

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI AND ESTABLISHING NEW ARTICLES XVII, XVIII, XIX and XX OF THE HARTFORD MUNICIPAL CODE

That Chapter 2, Article VI of the Hartford Municipal Code is repealed and the following provisions are added in lieu thereof, including certain recodifications in §2-42 through §2-45 and new Articles XVII, XVIII XIX and XX, as set forth herein¹:

ARTICLE VI. HUMAN RESOURCES, MERIT SELECTION AND CIVIL SERVICE..... 1
Division 1. Definitions 1
 Sec. 2-331. Definitions..... 1
Division 2. General..... 3
 Sec. 2-332. Human Resources Policy of the City of Hartford..... 3
 Sec. 2-333. Human Resources Appeals Board. 4
 Sec. 2-334. Department of Human Resources. 4
 Sec. 2-335. Regulatory and Rule-Making Powers..... 5
 Sec. 2-336. Labor Relations. 5
 Sec. 2-337- Sec. 2-339. Reserved for Future Use..... 5
Division 3. Unclassified and Classified Service..... 6
 Sec. 2-340. Unclassified and Classified Service..... 6

¹ As a result of this ordinance the following provisions are either recodified or repealed:

Current Section	New Section	Current Section	New Section
2-331	2-850 (Article XVIII)	2-340	2-854 (Article XVIII)
2-332	2-42	2-341	2-855 (Article XVIII)
2-333	2-43	2-342	2-856 (Article XVIII)
2-334	2-44	2-356 through 2-360	2-857 (Article XVIII)
2-335	2-851 (Article XVIII)	2-376 through 2-379	Repealed and replaced by modified language from former Civil Service regulations
2-336	2-45	2-380	2-859 (Article XVIII)
2-337	2-852 (Article XVIII)	2-396 through 2-407	Article XVII
2-338	Repealed	2-416 through 2-420	2-858 (Article XVIII)
2-339	2-853 (Article XVIII)	2-436 through 2-442	Repealed and replaced by modified language from former Civil Service Regulations
		2-456 through 2-470	2-900 through 2-908 (Article XIX)

Sec. 2-341.	Unclassified Service.....	6
Sec. 2-342.	Classified Service.....	6
Sec. 2-343.	Classification Plan.....	6
Sec. 2-344.	Prohibited Conduct.....	7
Sec. 2-345-Sec. 2-349.	Reserved for Future Use.....	7
Division 4. The Pay Plan.....		8
Sec. 2-350.	Pay Plan.....	8
Sec. 2-351.	Administrative Salary Adjustments.....	8
Sec. 2-352-Sec. 2-359.	Reserved for Future Use.....	12
Division 5. Grant Funded Positions.....		13
Sec. 2-360.	Grant Funded Positions.....	13
Sec. 2-361-Sec. 2-369.	Reserved for Future Use.....	13
Division 6. Hiring and Promotion.....		14
Sec. 2-370.	Method of Filling Vacancies.....	14
Sec. 2-371.	Rejection of Candidates and Applications.....	14
Sec. 2-372.	Qualifications and Competitive Examinations for Entry Level and Promotional Appointments.....	14
Sec. 2-373.	Method of Rating.....	15
Sec. 2-374.	Preference Points.....	16
Sec. 2-375.	Examination Results.....	16
Sec. 2-376.	Request to Review Examination Results.....	16
Sec. 2-377.	Eligible Lists.....	16
Sec. 2-378.	Certification of Eligible Lists.....	18
Sec. 2-379.	Selection of Employees.....	18
Sec. 2-380.	Probationary Period.....	19
Sec. 2-381-Sec. 2-389.	Reserved for Future Use.....	20
Division 7. Attendance and Leave.....		21
Sec. 2-390.	Attendance and Hours of Work.....	21
Sec. 2-391.	Employee Leave Policies.....	21
Sec. 2-392.	Holidays.....	30
Sec. 2-393 –Sec. 2-399.	Reserved for Future Use.....	30
Division 8. Demotions and Suspensions.....		31
Sec. 2-400.	Demotions.....	31
Sec. 2-401.	Suspensions.....	31
Sec. 2-402-Sec. 2-409.	Reserved for Future Use.....	31
Division 9. Separation.....		32
Sec. 2-410.	Separation from Employment.....	32
Sec. 2-411-Sec. 2-419.	Reserved for Future Use.....	33
Division 10. Performance Evaluations.....		34
Sec. 2-420.	Objective.....	34
Sec. 2-421-Sec. 2-429.	Reserved for Future Use.....	34
Division 11. Human Resources Development.....		35
Sec. 2-430.	Employee Development.....	35
Sec. 2-431-Sec. 2-439.	Reserved for Future Use.....	35
Division 12. Complaints, Appeals and Grievances.....		36
Sec. 2-440.	Appeals from Dismissal, Demotion or Suspension.....	36
Sec. 2-441-Sec. 2-449.	Reserved for Future Use.....	36
[DIVISION 4] ARTICLE XVII. PENSIONS AND RETIREMENT.....		37
Sec. 2-[396] 800.	Commission permitted to defer income commencement date for members of firemen's relief fund or police benefit fund.....	37
Sec. 2-[397] 801.	Policemen and firemen permitted to waive benefits in employees' retirement fund and receive monthly retirement allowance.....	37
Sec. 2-[398] 802.	Supplementary retirement allowances.....	40
Sec. 2-[399] 803.	Widows' benefits.....	51
Sec. 2-[400] 804.	Incentive bonus for retirements prior to July 31, 1976.....	51
Sec. 2-[401] 805.	Hartford Federation of School Secretaries; retirement allowance adjustment.....	52
Sec. 2-[402] 806.	Incentive bonus for retirements prior to September 30, 1992..	52
Sec. 2-[403] 807.	Incentive bonus for retirements of members of Hartford Federation of Paraprofessionals prior to December 31, 1993.....	52
Sec. 2-[404] 808.	Retirement incentive for retirements on or before July 31, 1993.	53
Sec. 2-[405] 809.	Incentive bonus for retirements of nonbargaining unit members and certain noncertified collective bargaining unit	

members of the board of education on or before December 30, 1994.....	53
Sec. 2-[406] 810. Retirement incentives for retirements on or before June 30, 2002.....	54
Sec. 2-[407] 811. Benefits for employees laid-off as a result of the 2002-2003 budget.....	55
Sec. 2-[408] 812. Benefits for employees laid-off as a result of the 2003-2004 budget.....	55
Secs. 2-[409] 813--2-[415] 819. Reserved for Future Use.....	55
[DIVISION 1] ARTICLE XVIII. OFFICERS AND EMPLOYEES*	56
Sec. 2-[331] 850 Residency requirements.....	56
Sec. 2-[335] 851 Personal injury protection for Employees in unclassified service.....	56
Sec. 2-[337] 852. Position of confidential secretary created.....	56
Sec. 2-[339] 853 Assistants and Employees of the corporation counsel.....	56
Sec. 2-[340] 854 Investment analyst under C[c]ity T[t]reasurer; other Employees.....	57
Sec. 2-[341] 855 Employees of pension commission.....	57
Sec. 2-[342] 856 Moonlighting by police officers and firefighters.....	57
Sec. 2-[356-360] 857 Official Bonds.....	57
Sec. 2-[416-420] 858 Group Insurance and Service Benefits.....	58
Sec. 2-[380] 859 Use of private automobiles for official business.....	60
Sec. 2-860 - Sec. 2-899 Reserved for Future Use.....	60
[DIVISION 1] ARTICLE XIX. CODE OF ETHICS*	61
Sec. 2-[456-458] 900 Generally.....	61
Sec. 2-[459] 901 Definitions.....	61
Sec. 2-[460] 902 Prohibited generally.....	63
Sec. 2-[461] 903 Disclosure of confidential information.....	64
Sec. 2-[462] 904 Appearance and intervention on behalf of others.....	64
Sec. 2-[463] 905 Violations; contracts.....	65
Sec. 2-[464] 906 Disclosure of financial interests; filing requirements.....	65
Sec. 2-[465] 907 Duty to disclose.....	66
Sec. 2-[466-470] 908 Commission created; memberships; terms; vacancies.....	66
Sec. 2-909 – 2-914 Reserved for Future Use.....	68
[DIVISION 5] ARTICLE XX. GROUP INSURANCE AND SERVICE BENEFITS	69
Sec. 2-[416] 915. Authorized.....	69
Sec. 2-[417] 916. Eligibility.....	70
Sec. 2-[418] 917. Regulations authorized; filing, approval.....	70
Sec. 2-[419] 918. Reserve for contingencies.....	70
Sec. 2-[420] 919. Group accident insurance for unpaid members of boards, commissions, etc.....	70
Sec. 2-[421] 920. Benefits for nonbargaining unit employees retiring pursuant to incentive program.....	70
Sec. 2-[422] 921. Benefits for collective bargaining unit employees retiring pursuant to incentive program.....	72
Sec. 2-[423] 922. Benefits for employees of the Hartford Board of Education retiring pursuant to incentive program.....	72
Secs. 2-922--2-925. Reserved.....	73
OTHER RECODIFICATIONS	74
Sec. 2-[332] 43 Appointment of officers by council.....	74
Sec. 2-[333] 44 How vacancies filled.....	74
Sec. 2-[334] 45 Oath of office.....	74
Sec. 2-[336] 46 Administrative support for council.....	74

ARTICLE VI. HUMAN RESOURCES, MERIT SELECTION AND CIVIL SERVICE

Division 1. Definitions

Sec. 2-331. Definitions.

The following words and terms used in this Article rules shall have the meanings indicated below unless the context clearly requires otherwise.

1. **Allocation²**. The assignment of an individual position to an appropriate Class on the basis of the type, difficulty, and responsibility of the work actually performed in the position.

2. **Appeals Board**. The Human Resources Appeals Board of the City of Hartford, Connecticut.

3. **Appointing Authority³**. An officer or agency pursuant to the provisions of the Charter having the legal authority to make appointments to positions.

4. **Class or Class of Positions⁴**. A group of positions sufficiently alike in duties, authority, and responsibility to justify the application of same Class title, qualifications, and salary range to all positions in the group.

5. **Class Specification⁵**. The written description of a Class containing the official title, a statement of the duties, authority, and responsibilities of the Class and the qualifications that are necessary or desirable for the satisfactory performance of duties of the Class.

6. **Classified Employee**. An employee in a Full Time or Part Time Position in the Classified Service who has completed the Probationary Period.

7. **Classified Service⁶**. All positions unless specifically placed in the Unclassified Service by the Charter, Chapter VIII, §5(e)(3).

8. **Demotion⁷**. The change of an employee from a position in one Class to a position in another Class having a lower maximum salary range.

9. **Director**. Director of Human Resources.

10. **Dismissal⁸**. The separation of an employee from employment or failure to complete the Probationary Period.

11. **Eligible⁹**. A person whose name is on an active employment list which may also be referred to as an "Eligible List" as set forth in §2-378.

12. **Exempt Employee¹⁰**. Any employee not subject to the provisions of the Fair Labor Standards Act and/or the Connecticut Minimum Wage Act and related regulations as provided by the Connecticut General Statutes.

13. **Full Time Position¹¹**. A position requiring the observance of normal working hours on a year-round basis.

14. **Hourly Basis Position¹²**. A position regularly involving other than the standard hours of work on either a daily, weekly, or seasonal basis and paid an hourly rate of pay which should be comparable to but not necessarily equal to the standard weekly salary rate established for regular positions.

² Derived from Rule II, §1.

³ Derived from Rule II, §2.

⁴ Derived from Rule II, §3.

⁵ Derived from Rule II, §5.

⁶ See, § 5(e)(3) of Chapter VIII of the Charter. Derived from Rule II, §4.

