct which has not documented REPEATED willful or felonious conduct precipitated by a final incident of willful misconduct which caused the separation.
- * Employees whose work hours are reduced from the level originally hired.
- * Employees whose work schedule is increased and then later decreased, even if returned to an original schedule.
- * Expiration of a temporary assignment.
- * Expiration of a contracted period of employment.
- * Exhaustion of 900 hours in a calendar year.

DEFERRED COMPENSATION

The Town may offer a deferred compensation plan in accordance with the provisions of Section 457 of the Internal Revenue Code of 1986, as amended. The income designated by the part-time employee in compliance with such plan shall be deferred from their taxable income as provided by law.

Participation in the plan shall be on a voluntary basis.

There shall not be any contribution by the Town.

OTHER BENEFITS

Part-time and seasonal employees are not eligible for any other benefits (for example, vacation time, sick time, health insurance, pension benefits, etc.) unless specifically authorized in these administrative rules, or as provided by the personnel rules or by a collective bargaining agreement.

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Approved

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Barry M. Feldman
Town Manager