⁷ Derived from Rule II, §6.

⁸ Derived from Rule II, §7.

⁹ Derived from Rule II, §8.

¹⁰ Derived from Rule II, §27.

¹¹ Derived from Rule II, §10.

¹² Derived from Rule II, §26.

15. Lay-Off¹³. The separation of an employee from employment by reason of lack of work, lack of funds or other business reasons.

16. Non-Exempt Employee¹⁴. Any employee subject to the provisions of the Fair Labor Standards Act and/or the Connecticut Minimum Wage Act and related regulations as provided by the Connecticut General Statutes.

17. Open Competitive Examination¹⁵. An examination open to all qualified persons.

18. Part Time Position¹⁶. A position involving working hours such as a few hours a day or days a week on a regular recurring basis and paid on a proportional basis at one of the weekly rates established for employment.

19. Probationary Period. A working test period during which an employee is required to demonstrate the knowledge, skills and ability to perform the duties of the position to which the employee is appointed by actual performance of those duties.

20. Promotion. The advancing of an employee from a position in one Class to a position having a higher maximum salary range.

21. Seasonal Position¹⁷. A position requiring the observance of normal working hours but which is filled only during certain months or seasons of the year.

22. Suspension¹⁸. A temporary separation of an employee from a position for disciplinary reasons and for a definite period specified in writing.

23. Temporary Employee¹⁹. Any employee appointed to a Temporary Position or temporarily appointed to fill a regular position.

24. Temporary Position²⁰. A regularly established position in the Classified Service created for a designated period of time not to exceed six (6) months.

25. Transfer²¹. A change of an employee from one position to another position in the same Class or another Class having the same minimum and maximum salary limits, involving the performance of similar duties and requiring substantially the same basic qualifications.

26. Unclassified Employee. An employee not included in the Classified Service.

¹³ Derived from Rule II, §11.

¹⁴ Derived from Rule II, §28.

¹⁵ Derived from Rule II, §12

¹⁶ Derived from Rule II, §13.

¹⁷ Derived from Rule II, §21.

¹⁸ Derived from Rule II, §22.

¹⁹ Derived from Rule II, §23.

²⁰ Derived from Rule II, §24.

²¹ Derived from Rule II, §25.

Division 2. General

Sec. 2-332. Human Resources Policy of the City of Hartford.

(A) General Policy Statement. As set forth in Chapter VIII, §5(e)(2) of the Charter of the City, Hartford ("City" or "Hartford") shall establish and maintain, by ordinance, a civil service system that will ensure recruitment of the most qualified available persons to appoint to vacant positions, advance equal employment opportunity and affirmative action, continue training and evaluation of employees and bargain with the collective bargaining representatives of employees.

It is the policy of the City to uniformly apply criteria for recruitment, selection, assignment, evaluation, compensation, Promotion, discipline and other personnel actions without regard to race, color, sex, religion, national origin, age, mental or physical disability, sexual orientation, marital status or ancestry; to provide each employee with the opportunity to develop and succeed according to the individual's potential; to utilize and/or develop the skills of present employees to the fullest extent for Transfers, Promotions and assignments; to provide all employees counseling, training, opportunities and encouragement for advancement; to revise the Affirmative Action Plan annually and/or as needed to establish realistic goals and objectives and the steps necessary to achieve them; to train management and supervisory personnel at all levels with an understanding of the City of Hartford's Equal Employment Opportunity Program; to provide employees access to a prompt, effective system for processing and resolving complaints of discrimination; to implement the Affirmative Action Plan in every department throughout the City; and to make Equal Employment Opportunity a viable and effective program in the City of Hartford.

(B) Financial Support from the City. The financial authorities of the City shall provide necessary funds to carry out the purpose of this Article, and shall provide the Director and the Department with adequate staffing, office space, equipment and facilities.

(C) Intent of Article. The intent of this Article is to afford rights and privileges to Classified Employees and, where specifically noted, to Unclassified Employees. Where a collective bargaining agreement incorporated by reference any provisions of the Personnel Rules and Regulations operational at the time of the effective date of this Article, such prior Personnel Rules and Regulations shall remain in effect for the duration of the collective bargaining agreement.

Nothing in this Article shall be considered to limit the provisions of §§2-31 and 2-45 or limit the authority of the Mayor and Court of Common Council to appoint, assign and remove their staff.

Sec. 2-333. Human Resources Appeals Board.

(A) General Powers. There shall be a Human Resources Appeals Board which shall have the powers set forth in this Article.

(B) Membership. The Appeals Board shall consist of five (5) members, who shall be electors of the City holding no salaried municipal office and whose term of office and method of appointment shall be as follows, in accordance with the provisions of Chapter VII, §1(g) of the Charter of the City:

(1) Initial Appointments. Term of Office. On or about July 1, 2005, the Mayor shall appoint five (5) members with the following terms:

(a) one (1) member whose term shall expire on June 30, 2006;

(b) one (1) member whose term shall expire on June 30, 2007;

(c) one (1) member whose term shall expire on June 30, 2008;

(d) one (1) member whose term shall expire on June 30, 2009; and,

(e) one (1) member whose term shall expire on June 30, 2010.

(2) Succeeding Appointments. At the expiration of their respective terms, their successors shall be appointed for a term of four (4) years.

(3) Limitation on Political Party Representation. Not more than three (3) members shall be members of the same political party.

(4) Quorum. Three (3) members shall constitute a quorum.

(5) Vacancies. Vacancies shall be filled for the unexpired portion of the term as set forth in the Code of Ordinances.

(C) Removal. The Mayor may remove a Board member for the reasons set forth in Chapter VII, §1(i) of the Charter of the City.

(D) Grievances and Appeals. Said Appeals Board shall hear and determine any grievance or appeal to a Dismissal, Demotion or Suspension of any non-bargaining unit Classified Employee.

(E) Procedural Rules. The Appeals Board shall adopt rules of procedure, which shall ensure any aggrieved non-bargaining unit Classified Employee a prompt and fair hearing and an opportunity to be heard in person or by a representative of said employee's choosing.

(F) Appeal to the Superior Court. The decision of the Appeals Board may be appealed to the Superior Court within ninety (90) calendar days from the date such board renders its decision.

Sec. 2-334. Department of Human Resources.

(A) Director of Human Resources. The management of the department shall be vested in the Director, who shall be responsible for the efficiency, discipline and good conduct of the department, in accordance with §5(e)(1) of Chapter VIII of the Charter of the City. The Director may assign such responsibilities to designees at said Director's sole discretion.

(1) Appointment. The Director shall be a qualified person appointed by the Mayor as set forth in §5(e)(1) of Chapter VIII of the Charter of the City. The Director shall be a member of the Classified Service.

(2) Duties of the Director. The duties of the Director are as set forth in the Charter of the City and may be further defined by ordinance.

(B) Records and Reports of Personnel Transactions. All appointments, separations and other personnel transactions must be made on forms as designated by the Director.

(1) Records of the Department of Human Resources²². Personnel files, with the exception of those records deemed confidential by the Connecticut General Statutes shall be public records and shall be open to public inspection during office hours at reasonable times and in accordance with such procedures as the Director may prescribe. The Director shall maintain records necessary to the proper administration of the personnel system.

(2) Destruction of Records. They may only be destroyed in accordance with Connecticut General Statutes.

(3) Annual and Other Reports²³. A regular annual report of the activities of the Department of Human Resources shall be submitted to the Mayor by the Director. The Director shall submit such other reports as may be required by the Mayor.

(4) Attendance Records. Each department shall prepare and submit regular attendance reports of all employees, as required by the Director.

Sec. 2-335. Regulatory and Rule-Making Powers.

Administrative regulations recommended by the Director, proposed by the Mayor and adopted by the Court of Common Council, including additions, modifications or changes, shall take effect in accordance with §2-1 and §2-2 of the Code of Ordinances.

Sec. 2-336. Labor Relations.

In accordance with Chapter VIII, §5(e) of the Charter of the City, the Department of Human Resources shall be responsible for the administration of the labor relations program. The Director may make a request to the Mayor for the retention of outside counsel to assist in the labor relations program. Selection of outside counsel shall be subject to the approval of the Corporation Council.

Sec. 2-337- Sec. 2-339. Reserved for Future Use.

²² Derived from Rule XIV, §1.

²³ Derived from Rule XIV, §3.

Division 3. Unclassified and Classified Service

Sec. 2-340. Unclassified and Classified Service.

Pursuant to the Charter of the City, the employees of the City shall be divided into the Unclassified Service and the Classified Service.

Sec. 2-341. Unclassified Service.

The Unclassified Service is defined exclusively in accordance with Chapter VIII, §5(e)(3) of the Charter of the City.

Sec. 2-342. Classified Service.

All positions unless specifically placed in the Unclassified Service by the Charter, Chapter VIII, §5(e)(3).

Sec. 2-343. Classification Plan.

(A) The Plan²⁴. The Mayor shall propose any revisions to the classification plan as appropriate and as recommended by the Director. Such revisions shall take effect upon approval by the Court of Common Council.

(B) Development and Review of Job Descriptions and Qualifications.

The Director is authorized to develop and review the following:

- (1) Job descriptions
- (2) Job qualifications
- (3) Revisions to the classification plan

The Director shall conduct a review when necessary and practical, and propose modifications accordingly.

The preparation, maintenance and revision of the classification plan for all positions in the Classified Service shall be based upon similarity of duties and responsibilities, so that the same qualifications may reasonably be required and the same schedule of pay may be equitably applied to all positions in the same Class.

(C) Administration of Plan²⁵. Revisions to Class Specifications and reallocations within the approved classification plan will be made in the following manner:

(1) Review by the Director. The Director shall review the duties and responsibilities of each new position as it is created, and on the basis of this review allocate the position to a Class appropriate to the duties.

(2) New or Changed Position²⁶. Whenever a new position is created or a change is made in an existing position, such changes will be immediately reported to the Director. If any change is necessary, the position will be placed in the appropriate Class.

(a) Vacancies. Each time a vacancy occurs, a preliminary position analysis form shall be completed by the Appointing Authority and submitted to the Director for a review of the Allocation of the position. The Director may waive this requirement in cases where it has been determined by the Director that no material changes have occurred or such review has been made in the last twelve (12) months.

(b) Departmental Reorganizations. It shall be the responsibility of each Appointing Authority to submit to the Director new position descriptions for all affected positions each time the department (or sub-division thereof) is permanently or substantially reorganized.

²⁴ Derived from Rule III, §2.

²⁵ Derived from Rule III, §5.

²⁶ Derived from Rule III, §5.B.

(c) Establishment of New Classes. When a new Class is established, a Class Specification shall be written and incorporated in the existing plan. The Class title shall be added to the list of titles set forth in the classification plan. An abolished Class shall be deleted from the classification plan.

(3) Revisions of Classifications. The classification plan may be revised as conditions require. Such revision may consist of combining, abolishing or creating new classes and any such action shall be effective when recommended by the Mayor and approved by the Court of Common Council, if necessary.

(4) Employee Request for Review. A Classified Employee may request a review of the employee's position at any time provided no review has been made of such position during the previous twenty-four (24) months. The Director shall prepare guidelines governing the review process.

(D) Re-allocation of Positions²⁷. A Classified Employee who is occupying a position re-allocated to a different Class shall continue in the position only if he/she is eligible for, and is actually appointed to the position in accordance with the Article governing Promotion, Transfer or Demotion. Any Classified Employee whose position is re-allocated may compete in any examination held to fill the re-allocated position.

When, after written request of a Classified Employee and recommendation of the Appointing Authority, it appears that the employee develops a position warranting a new or different Class, the Director shall, after investigation, make a recommendation to the Chief Operating Officer, who shall direct that the incumbent either be given status in the new Class without promotional examination or that the best interests of the service will be served by conducting a competitive promotional examination for the position.

(E) Class Titles²⁸. The Class titles shall be the official titles designating the various classifications and shall be used to designate such positions in all official records, vouchers, payrolls, and communications concerning personnel. No person shall be appointed to, or employed in, a position under a Class title which has not been recommended by the Director and approved by the Mayor as appropriate to the duties performed.

Sec. 2-344. Prohibited Conduct.

No person shall willfully or corruptly make any false statement, certification, mark, rating or report in regard to any test, certification, Promotion, reduction, removal or appointment held or made under the provisions of the Charter of the City or this Code, or in any manner commit or attempt to commit any fraud preventing the impartial execution thereof or of the rules and regulations made in accordance therewith. No person shall either directly or indirectly pay, render or give any money, service or other valuable thing to any person for or on account of, or in connection with any test, appointment, Promotion, reduction or removal in which he/she is concerned.

Sec. 2-345-Sec. 2-349. Reserved for Future Use.

²⁷ Derived from Rule III, §6.

²⁸ Derived from Rule III, §7.

Division 4. The Pay Plan

Sec. 2-350. Pay Plan.

(A) Development. The Mayor is authorized to recommend a pay plan for all employees not covered by a collective bargaining agreement as proposed by the Director.

Said plan shall constitute the City's Pay Plan for positions not covered by a collective bargaining agreement for the ensuing fiscal year and thereafter until a revised pay plan shall be adopted by the Court of Common Council.

(B) Preparation²⁹. The Director shall be responsible for the development and revision, if necessary, of a uniform and equitable pay plan which shall consist of minimum and maximum rates of pay for each Class of Position and such pay steps as considered necessary. Salary ranges shall be related to the classification plan, and shall be determined with regard to ranges of pay for other classes, required qualifications, prevailing rates of pay for comparable work in other public and private employment in the area, cost of living factors, maintenance or other benefits received by employees, the financial policy of the City, and other economic considerations.

(C) Adoption³⁰. Any revisions to the existing pay plan shall be prepared by the Director and submitted by the Mayor to the Court of Common Council for adoption. After adoption or amendment by the Council, no position shall be assigned a salary higher than the maximum or lower than the minimum salary provided for the Class of Position unless the salary schedule for the Class is amended.

(D) Amendments³¹. Amendments to the pay plan will be submitted by the Mayor to the Court of Common Council when changes in responsibilities of classes, cost of living, recruiting experience of the Department of Human Resources, prevailing rates of pay or other pertinent factors warrant such action.

(E) Status of Pay Plan In Effect at Time of Passage. The pay plan in force at the effective date of this Article shall remain in effect until amended.

Sec. 2-351. Administrative Salary Adjustments.

(A) Appointment Rate³². The base rate of pay for initial employment shall normally be paid upon appointment to the Class. Appointment rates above the base rate may be paid if the Appointing Authority submits to the Director a written request that a prospective employee is entitled to a higher rate. Justification for approval will be limited to recognition of extraordinary qualifications of an Eligible or lack of available Eligibles at the base rate. If a former Classified Employee is re-employed in a Class comparable to the one in which he/she was previously employed, the Appointing Authority may, with the approval of the Director, make an appointment at the applicable rate of pay which the Classified Employee had been receiving at the termination of such prior City service. In the event that a new employee is appointed at a higher rate because of a lack of available Eligibles, the pay of present Classified Employees of the Class may be advanced upon recommendation of the Appointing Authority, with the approval of the Director.

(B) Increments³³. Salary increments recognizing growth shall normally be provided on the anniversary date as follows:

(1) Appointment on or before the 15th of the Month. Employees appointed on or before the 15th of the month and who have displayed satisfactory performance shall be paid approved growth increments effective on the first Sunday of that month.

(2) Appointment following the 15th of the Month. Employees appointed after the 15th of the month and who have displayed normal growth shall receive the approved growth increment on the first Sunday of the

²⁹ Derived from Rule IV, §1.

³⁰ Derived from Rule IV, §2.

³¹ Derived from Rule IV, §4.

³² Derived from Rule IV, §5.A.

³³ Derived from Rule IV, §5.B.

succeeding month.

(3) Exception. Employees shall be granted growth increments unless the Appointing Authority substantiates, in writing, to the Director that the employee has not demonstrated the growth normally expected for the Class. Such recommendations shall be based upon standards of performance as indicated by service ratings or other pertinent data. Such exceptions must be approved by the Director.

(4) Frequency of Increments. Growth increments shall not be more often than as set forth in the pay plan.

(5) Salary Increments. Salary increments for Department Heads/Appointing Authorities and Deputy Department Heads shall be at the discretion of the Mayor.

(C) Miscellaneous. Increments for exceptional service, college incentive pay and retroactive pay for Classified and Unclassified Employees shall be established by guidelines set forth by the Director.

(D) Total Remuneration³⁴. Any salary rate established for an employee shall represent the total remuneration, not including reimbursement for official travel. Except as otherwise provided in this Article, or other City ordinances, no employee shall receive pay from the City in addition to the salary authorized under the schedules provided in the pay plan for, services rendered by the employee either in the discharge of the individual's ordinary duties or any additional duties which may be imposed upon the employee or which the individual may have undertaken or volunteered to perform. No reward, gift, or other form of remuneration in addition to regular compensation shall be received from any source by employees for the performance of their duties. If a reward, gift, or other form of remuneration is made available to any employee, it shall be credited to a designated employees' fund.

(E) Longevity Payment³⁵. The Mayor, upon recommendation of the Director shall propose a resolution establishing longevity pay for all Classified and Unclassified Employees of the City. Any revision to the existing longevity payment plan shall be prepared by the Director and submitted by the Mayor to the Court of Common Council for adoption.

(F) Pay for Part—Time Work³⁶. Employees working less than a regular workweek shall be paid the equivalent hourly rate of pay established for the Class. The payment of a separate salary from two (2) or more departments for duties performed in each is permissible provided: (1) The employee may not be paid twice for the same hours of work; (2) the employee may not hold two (2) full-time jobs in the Classified Service; and, (3) Any Non-Exempt Employee, regardless of the number of departments in which he/she works, must be paid time and one-half for all hours worked in excess of forty (40) hours in a week.

(G) Pay Rates³⁷.

(1) Transfer. Employees transferred from one position to another position in the same or different department shall retain the same rate of pay.

(2) Promotion or Assignment to Higher Class. Employees promoted or assigned to a position in a higher Class shall receive an increase in pay in accordance with guidelines established by the Director

(3) No Payment. No such payment will be made: (1) When it is the normal responsibility of an employee to act for or perform the functions of an employee in another Class because of absence (for example, when the Class Specification so provides, or when as assistant normally acts for a higher-level supervisor); (2) when it is not practical or possible for an employee to perform the full job of a higher Class for a brief, temporary period of time; (3) for uniformed and investigatory fire and police classes.

³⁴ Derived from Rule IV, §5.C.

³⁵ Replaces current Sec. 2-376.

³⁶ Derived from Rule IV, §5.E.

³⁷ Derived from Rule IV, §5.F.

(4) Exclusions. These requirements will normally exclude assignments outside of certified bargaining units, since such assignments involve substantial technical, professional or supervisory skills which cannot normally be fully exercised on short-term assignments.

(5) Temporary Assignments. When assignments are excluded by the above requirements, employees may be given temporary appointments to the higher Class when the assignment exceeds three (3) weeks and when the full job can be performed by an employee serving in a temporary capacity.

For purposes of this rule, assignment to a higher Class means that an employee has been assigned to a Class with a higher pay grade either because of the absence of an employee who is classified in the higher Class or because operating requirements present the need for such duties to be performed for a period of time. An employee will not be assigned to a higher Class unless said employee possesses the minimum qualification to perform the duties of the higher Class; provided, however, that this is not intended to preclude training assignments.

(6) Prohibition of Rotation. Employees shall not be rotated on assignments for the purpose of avoiding payments at the higher rates.

(7) Inequity Adjustments. Where Promotion involving Classified Employees results in inequities in pay, such inequities may be adjusted by the Director following notification by the Appointing Authority.

(H) Pay Rates in Demotion³⁸. Employees demoted in salary shall be reduced one growth step in the salary range of the Class. An employee demoted from one Class to another shall be reduced in salary by an amount equivalent to at least one full growth step in the range from which he/she has been demoted, except as provided below:

(1) Voluntary Demotions³⁹. If the employee's salary is higher than the maximum of the Class, he/she shall be placed at the maximum salary for the Class to which he/she is demoted. If the employee's salary is less than the maximum for the Class, said employee shall be placed at the step nearest to the present salary rate, whether higher or lower.

(2) Demotion as a Result of Physical or Mental Incapacity⁴⁰. When an employee has become physically or mentally incapable of performing the essential duties of the individual's position, the Appointing Authority shall recommend to the Director that the employee be transferred to another position, if available, without loss of pay. The Demotion shall become effective upon approval by the Director.

When an employee retains a rate above the maximum for the Class to which said individual was demoted, the employee shall not receive any further increases until the maximum for the lower Class exceeds the individual's retained rate.

(I) Overtime⁴¹.

(1) Authorization⁴². An employee shall be compensated for overtime only when the overtime work is properly authorized by the Appointing Authority.

(a) Non-Exempt Employees. All Non-Exempt Employees must be paid for overtime work that is properly authorized and that exceeds the normal workweek. Such employees shall receive time and one-half for all hours exceeding 40 hours in a week and double time for all work on holidays established in these Articles. Such employees may not be allowed to initiate overtime work unless such overtime is properly

³⁸ Derived from Rule IV, §5.G.

³⁹ Derived from Rule IV, §5.G.1.

⁴⁰ Derived from Rule IV, §5.G.2.

⁴¹ Derived from Rule IV, §5.H.

⁴² Derived from Rule IV, §5.H.1. The provisions pertaining to "Overtime to Firefighters" are deleted from this ordinance; however, in the event the provision is incorporated by reference in a collective bargaining agreement it shall remain in full force and effect during the term of the agreement.

authorized.

(2) Phase-Out of Compensatory Time. The Director shall propose guidelines for the phase-out of any accumulated compensatory time for Classified and Unclassified Employees to be used after the adoption of this Article.

(3) Payment.

(a) Non-unit, Exempt Employees in the following series shall be paid an additional five percent (5%) of the base rate of the Class on a continuing basis as "additional compensation in lieu of overtime pay" and shall work a flexible schedule in accordance with the provisions of paragraph 5, below: Professional; Engineering and Architectural at the level of Civil Engineer I and above; Recreation and Related; Nursing and Medical; and Public Safety Series at the level of Line Foreperson and above.

(b) Non-unit Exempt Employees in the following series shall be paid an additional five percent (5%) of the base rate of the Class on a continuing basis as "additional compensation in lieu of premium overtime pay" and shall receive straight time for all overtime, except that such employees shall receive double time for all work on holidays authorized under this Article.

Engineering and architectural, below the level of Civil Engineer I; Inspectional; Custodial and Related; Equipment Operations; and Skilled Trades; provided, however, that principal supervisors in the Equipment Operations Series and the Skilled Trades Series shall be compensated as provided in subparagraph (c) below.

In addition, non-unit Exempt Employees in the Public Safety Series classified as Crime Laboratory Technician shall be paid an additional five percent (5%) of the base rate of the Class on a continuing basis as "additional compensation in lieu of premium overtime pay" and shall receive straight time for all overtime.

(c) Principal supervisors in the Equipment Operations Series and in the Skilled Trades Series shall be paid an additional five percent (5%) of the base rate of the Class on a continuing basis as "additional compensation in lieu of overtime pay" and shall work a flexible schedule in accordance with the provisions of paragraph 5, below; provided, however, that any such employees required to work overtime under the following conditions may elect to be compensated at straight time for such overtime and double time when such overtime is worked on holidays authorized under this Article: (1) when required to work overtime on snow and ice operations; and (2) when required to work overtime to supervise a full staff operation on a holiday; or on a weekend following a holiday; or on a weekend following a severe snow or other severe weather conditions.

The term "principal supervisors" includes employees in the Skilled Trades Series classified as Building Maintenance Supervisor, Superintendent of City Buildings, Master Mechanic and Equipment Superintendent; employees in the Equipment Operations Series classified as Street Cleaning Supervisor, Park Maintenance Supervisor, Sanitation Supervisor, Records and Services Supervisor, and General Foreperson, Streets; and any other employees who may hold positions with maximum salary rates equal to or higher than any of the above classes in their respective series.

(4) Approval. The Director, with the approval of the Chief Operating Officer, may authorize overtime at straight time, premium rates or time off for any part of the overtime required in specific classes or positions based on evidence that a substantial inequity or special circumstance exists.

(5) Flexible Schedule⁴³.

⁴³ Derived from Rule IV, §5.H.3.
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

(a) Department Heads/Appointing Authorities, Deputy Department Heads and other designated employees as stated in (3) above work on a flexible schedule. Such employees are responsible for fulfilling the duties of their positions regardless of the hours worked. It is the responsibility of the Appointing Authority or Deputy Department Heads to ensure that such personnel work at least the normal hours within the workweek.

(b) The above employees in sub-paragraph (a) shall work on a flexible schedule normally between the core hours of 8:00 A.M. and 6:00 P.M. with the approval of the Appointing Authority. Such employees are responsible for fulfilling the duties of their positions regardless of the hours of work or the schedule of hours that may be necessary.

(c) The staff of the Court of Common Council and the Mayor may, by direction of the Appointing Authority, be permitted to work a flexible schedule during the course of a forty (40) hour work week.

Sec. 2-352-Sec. 2-359. Reserved for Future Use.

Division 5. Grant Funded Positions

Sec. 2-360. Grant Funded Positions.

Following consultation with the Mayor, the Director shall approve the salaries for all Classified or Unclassified Employees of the City directly funded by a grant, unless otherwise governed by a collective bargaining agreement. The Director shall, to the extent it is feasible, ensure reasonable salary equity between grant and non-grant funded positions.

Sec. 2-361-Sec. 2-369. Reserved for Future Use.

Division 6. Hiring and Promotion

Sec. 2-370. Method of Filling Vacancies.

(A) Regular and Temporary Full Time, Part Time and Seasonal Positions⁴⁴. Each position in the Classified Service shall be designated as either, regular or temporary and as either full time, part time or seasonal as defined in this Article. Such designation shall be used in all official requisitions or other communications concerning employment, Promotion, Demotion, Transfer, Suspension, Lay-Off or Dismissal addressed to the Department of Human Resources.

(1) No employee shall be permanently assigned to a Temporary Position.

(2) Employees may be assigned to Temporary Positions where such assignment involves neither a Promotion nor a Demotion. Any employee so assigned shall return to the individual's former position when the term of the Temporary Position expires.

(3) In all cases other than temporary assignment to a higher Class or a Temporary Position, the provisions of this Article governing examinations and certifications shall apply.

(4) No Temporary Employee appointed to a Temporary Position shall be exempted from the provisions of §2-379(A).

(B) Transfers⁴⁵. Employees may request to be transferred to a position in the same Class in another department by notifying the Director in writing, who shall maintain lists of such employees. The procedure for transfer of such employees shall be set forth by the Director.

(C) Temporary Appointments to Positions⁴⁶. When a position, or a Temporary Position, as defined in this Article is established and cannot be filled by the assignment of an employee or from an existing employment list, the Director may authorize the appointment of a Temporary Employee. Such Temporary Employee shall not be considered eligible for any of the benefits provided for in this Article for other employees in the Classified Service. Appointments to Temporary Positions will expire automatically at the end of six (6) months and shall not be subject to renewal.

(D) Retired Employees. Retired Classified or Unclassified Employees of the City shall only be eligible to return to City employment in a temporary classified or unclassified position for a maximum of six (6) months in a fiscal year.

Sec. 2-371. Rejection of Candidates and Applications.

The Director may reject any application which is deficient in any of the requirements as specified in the job announcement for the position and/or does not satisfactorily complete the prescribed application forms. Rejection of candidates and applications shall be established by guidelines set forth by the Director.

Sec. 2-372. Qualifications and Competitive Examinations for Entry Level and Promotional Appointments.

(A) Entry Level and Promotional Appointments⁴⁷. The Director is authorized to establish qualifications and competitive examinations for entry level and promotional appointments. All appointments and Promotions in the Classified Service of the City shall be made according to merit to be determined so far as practicable by competitive examination. Examinations shall relate to those matters which will test the capacity of the candidates to perform efficiently the duties of the classes for which the examinations are held.

⁴⁴ Derived from Rule VIII, §1.

⁴⁵ Derived from Rule VIII, §3.

⁴⁶ Derived from Rule VIII, §6.

⁴⁷ Derived from Rule VI, §1.

(1) Considerations Pertaining to Examinations⁴⁸. Examinations may be assembled or unassembled and may include written, oral, physical, or performance tests or any combination of these. They may take into consideration reasonable factors such as education, experience, aptitude, knowledge, character, training, physical fitness, or any other qualifications which in the judgment of the Director enter into the determination of the relative suitability of applicants. Any one of these factors may be the sole consideration. In all examinations the identity of applicants will be deemed confidential in accordance with the Connecticut General Statutes. The Director may require applicants to submit proof of their age, educational qualifications, and military service at the time of the examination. In accordance with the requirements of the law, the Director will keep a record of this information.

(2) Original Appointment⁴⁹. Tests for original appointment in the Classified Service shall be open competitive tests which shall be open to all applicants who meet the required qualifications determined by the Director with regard to residence, experience, character, age, education, physical condition, and such other factors as may be held to be related to the ability of the candidate to perform the essential duties of the position.

(3) Promotional Appointment⁵⁰. Advancement within the service shall be through promotional tests which shall be open to all employees who meet the required qualifications and who are serving in an appropriate Class as determined by the Director. Promotional examination may be limited to a single department or a subdivision thereof.

While vacancies in higher positions shall, as far as practicable, be filled by Promotion from lower positions, the Director may authorize that such positions shall be filled by competitive tests open to all qualified persons.

(4) Special Examination Procedure⁵¹. For positions involving skilled, semi-skilled or unskilled labor, attendant, custodial, seasonal or trainee, when the character or place of work makes it impracticable to supply the needs of the service by appointments made in accordance with the procedures prescribed in other provisions of the Charter, the Director may adopt or authorize the use of such other procedures, qualifications and residence requirements as he/she determines to be appropriate in order to meet the needs of the service, while ensuring the selection of such employees on the basis of merit.

Sec. 2-373. Method of Rating.

(A) Policies Pertaining to Competitive Examinations. In all examinations, the minimum rating by which eligibility may be achieved shall be established by the Director. Such minimum rating shall also apply to the ratings of any part of the test. Candidates shall be required to attain, at least a minimum rating on each part of the test in order to receive a passing grade or to be rated on the remaining parts of the test. The final earned rating of each candidate shall be determined by averaging the earned rating on each part of the examination in accordance with the weights set forth in the job posting for each part prior to the date of the examination.

(B) Rating Training and Experience⁵². Where a rating of experience and training forms a part or all of the examination, the Director shall develop such procedures for the evaluation of these factors as will serve to assist in the selection of the best-qualified candidates. These procedures shall give due regard to the quality, recency and the amount of experience and to the pertinency and amount of training. The Director may verify statements contained in the application of an applicant and secure further information concerning the candidate's character and suitability. If, after a list is established, information which materially affects the rating of experience and training, character, or suitability of the applicant is discovered, the Director shall make a new rating of the applicant's examination and make the necessary adjustments in the lists.

⁴⁸ Derived from Rule VI, §1.

⁴⁹ Derived from Rule VI, §1.

⁵⁰ Derived from Rule VI, §1.

⁵¹ Derived from Rule VI, §2.

⁵² Derived from Rule VI, §4.

Sec. 2-374. Preference Points.

(A) Veterans⁵³. As set forth in Chapter VIII, §5(e)(5) of the Charter of the City there shall be credit allowances for initial appointments for (A) any person who has served in time of war in the army, navy, marine corps, coast guard or air force of the United States and has been honorably discharged therefrom; and, (B) any employee in the Classified Service whose employment has been interrupted in time of war in the army, navy, marine corps, coast guard or air force of the United States and has been honorably discharged therefrom.

(B) Hartford Residents. In any Open Competitive Examination for an entry-level classification, a Hartford resident shall have ten percent (10%) added to their passing grade.

An entry level classification is one for which there exists no lower level classification where an employee could normally gain the necessary experience and training to qualify for Promotion to that classification.

Proof of eligibility for Hartford resident preference shall be provided by the applicant in a manner prescribed by the Director.

Sec. 2-375. Examination Results⁵⁴.

(A) Each person who takes an examination shall be given notice as to whether or not he/she qualified on such examination and as to the individual's relative standing on the list or of the failure to attain a place on the list⁵⁵.

(1) Each person shall be entitled to review their rating and examination papers, but examination papers shall not be open to the general public⁵⁶.

(2) Such review shall be permitted only during regular business hours at the Department of Human Resources and under such conditions as the Director may prescribe.

Sec. 2-376. Request to Review Examination Results.

Each person who takes an examination may make a request to the Director for a review of their rating(s) upon presentation of proof that the individual's examination has been incorrectly rated. Any request for a review shall occur within ten (10) days after the mailing of the examination results.

Sec. 2-377. Eligible Lists.

(A) Promotional and Open Competitive Employment Lists⁵⁷. The Director shall establish and maintain such promotional and open competitive employment lists for the various classes of positions, as the Director deems necessary to meet the needs of the service. On each such list, the Eligibles shall be ranked in order of their ratings earned in examinations given for the purpose of establishing such list.

(1) Order of Names on Lists⁵⁸. Names of Eligibles shall be placed on the lists in the order of their final earned rating including any credit allowance permitted by the Charter or this Article. In the case of ties in an Open Competitive Examination, Eligibles will be listed in alphabetical order.

(2) Availability of Eligibles⁵⁹. It shall be the responsibility of Eligibles to notify the Director, in writing, of any change of address or other change affecting availability for employment. However, the Director may use appropriate methods to determine at any time the availability of Eligibles.

⁵³ Derived from the Charter of the City replacing Rule VI, §5.

⁵⁴ Derived from Rule VI, §6.

⁵⁵ Derived from Rule VIII, §5.

⁵⁶ Rule VI, §7 entitled "Prompt Administration of Examinations" is repealed.

⁵⁷ Derived from Rule VII, §2.

⁵⁸ Derived from Rule VII, §3.

⁵⁹ Derived from Rule VII, §4.

Whenever an Eligible submits a written statement restricting the conditions under which said Eligible will be available for employment, the individual's name may be withheld from all certified lists, which do not meet the conditions specified. An Eligible may file a new written statement at any time within the duration of an employment list modifying any prior statement as to conditions under which he/she will be available for employment.

(3) *Duration of Lists*⁶⁰. For all examinations names shall remain on lists as follows:

(a) *Open Competitive Lists*. A period normally one (1) year from the date originally established by the Director; and,

(b) *Promotional Employment Lists*. A period normally two (2) years from the date originally established by the Director.

(4) *Extending the Duration of Lists*. Notwithstanding the foregoing, prior to the expiration of the list, the Director may extend the time during which such names remain in force when the needs of the City service so require. In no event shall the total period during which names may remain on an employment list exceed three (3) years from the date on which the names were originally placed thereon.

(a) *Written Order of Extension*. A directive extending the period during which names are in force shall contain a statement of the reasons for the extension and the order shall be entered in the records of the Human Resources Department.

(5) *Consolidation of Lists*. Two (2) or more employment lists for the same Class of Position may be consolidated by the Director in a manner fair to Eligibles on both lists. Candidates will be certified to appointing authorities in the manner described in §2-378 of this Article.

(6) *Removal from Employment List*⁶¹. The name of any person appearing on an employment list may be removed by the Director if so requested by the Eligible, in writing that his/her name be removed, or if said Eligible cannot be located by postal authorities or other means of ordinary communication within five (5) days following the date of notification. The name of any Eligible may also be removed if the name has been certified for appointment three (3) separate times and has not been appointed, or if the Eligible has waived appointment twice in the same Class of Position. Any cause specified in this Article for the rejection of applicants may likewise be cause for the removal of the name of an Eligible from the Eligible List on which it appears.

(B) Re-Employment Lists⁶².

(1) Classified Employees with a satisfactory employment record who are separated from the service through no fault of their own may be placed on appropriate re-employment lists in the order to be determined by the Director.

(2) Employees, with a satisfactory record of service, who resign their positions may, on their written request, withdraw such resignation within one (1) year from the effective date thereof and be placed on appropriate re-employment list(s) in the order to be determined by the Director.

(3) The eligibility of all candidates on re-employment lists will expire two (2) years from the date on which they became entitled to the re-employment rights.

(4) The selection from a re-employment list should be at the discretion of the Appointing Authority.

(C) Employment Lists. When the Director determines that there are no eligible internal candidates to consider for a position, the Director may fill the position from a higher-level list within the classification series.

⁶⁰ Derived from Rule VII, §5.

⁶¹ Derived from Rule VII, §6.

⁶² Derived from Rule VII, §1.

Sec. 2-378. Certification of Eligible Lists.

(A) Request for Certification⁶³. When a vacancy occurs, the Appointing Authority will submit a personnel requisition form prescribed by the Director, the pertinent facts relative to the duties, responsibilities, and required qualifications of the position which is to be filled. If the vacancy is approved to be filled and a list of Eligibles is available, certification will be made in the manner herein prescribed.

(B) Certification of Eligibles. The Director shall establish a certification list of Eligibles as follows:

(1) The following employment lists shall be used by the Director in the order indicated: (a) Re-employment; (b) Promotion; (c) Open Competitive.

(2) *Open Competitive Vacancies.* The Director will organize passing scores with preference credit included into score bands labeled "A", "B" and so forth until all passing scores are accounted for. The names certified to the Appointing Authority shall be all those of the top "A" score band on the appropriate list so long as there are no fewer than five (5) names. In the event there are fewer than five (5) names, all names in the next score band "B" shall be certified to the Appointing Authority for consideration, and so forth, until no fewer than five (5) names in total are certified. If there is more than one (1) vacancy, additional bands shall be certified so long as there are at least five (5) more names than there are vacancies to be filled.

(3) *Promotional Vacancies.* In the filling of these vacancies, the names certified to the Appointing Authority shall be those of the three (3) persons standing highest on the appropriate list. If there is more than one (1) vacancy, the Director will certify two (2) names more than the number of existing vacancies.

(4) In circumstances for which there are critical recruitment needs, the Director may waive the rules for the certification of Eligibles in order to meet the needs of the service and certify the names of qualified individuals from appropriate Eligible List(s) directly to the Appointing Authority for employment consideration.

(5) If special requirements of gender, domicile, or the possession of special skills are specified by the Appointing Authority in a requisition and the Director, after investigation, determines that the facts and reasons specified are in fact conclusive as to the need for the special requirements for effective performance of the duties of the position, certification may be limited to persons on the appropriate list who meet such requirements.

(6) If there are not sufficient names on any list or combination of lists as provided in this rule to certify the number of names, specified herein, the Director may require appointment from the available Eligibles unless the Appointing Authority shall provide in writing valid reasons why such Eligibles should not be appointed.

Sec. 2-379. Selection of Employees.

(A) Role of the Appointing Authority⁶⁴.

(1) After interview and investigation, the Appointing Authority shall appoint any individual on the certification list.

(2) Upon making the appointment, the Appointing Authority shall immediately notify the Director of the person(s) appointed as well as the appointees involved.

(B) Withdrawal or Removal from Certification List. In the event a candidate withdraws or is removed by the Director pursuant to this Article, then the next highest scoring candidate(s) shall be certified, if necessary.

⁶³ Derived from Rule VIII, §2.

⁶⁴ Derived from Rule VIII, §5.

Sec. 2-380. Probationary Period.

(A) General Policy⁶⁵. The Probationary Period shall be regarded as an integral part of the examination process and shall be utilized by supervisors and Appointing Authorities for closely observing the employee's work, for securing the most effective adjustment to the position, and for rejecting any employee whose performance does not meet the required work standards.

(1) Duration⁶⁶. Every person certified and appointed to a position in the Classified Service shall be required to successfully complete a working test during a Probationary Period, which shall be of sufficient length to enable the Appointing Authority to observe the employee's ability to perform the essential duties pertaining to the position.

The Probationary Period shall begin immediately upon regular appointment from all open, promotional, re-employment and Transfer lists and may continue for not less than three (3) months nor more than twelve (12) months. The Probationary Period may be extended for an additional six (6) months with the approval of the Director, based upon reasons set forth in writing by the Appointing Authority. An Appointing Authority may, at any time after the minimum Probationary Period has been served and before the maximum has been reached, notify the Director, in writing on a form provided, that he/she is satisfied with the employee's performance and that the Probationary Period should end.

(B) Evaluation of Performance⁶⁷. At the end of the second month of employment during the Probationary Period, and at other times as the Appointing Authority deems the quality of service of an employee should be recorded, a probationary report form shall be prepared by the supervisor, reviewed by the Appointing Authority, and forwarded to the Director. Such reports shall give an appraisal of the employee's work, willingness and ability to perform the duties satisfactorily and observations concerning the said employee's habits and dependability.

(1) Response by the Department Head or Appointing Authority. At least two (2) weeks prior to the expiration of the maximum Probationary Period, the Appointing Authority or Department Head shall notify the Director, in writing, whether the services of the employee have been satisfactory and whether the employee will continue in the position.

(2) Notice to Employee. A copy of such notice shall be given to the employee. If the employee is not to be continued in employment, the individual will be given two (2) weeks notice that will, if necessary, continue beyond the end of the Probationary Period.

(C) Dismissal⁶⁸. At any time during the Probationary Period, the Appointing Authority or Department Head may recommend, in writing, to the Director, the removal of an employee, if in the opinion of the Appointing Authority or Department Head, the working test indicates that such employee is unable or unwilling to perform the duties of the position satisfactorily or that said employee's habits and dependability do not merit said employee's continuance in the service. Such recommendation of the Appointing Authority or Department Head and the reasons therefore, shall be, in writing, to the Director with a copy to the employee.

(1) Approval by the Director. No employee shall be removed from a position during his/her Probationary Period without the approval of the Director.

(2) Appointment through Fraud or Error. An employee who is found to have been appointed through fraud or error shall be removed within ten (10) days of notification to this effect by the Director to the Appointing Authority or Department Head.

⁶⁵ Derived from Rule IX, §1.

⁶⁶ Derived from Rule IX, §2.

⁶⁷ Derived from Rule IX, §3.

⁶⁸ Derived from Rule IX, §4.

(D) Restoration of Dismissed Employee to Appropriate List⁶⁹. If an employee is removed from a position during, or at the end of, the Probationary Period and the Director determines that the employee is suitable for appointment to another position, said employee's name may be restored to the list from which it was certified. An employee appointed from a promotional list who does not successfully complete the Probationary Period shall be reinstated in a position in the Class occupied by the employee immediately prior to his/her Promotion. If no vacancy in that Class exists at that time, then the rule governing Lay-Off shall be applied.

Sec. 2-381-Sec. 2-389. Reserved for Future Use.

⁶⁹ Derived from Rule IX, §5.
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

Division 7. Attendance and Leave

Sec. 2-390. Attendance and Hours of Work.

(A) Attendance. Each Appointing Authority or Department Head shall be responsible for monitoring the attendance of all employees in the Department and shall maintain accurate attendance records. Attendance records shall be reported to the Finance Department and the Department of Human Resources.

(B) The Hours of Work⁷⁰. Effective the first pay period following adoption of this ordinance, the workweek for Department Heads and Deputy Department Heads shall be forty (40) hours. For all other Classified and Unclassified Employees, the workweek shall be thirty-five (35) hours. Effective January 1, 2006, the workweek for Classified and Unclassified Employees shall be thirty-seven-and-a-half (37.5) hours. Effective July 1, 2006, the workweek for all Classified and Unclassified Employees shall be forty (40) hours. The hours of work shall normally be from 8:00 A.M. to 5:00 P.M. with one (1) hour for lunch. These schedules are subject to adjustment for good and sufficient reason by the Director if requested in writing by the Appointing Authority and approved by the Director.

(C) Standard Work Week⁷¹. The standard workweek shall be from 8:00 A.M. Sunday until 8:00 A.M. the following Sunday.

Sec. 2-391. Employee Leave Policies.

(A) Vacation Leave Accumulation⁷².

Effective July 1, 2005, full-time employees in the Classified and Unclassified Service shall accumulate, during and after the Probationary Period, vacation leave with pay on July 1st according to the following vacation schedule (excluding Department Heads, Deputy Department Heads and others listed below who shall receive five (5) weeks of vacation):

<u>Length of Service in Months</u>	<u>Vacation Accumulation in Days</u>
1	1¼
2	2½
3	3¾
4	5
5	6¼
6	7½
7	8¾
8	10
9	11¼
10	12½
11	13¾
12	15

Deputy Department Heads shall receive four (4) weeks of vacation, at a rate of 1 2/3 days per month, as of July 1st in each fiscal year.

Department Heads and the executive mayoral staff shall receive five (5) weeks of vacation, at a rate of 2 1/12 days per month, as of July 1st in each fiscal year.

Vacation leave shall be credited on July 1st of the fiscal year following the employee's appointment; however, the above classifications shall be credited vacation per calendar month of service. No vacation shall be used before six (6) months of continuous service has elapsed.

⁷⁰ Derived from Rule X, §1. Rule X, §1 provisions pertaining to twenty-four hour services are repealed.

⁷¹ Derived from Rule X, §1.

⁷² Derived from Rule X, §2.

Full-time employees appointed on or before July 1st and who serve continuously for one (1) full year until the following June 30th shall earn three (3) weeks' paid vacation to be granted during the following fiscal year.

Full-time employees who have completed five (5) years of full time employment as of July 1st and serve continuously for the previous twelve (12) months shall be entitled to vacation of four (4) weeks annually.

Full-time employees who have completed 15 years of full time employment as of July 1st and served continuously for the previous 12 months shall be entitled to a vacation of five (5) weeks annually.

For the purpose of computing vacation leave, the calendar month shall be used, except that a person appointed during the first fifteen (15) days of any month shall be considered as having been appointed on the first day of that month, and those appointed after the 15th day of any month shall be considered as having been appointed on the first day of the succeeding month.

Use of vacation leave is to be taken in units of not less than one (1) week except when accumulated vacation time is less than one (1) week or if other arrangements are authorized by the Appointing Authority. Employees must take all vacation leave or one (1) week whichever is less during the fiscal year following the July 1st on which it is earned. Additional vacation leave may be carried over from one (1) fiscal year to the next to permit a maximum accumulation of no more than eight (8) weeks.

Use of vacation leave shall be granted by mutual agreement between the employee and the Appointing Authority; provided, however, that no Appointing Authority shall withhold vacation leave of any employee in excess of eighteen (18) months.

(1) In computing vacation leave, legal holidays established by this Article are not to be considered as part of vacation allowance.

(2) In the event of the death of an employee, the employee's spouse and/or minor children shall receive the accrued vacation pay earned by the employee.

(a) Where the employee has no minor children and has notified the Department of Human Resources that a valid certificate of domestic partnership is on file with the City of Hartford, Town Clerk, pursuant to §2-63 of this Code, the domestic partner shall receive the accrued vacation pay earned by the employee.

(b) In the event the employee has neither a spouse, minor children, nor a domestic partner, the pay shall be paid to the estate of the deceased employee.

(3) Employees who are separated from the City and who have accrued vacation leave to their credit at the time of separation shall be paid the salary equivalent of the accrued vacation leave. Vacation leave accrued during the fiscal year in which the employee is separated will only be paid if the employee separates in good standing.

(B) Sick Leave Accumulation⁷³. Each full-time employee in the Classified and Unclassified Service shall earn sick leave with pay during and after the individual's Probationary Period according to the following schedule:

<u>Length of Service in Months</u>	<u>Sick Leave Accumulation in Days</u>
<u>1</u>	<u>1¼</u>
<u>2</u>	<u>2½</u>
<u>3</u>	<u>3¾</u>
<u>4</u>	<u>5</u>

⁷³ Derived from Rule X, §3.
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

<u>5</u>	<u>6$\frac{1}{4}$</u>
<u>6</u>	<u>7$\frac{1}{2}$</u>
<u>7</u>	<u>8$\frac{3}{4}$</u>
<u>8</u>	<u>10</u>
<u>9</u>	<u>11$\frac{1}{4}$</u>
<u>10</u>	<u>12$\frac{1}{2}$</u>
<u>11</u>	<u>13$\frac{3}{4}$</u>
<u>12</u>	<u>15</u>

(1) Each full-time employee appointed on or before July 1st and who serves continuously until the following June 30th shall earn three (3) weeks paid sick leave. Sick leave is to be used only for the purposes contained in this Article. Any unauthorized use of sick leave shall be cause for disciplinary action.

(2) Any unused sick leave shall accumulate from fiscal year to fiscal year to a maximum of 150 days.

Thereafter, any unused sick leave shall accumulate from fiscal year to fiscal year at a rate of one (1) day of accumulation for each two (2) days of unused sick leave. Accumulated sick leave may be used for the purposes specified in this Article if and when needed.

(3) Notwithstanding the foregoing any Classified and Unclassified Employee who has accumulated at least thirty (30) days of sick leave may donate a portion of said employee's accumulated sick leave to another employee, who through serious and protracted illness has used up all of the individual's accumulated sick leave, compensatory time and vacation leave. The Mayor (or designee) and the Director shall authorize the donation and transfer of such sick leave provided the following conditions are met:

(a) The donating employee shall have a minimum sick leave accumulation of thirty (30) days.

(b) No more than five (5) days of sick leave for every thirty days of sick leave accumulated by the donating employee to a total donation of thirty (30) days shall be permitted between any two employees.

(c) Sick leave, donated by one employee to another, when used, shall be paid at the hourly rate of the donor or donee, whichever is less.

(d) No more than twenty (20) days of donated leave may be allowed to accumulate in any donee's name at any given time, provided if such donated sick leave should be reduced below twenty (20) days, additional donations may be made to restore the level of accumulated sick leave to twenty (20) days.

(4) Sick Leave Bank. The Director shall prepare guidelines for the establishment of a sick leave bank for full-time Classified and Unclassified Employees.

(5) Advance of Sick Leave. Sick leave advance may be granted by the Appointing Authority with the approval of the Director. In requesting an advance of sick leave, the Appointing Authority shall submit the following information to the Director: the length of City service of the employee; the sick leave record of the employee; and a medical certificate which shall include the prognosis and the probable date when the employee will return to work.

(a) No advance of sick leave may be authorized unless the employee exhausts all accrued leave. In no case shall advanced sick leave exceed twenty (20) days at full pay.

(b) Any advanced sick leave shall be repaid by a charge against such sick leave as the employee may subsequently accrue. No repayment of advanced sick leave shall be required until the employee has first accrued five (5) days of sick leave following the employee's return to duty.

(6) Special Rules.

(a) No refund of vacation leave shall be allowed due to illness incurred while on vacation leave.

(b) Holidays and regular days off shall not be counted in computing sick leave taken.

(7) Use of Sick Leave⁷⁴. Sick Leave may be used for the following purposes:

(a) Personal illness, maternity leave, physical incapacity, or non-compensable bodily injury or disease.

(b) Enforced quarantine in accordance with community health regulations.

(c) For reasonable period of time as defined by the Director only for illness or physical incapacity in the employee's immediate family or others domiciled in the same household prior to illness for whom one is responsible and the primary care giver. Immediate family is defined for purposes of this provision to be father, mother, sister, brother, wife, husband, domestic partner or children related either by blood, marriage or adoption to the employee.

(d) To meet medical and dental appointments of emergency nature and Health Department referrals. In addition, sick leave may also be granted for a limited time for normal medical and dental appointments when an employee has made reasonable efforts to secure appointments outside of normal working hours provided that the Appointing Authority is notified in advance of the day on which the absence occurs.

(e) Death of relatives or friends, marriage in the immediate family, celebration of religious holidays and christenings, graduations and similar ceremonies, provided prior notification to the Appointing Authority is submitted in writing giving full particulars in advance, subject to approval. A maximum of three (3) days a year under this provision shall be granted except that it may be increased in situations upon approval by the Director.

(f) Natural fathers who are primary care givers shall be allowed to use accumulated sick leave for a maximum of ten (10) calendar days, upon the birth of a child. If accumulated sick leave is exhausted prior to the ten (10) calendar days the balance of the leave will be without pay, unless such time is extended by the Appointing Authority with the approval of the Director.

Natural fathers wishing to take such leave must provide a copy of the birth certificate as proof of paternity. Leave will not be granted without the above documentation being provided within five (5) days of the birth.

(g) Domestic partners who are primary care givers shall be allowed to use accumulated sick leave for a maximum of ten (10) calendar days. If accumulated sick leave is exhausted prior to the ten (10) calendar days, the balance of the leave shall be without pay. In no case will a domestic partner be eligible for both maternity and primary care leave. Domestic partners wishing to take such leave must provide a copy of the birth certificate and a copy of the domestic partnership certificate to the City of Hartford, Town Clerk, pursuant to §2-63 of this Code as proof of the relationship to the birth of the child.

(h) Employees who are adoptive parents or the domestic partner of the adoptive parent shall be allowed to use accumulated sick leave for thirty (30) calendar days for adjustment in family living

⁷⁴ Derived from Rule X, §3.
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

conditions. If accumulated sick leave is exhausted prior to the thirty (30) calendar days, the balance of the adoption leave will be without pay. Only the person primarily responsible for the child will be entitled to this leave.

Employees wishing to take an adoption leave must present copies of legal adoption papers as proof of such adoption. In the case of a domestic partner, proof of a valid domestic partnership certificate must also be filed with the City of Hartford, Town Clerk, pursuant to §2-63 of this Code. Adoption leave will not be granted without the above documentation.

(i) Up to three (3) sick days per year may be used for any purpose not otherwise provided above subject to the same notification requirements as in subsection (e), above.

(8) Proof of Illness or Other Uses of Sick Leave. Departments may require proof of illness or other uses of sick leave as provided in this rule. In the judgment of the Appointing Authority or supervisor, proof of sick leave may include a doctor's certificate or other reasonable verification available to the employee.

(a) For absences of less than three (3) workdays, proof of sick leave will not normally be required unless, in the judgment of the Appointing Authority or supervisor, there is a question of authorized usage.

(b) For absences of three (3) consecutive workdays or more, a doctor's certificate will normally be required.

(c) For absences exceeding five (5) workdays, a doctor's certificate indicating the probable duration of the disability may be required, and additional certificates may be required for extended illnesses.

(9) Compliance with Sick Leave Requirements. Sick leave provided above shall be granted only if the requirements of these provisions are complied with and the initial report of illness is made prior to twelve o'clock noon on the first day of absence, except that where a relief employee is required, such report must be made before the hour to report for work as provided in the rules of the department concerned. Nothing in this paragraph shall preclude the payment of sick leave to an employee who cannot comply with the provisions of this sub-section (8) due to extenuating circumstances.

(10) Payment of Sick Leave. The City will make payment for accumulated sick leave for Classified and Unclassified Employees as follows:

(a) Full payment in case of death; fifty percent (50%) payment in case of death for employees hired on or after July 1, 2005;

(b) Fifty percent (50%) payment at time of retirement;

(c) Payments in case of death will be made to the employee's spouse and/or minor children. Where the employee has no minor children and has notified the Human Resources Department that a valid certificate of domestic partnership is on file with the City of Hartford, Town Clerk, pursuant to §2-63 of this Code, the domestic partner shall receive the payment. In the event the employee has neither a spouse, minor children, nor a domestic partner, the payment shall be made to the estate of the deceased employee;

(d) For all full-time, non-bargaining unit employees in the administrative series, appointees of council, elected officials and unclassified appointees, the City will make payment for accumulated sick leave as follows: (1) full payment in case of death; (2) seventy-five percent (75%) payment at time of retirement; (3) employees who separate with vested rights will receive twenty-five percent (25%) of accumulated sick leave to be paid at the time of separation.

(11) Insurance. For purposes of this section, the terms and phrases used herein shall have the meanings ascribed to them in the provisions of the City of Hartford Municipal Employees' Retirement Fund ("MERF"), unless, and then only to the extent, a subsequent definition specifically provides for a different meaning with respect to any such term or phrase within the context of a particular paragraph or subparagraph.

(a) All full-time, non-bargaining unit employees in the administrative series, appointees of council, elected officials and unclassified appointees who are eligible for normal retirement with at least twenty (20) years of actual service which may include qualified non-City service or who are eligible for normal retirement at age 60 and completing at least five (5) years of continuous service; or who are eligible for early retirement at age 55 with at least five (5) years of continuous service shall be eligible for health care and group life insurance benefits as of their effective date of retirement as follows:

(i) Group Life and Accidental Death and Dismemberment (an employee option) at two-times (2x) the current salary with no cap (to be paid by the retiree); \$15,000 paid up life at time of retirement.

(ii) City health care benefits coverage at time of normal or early retirement shall be continued during such retirement at no cost to the retirees, their spouses and/or eligible dependents; provided however, retirees, their spouses and/or eligible dependents upon reaching the age of 65 must transfer to the age 65 and over City health care coverage plan and must enroll for Medicare Part B benefits to remain eligible to continue City health care benefits coverage. The cost for Medicare Part B benefits only shall be paid by the retirees, their spouses, and/or eligible dependents. Medicare benefits shall provide primary health care coverage and City health care coverage shall be secondary.

(b) All full-time, non-bargaining unit employees in the administrative series, appointees of council, elected officials and unclassified appointees with at least fifteen (15) years of continuous service who elect an alternate normal retirement and separate in good standing shall be eligible for the health care and group life benefits in subsection (a) (i) and (ii), above, on the date on which the employee would have first become eligible to receive a normal retirement allowance provided such employee elects to leave said individual's contributions in the MERF until such date and provided however said employee pays one hundred percent (100%) of the cost for such benefits until the employee receives the normal retirement allowance.

An employee electing such alternate normal retirement who elects not to continue the health care and/or group life benefits in subsection (a) (i) and (ii), above, at the employee's own expense, from the time of retirement until such time as the employee begins to receive his or her retirement allowance, shall have only the following option available:

Upon reaching age 55 or older, the employee shall be eligible and may enroll for City health care benefits provided the individual pays twenty-five percent (25%) of the cost of said benefits for themselves, their spouses and/or their eligible dependents. Such health care benefits (not life insurance) shall commence at the time the employee begins collecting the retirement allowance (if not already collecting the retirement allowance). The twenty-five percent (25%) cost contribution towards the health care benefits shall be deducted from the individual's monthly retirement allowance. The retirement allowance must commence no later than the individual attaining age 60 in order to retain eligibility for the health care benefits.

Retirees, their spouses and/or eligible dependents upon reaching age 65 must transfer to the age 65 and over City health care

coverage plan and must enroll for Medicare Part B benefits to remain eligible to continue City health care benefit coverage. The cost of Medicare Part B benefits only shall be paid by the retirees, their spouses, and/or eligible dependents in addition to the twenty-five percent (25%) cost contribution of the City health care benefits.

An individual whose coverage ceases shall lose eligibility for such coverage and subsequently may be eligible for enrollment in the City health care benefits in effect at the time of application for such benefits. At the time of such application, the individual must submit evidence of insurability for themselves, their spouse and/or any eligible dependents and must be found insurable by the insurance carrier(s) to be eligible for City health care benefits.

(c) All full-time, non-bargaining unit employees in the administrative series, appointees of council, elected officials and unclassified appointees with at least ten (10) years of qualified service defined as a minimum of five (5) years of continuous service which may be in combination with military service as set forth in C.G.S. §27-103, and/or qualified non-City service who separate in good standing and who subsequently reach the age of 55, shall be eligible for City health care benefits provided the employee pays twenty-five percent (25%) of the cost of said benefits for themselves, their spouses and/or their eligible dependents. Such health care benefits (not life insurance) shall commence at the time the individual begins collecting the retirement allowance. The twenty-five percent (25%) cost contribution toward the health care benefits shall be deducted from the individual's monthly retirement allowance. Such military service and/or qualified non-City service time must be purchased for retirement purposes in accordance with the terms and conditions of the MERF. The retirement allowance must commence no later than the individual attaining age 60 in order to retain eligibility for the health care benefits.

Retirees, their spouses and/or eligible dependents upon reaching age 65 must transfer to the age 65 and over City health care coverage plan and must enroll for Medicare Part B benefits to remain eligible and continue City health care benefit coverage. The cost of Medicare Part B benefits only shall be paid by the retirees, their spouses, and/or eligible dependents in addition to the twenty-five percent (25%) cost contribution of the City health care benefits.

An individual whose coverage ceases shall lose eligibility for such coverage and subsequently may be eligible for enrollment in the City health care benefits in effect at the time of application for such benefits. At the time of such application, the individual must submit evidence of insurability for themselves, their spouse and/or any eligible dependents and must be found insurable by the insurance carrier(s) to be eligible for City health care benefits.

(d) Effective July 1, 2005, new employees or employees with an adjusted service date of July 1, 2005 or after will be eligible for the benefits noted in paragraphs (a), (b), and (c) only if elected or appointed into any of the following positions:

- Mayor
- Council Member
- Treasurer
- Registrar of Voters
- Chief of Staff
- Chief Operating Officer
- Town and City Clerk
- Deputy Registrar of Voters
- Non-Bargaining Unit Department Head
- Non-Bargaining Unit Deputy Department Head

(e) All full-time, non-bargaining unit employees hired prior to July 1, 2005, in the following series: (at the level of Administrative Analyst or higher) Administrative Series, Data Processing Series, Clerical Series, Professional Series, and Public Safety Series, who are not eligible for benefits under (a),

(b), (c), (d) above will be eligible for a health insurance allowance of \$50 per month towards the cost of City health insurance at the time of retirement.

(C) Compensation for Injuries and Disease⁷⁵. Each employee shall be compensated for any injury or occupational disease under the provisions of the Workers' Compensation Act. In addition, employees may supplement the difference between their full pay and the payments received under the Workers' Compensation Act by using accrued sick leave.

In the event of a third party claim, the employee must enter into a written contract with the City whereby the employee assigns to the City any right the individual may have against any other person who may be liable to pay damages as a result of the employee's injury or disease to the amounts actually paid under statutory compensation by the City. The City shall only be entitled to be reimbursed for amounts actually paid. The employee specifically retains any and all claims against third parties for such injuries or disease, which shall be in excess of amounts actually paid by the City.

No payments in addition to Workers' Compensation shall be paid when the personal injury was caused by the willful and serious misconduct of the injured employee or by said employee's intoxication or the improper or excessive use of drugs.

(D) Other Leaves of Absence with Pay⁷⁶. The following provisions set forth other categories of leave of absence with pay for Classified and Unclassified Employees. In the event such leave is granted, medical benefits will continue for the employee and their dependents; however, in the event the employee is entitled to military benefits there will be coordination of benefits with coverage provided by the Federal Government's military health insurance program. All other conditions of employment should be treated as other leave with pay provisions of this Article.

(1) Mandatory Leave.

(a) Jury and Civic Duties Requiring Appearance before Court or Other Public Body. Employees shall be granted a leave of absence for required jury or any other civic duty requiring appearance before a court or other public body. Such employees shall receive that portion of their regular salary which will, together with their jury pay or fees, equal their total salary for the same period, except where this rule is in conflict with state or federal law.

(b) National Guard, Other Reserve Activities: Circumstances and Limitations. Any full-time employee who is a member of the National Guard, or other reserve forces of the United States, and is required to undergo field training therein, shall be entitled to a leave of absence with pay for the period of such field training, to a maximum of one (1) month, provided the amount of compensation paid to such employee for such leave of absence shall be the difference between the employee's compensation for military activities as shown by a statement by military authorities giving the employee's rank, pay and allowances and the amount of salary or wages due as an employee of the City. If the compensation for military service is equal to or greater than the salary or wages due as a City employee for the period covered by such military leave, then no payment shall be made, except that normal payroll deductions for pension and insurance purposes shall be paid by the City during such leave.

(c) Involuntary Activity for Military Duty. Any full-time employee will be granted leave with pay upon involuntary activation for military duty for a period not to exceed one (1) calendar year from the date of being called to active duty. The City shall pay the difference between all military pay received and the full-time employee's base salary. Computations shall be based on weekly equivalents. Military pay will be estimated at the time of leave and the difference with actual military pay to be reconciled upon return to City service.

⁷⁵ Derived from Rule X, §5.

⁷⁶ Derived from Rule X, §6.

(d) Family Leave for Death in Immediate Family. Three (3) days special leave with full pay shall be granted for death in the immediate family of an employee, or the immediate family of the employee's spouse or domestic partner. Immediate family for purposes of this clause is defined as parents, grandparents, child, son-in-law, daughter-in-law, grandchild, spouse, brother, sister, and any relation who is domiciled in the employee's household.

(2) Miscellaneous. The Director, with the approval of the Mayor or designee, may authorize for the employees of all departments, except the regular fire fighting forces and members of the Police Department, either full or partial days off in addition to those already authorized in this Article to permit early closing in such instances as severe snow storms, extreme hot weather and at time of celebrations.

(E) Leave of Absence Without Pay⁷⁷. The Mayor upon the recommendation of the Director and the Appointing Authority, may grant a Classified or Unclassified Employee unpaid leave of absence for a period up to one (1) calendar year. Upon the determination of the Mayor, unpaid leaves of absence may be extended. During an unpaid leave of absence, an employee may exercise the option of continuing all benefits normally provided by the City by paying all the required premiums for such benefits. While on unpaid leave, an individual shall remain an employee of the City; however, the period of any such leave shall not be considered a period of service for purposes of salary and fringe benefit calculation, retirement, longevity or seniority. Any family or medical leave taken pursuant to this Article shall count toward the one (1) year limit.

(F) Employees on Military Leave⁷⁸. Qualified employees will be provided reemployment rights in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

(G) Medical Related Leaves and Family Leave. In addition to the above leaves of absence without pay, any Classified or Unclassified Employee shall be entitled to:

(1) A maximum of twenty-four (24) weeks of family leave of absence within any two (2) year period upon the birth or adoption of a child of such employee or upon the serious illness of a child, spouse, parent, partner or domicile relative of such employee.

(a) Any employee requesting a leave under this section for the birth or adoption of a child must submit proof of the birth or adoption.

(2) A maximum of twenty-four (24) weeks of medical leave of absence within any two (2) year period upon the serious illness of such employee.

(a) Any employee requesting a leave under this section for reasons of serious illness may submit prior to inception of such leave written documentation from the attending physician of the employee, child, spouse, parent, partner or domicile relative of the nature and probable duration of the illness. For purposes of this section, "serious illness" is defined as an illness, injury, impairment of physical or mental condition that involves (a) inpatient care in a hospital, hospice or residential care facility or (b) continuing treatment or continuing supervision by a health care provider.

Upon expiration of any leave of absence granted under §2-391(F) the employee shall be entitled to return to the original job held by the employee or, if not available, to an equivalent position with equivalent pay within the same department.

(3) Intent to Return Statement. Any employee requesting a leave under this section shall submit to the appropriate Appointing Authority prior to

⁷⁷ Replaces Rule X, §7.

⁷⁸ Derived from Rule VII, §7.

the inception of such leave a signed statement of the employee's intent to return to work upon the termination of such leave.

(H) Absence Without Leave⁷⁹. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of this Article shall be deemed to be an absence without leave. Any such absence shall be without pay and may be subject for disciplinary action. Any employee who absents himself for three (3) consecutive days shall be deemed to have resigned. Such action may be reconciled by the Director by a subsequent grant of leave if the conditions warrant.

(I) Procedure in Requesting Leaves⁸⁰. An Classified or Unclassified Employee requesting a leave of absence for any reason other than sick leave shall notify the City on a form that may be prescribed by the Human Resources Department. The requested leave shall be approved by the Appointing Authority, by the employee's supervisor if the Appointing Authority so desires, and by the Director. The Director shall determine whether the employee is entitled to the leave, and send a copy of the form to the Appointing Authority who will return it to the employee. Requests for vacation leave must be made in advance to allow time to carry out this procedure.

Sec. 2-392. Holidays⁸¹.

(A) General. The following days shall be recognized and observed as paid holidays for all full-time Classified or Unclassified Employees:

<u>New Year's Day</u>	<u>Independence Day</u>
<u>Martin Luther King Day</u>	<u>Labor Day</u>
<u>Lincoln's Birthday</u>	<u>Columbus Day</u>
<u>Presidents' Day</u>	<u>Veteran's Day</u>
<u>Good Friday</u>	<u>Thanksgiving Day</u>
<u>Memorial Day</u>	<u>Christmas Day</u>

Whenever the holidays listed above fall on a Sunday, the following Monday shall be observed as the holiday; and whenever the holidays listed above fall on a Saturday, the preceding Friday shall be observed as the holiday.

(B) Requirements.

(1) Each employee shall receive one (1) day's pay for each of the holidays listed above on which he/she performs no work provided the employee is paid the day before and the day after the holiday unless excused in advance.

(2) When a holiday falls on an employee's regular day off, he/she shall receive a compensatory day off to be scheduled with the approval of the Appointing Authority with forty-eight (48) hours notice.

(3) It is the intent of this rule that employees who work irregular schedules shall receive the same holiday benefits as employees who work a regular Monday through Friday schedule.

(C) Discretionary Holiday. The Mayor may authorize a day off for all Classified and Unclassified Employees the day before a holiday falling on Tuesday or the day following a holiday on Thursday. All who are required to work on such days shall be granted time off in lieu thereof. Employees who have such a day(s) as a regular day off shall be granted a substitute day.

Sec. 2-393 –Sec. 2-399. Reserved for Future Use.

⁷⁹ Derived from Rule X, §8..

⁸⁰ Derived from Rule X, §9.

⁸¹ Derived from Rule X, §10.

Division 8. Demotions and Suspensions

Sec. 2-400. Demotions⁸².

An Appointing Authority may reduce the salary of an employee within the range provided in the pay plan or demote the employee for cause with the approval of the Director.

(A) A written statement of the reasons for any such action shall be furnished to the employee and a copy filed with the Director at least ten (10) working days prior to the effective date of the action.

(B) No Demotion shall be made as a disciplinary action unless the employee to be demoted is eligible for permanent employment in a lower Class and shall not be made if any employee in the lower Class would be laid off by reason of this action.

(C) Any employee who is demoted may appeal for a hearing, in writing, to the Human Resources Appeals Board within five (5) working days after date of service of such notice of Demotion.

(D) An employee may request a Demotion to a vacant position in a lower Class subject to the approval of the Director.

Sec. 2-401. Suspensions⁸³.

An Appointing Authority may, for disciplinary reasons, suspend without pay with written notice, any employee in said department for such length of time as deemed appropriate. Notice of such Suspension shall be reported to the Director immediately and in writing specifically setting forth reasons for such Suspension and a copy of such statement shall be furnished to the employee.

(A) **Appeal.** If the employee wishes to appeal the Suspension, the Appointing Authority, the Director and the Human Resources Appeals Board shall be notified, in writing, by the employee of said employee's intention to appeal within five (5) working days of the date of Suspension.

(B) **Hearing.** Within not less than five (5) or more than ten (10) working days of the receipt of an appeal, the Human Resources Appeals Board shall hold a hearing which shall be public at the option of the employee and at which the employee may be represented.

Sec. 2-402-Sec. 2-409. Reserved for Future Use.

⁸² Derived from Rule XII, §1.

⁸³ Derived from Rule XII, §2.

Division 9. Separation

Sec. 2-410. Separation from Employment.

An employee may be separated from the service of the City by any one of the procedures set forth in this section.

(A) **Resignations**⁸⁴. To resign in good standing, an employee must give the Appointing Authority at least fourteen (14) calendar days prior notice unless the Appointing Authority, because of extenuating circumstances, agrees to permit a shorter period of notice. A written letter of resignation shall be provided by the employee to the Appointing Authority. The resignation shall be forwarded to the Director by the Appointing Authority.

Failure to comply with this rule shall be entered on the service record of the employee and may be cause for denying future employment by the City. The resignation of an employee who fails to give notice shall be reported to the Director by the Appointing Authority immediately. The Director may verify reasons for any resignations; and shall notify the Finance Department of the effective date of the resignation.

(B) **Lay-Offs**⁸⁵. An Appointing Authority may lay off an employee in the Classified Service when deemed necessary by reason of lack of work or funds, the abolishment of the position, departmental re-organization, or for other related reasons which are outside the employee's control and which do not reflect discredit upon the services of the employee. The duties performed by any employee laid off may be re-assigned to other employees already working who hold positions in appropriate classes. No employee shall be laid off while another person in a classified position is employed on a temporary basis in the same Class in that department. No temporary or permanent separation of an employee from the service as disciplinary action shall be considered as a Lay-Off.

(1) *Order of Lay-Off.* Lay-Off of employees shall be made in inverse order of the current rating determined by the Director on the basis of service reports and length of service in the Class and in the department as organized by division or other appropriate sub-division thereof or other organizational unit involved. No probationary or Classified Employee shall be laid off from any position while any Temporary Employee is still employed in the same Class in the department or other organizational unit. If two (2) or more employees in the organizational unit in which the Lay-Off is made have equal ratings determined on the basis of seniority and service reports, the order of Lay-Off in all such cases of tie shall be in the inverse order of the date when an employee first entered the service.

(2) *Notice of Lay-Off.* The Appointing Authority shall give written notice to the Director and to the employee of any proposed Lay-Off and reasons therefore, at least two (2) weeks prior to the effective date. In the case of temporary, part-time, or other occasional employment of employees in the Classified Service, the Appointing Authority may notify in writing such employees and the Director at the time of appointment of the date of termination of employment. Such notice shall be deemed to meet notification requirements. Written notice of Lay-Off indicating reasons for such action may be given Temporary Employees at any time prior to the effective date of Lay-Off.

(C) **Dismissals**⁸⁶. An employee may be dismissed by the Appointing Authority for activities prohibited in Chapter XVI, §12 of the City Charter, and for insubordination, inefficiency, abuse of sick leave, misconduct or other cause.

(1) No Dismissal of a Classified Employee shall take effect unless five (5) working days prior to the effective date thereof, the Appointing Authority shall give to such employee a written statement setting forth in detail the reasons and file a copy of such statement with the Director.

⁸⁴ Derived from Rule XII, §5.

⁸⁵ Derived from Rule XII, §3.

⁸⁶ Derived from Rule XII, §4.

(2) Any employee so dismissed shall have the right to appeal in writing within five (5) working days of the date of receipt of the letter of Dismissal by registered or certified mail to the Human Resource Appeals Board and shall be granted a hearing as provided for in this Article.

(3) Unclassified, seasonal and/or probationary employees shall have no right to appeal Dismissals to the Human Resources Appeals Board.

(D) **Severance.** The Mayor has the discretion, to pay to Department Heads and/or Deputy Department Heads at time of separation, a severance allowance computed at one (1) week of salary for each full year of service, up to a maximum of twenty (20) weeks.

Sec. 2-411-Sec. 2-419. Reserved for Future Use.

Division 10. Performance Evaluations

Sec. 2-420. Objective.

The Director shall propose guidelines establishing a system for evaluating the work performance of all employees.

Sec. 2-421-Sec. 2-429. Reserved for Future Use.

Division 11. Human Resources Development

Sec. 2-430. Employee Development.

The Director shall cooperate with Department Heads, employees and others, to institute, foster and promote training programs for City employees for the purpose of improving the quality of services rendered by employees, and for assisting employee career advancement opportunities.

The Director may:

(A) Recommend to the Mayor or Department Heads, appropriate training programs;

(B) Prepare certificates or other forms of recognition to employees who satisfactorily complete approved courses and programs;

(C) Assist Department Heads in developing and conducting training to meet the specific needs of their Departments and in developing and utilizing other techniques for increasing employee efficiency;

(D) Develop and conduct a variety of training and employee development programs;

(E) Maintain records of all approved training programs for all employees who successfully complete such courses and programs.

Sec. 2-431-Sec. 2-439. Reserved for Future Use.

Division 12. Complaints, Appeals and Grievances

Sec. 2-440. Appeals from Dismissal, Demotion or Suspension⁸⁷.

(A) Appeal. Any Classified Employee who is dismissed, demoted, or suspended may appeal, in writing, to the Director within five (5) working days of the date of such notice.

(1) Hearing. In the case of appeal, within not less than five (5) or more than ten (10) working days after the date of notice of such Dismissal, Demotion, or Suspension, the Human Resources Board of Appeals shall hold a hearing and notify by registered or certified mail both the Appointing Authority and employee involved of the time and place.

(a) Public Hearing at Option of Employee. Such hearings may be public at the option of the employee.

(b) Representation at Hearing. Both the employee and the Appointing Authority concerned may be represented by counsel or another person of their choice.

(c) Decision. After hearing and considering the evidence, the Human Resources Board of Appeals may decide: (1) to reinstate the employee; (2) to confirm the Dismissal, Demotion or Suspension; (3) such other action as it deems appropriate. The decision of the Human Resources Board of Appeals shall be final.

(d) Written Statement of Board. The Human Resources Board of Appeals shall promptly file a written statement of its findings and decision with the Appointing Authority taking the action. The complaint, all written documents which may have been considered by the Board, and the findings and conclusions of the Board shall be promptly filed in the office of the Director and shall be a public record.

Sec. 2-441-Sec. 2-449. Reserved for Future Use.

⁸⁷ Rule XIII, Section 3.
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[DIVISION 4] ARTICLE XVII. PENSIONS AND RETIREMENT⁸⁸

Sec. 2-[396] 800. Commission permitted to defer income commencement date for members of firemen's relief fund or police benefit fund⁸⁹.

(A[a]) A member of the firemen's relief fund or the police benefit fund upon retirement from the uniformed service to enter nonuniformed C[c]ity service, thereby qualifying for membership in the municipal employees' retirement fund, may request the pension commission to defer the income commencement date of uniformed service pension payments to either the date on which said member's nonuniformed C[c]ity service terminates or the mandatory retirement date under the municipal employees' retirement fund, whichever is the earlier. If the pension commission grants such request, service requirements for eligibility for municipal employees' retirement fund benefits will be waived. The decision of the pension commission to defer the income commencement date shall be irrevocable.

(B[b]) If a deferred income commencement date is granted as provided in subsection (A[a]), pension payments will be made commencing on the deferred income commencement date and the amount of such deferred payments shall be determined by the pension commission.

(Code 1977, § 2-164)

Sec. 2-[397] 801. Policemen and firemen permitted to waive benefits in employees' retirement fund and receive monthly retirement allowance⁹⁰.

(A[a]) Any policeman or fireman who has completed twenty-five (25) years of continuous service in that capacity with the C[c]ity and who is a member of the C[c]ity municipal employees' retirement fund may elect to waive all benefits which said employee [he] would otherwise be entitled to receive from that fund, in which case the employee [he] may retire and receive a retirement allowance payable monthly at an annual rate amounting to two (2) percent of the employee's [his] final average pay, multiplied by the number of years of said employee's [his] service. Final average pay shall mean the average annual rate of pay for the highest five (5) years out of the ten (10) years immediately preceding [his] retirement. Election of benefits shall be made on forms to be prepared by the pension commission, and shall be filed with the commission not earlier than thirty (30) days prior to the date on which retirement is to take place.

(B[b]) After July 1, 1974 pension rights for policemen and firemen under the provisions of the municipal employees' retirement fund and this section shall become vested after twenty (20) years of continuous service, regardless of age, conditioned upon the employee leaving prior [his] contributions in the pension fund. Such pension shall be payable on the date such employee would have completed twenty-five (25) years of continuous service and shall be computed at an annual rate amounting to two (2) percent of the employee's [his] final average pay, multiplied by the number of years of such individual's [his] active service as a policeman or fireman.

(C[c]) After July 1, 1978 any policeman or fireman may elect early retirement under the municipal employees' retirement fund or this section after at least twenty (20) years of continuous service. Any policeman or fireman who elects such early retirement will receive pension benefits computed at an annual rate amounting to two (2) percent of the employee's [his] final average pay multiplied by the number of years of [his] active service as a policeman or fireman and reduced by four (4) percent for each whole year by which the date of early retirement precedes the date on which said individual [he] would have completed twenty-five (25) years of continuous service, with proration for a fraction of a year.

(D[d]) If a policeman or fireman who is a member of the C[c]ity municipal employees' retirement fund dies before retirement, or after retirement if the employee [he] is receiving a normal or disability retirement allowance from such fund, from any

⁸⁸ Recodification of Division 4 of Article VI. This section has not been reviewed for content; however, this provision was referred to in §2A-1 of his Code of Ordinances. **Charter references:** Pensions generally, Ch. XVII. **Cross references:** Compensation generally, §2-376 et seq.

⁸⁹ Recodification and minor modification of §2-396 (Code 1977, § 2-164).

⁹⁰ Recodification and minor modification of §2-397 (Code 1977, § 2-165; Ord. No. 7-78, 10-23-78). Charter references: Police benefit fund, App. to Charter, § 31; firemen's relief fund, App. to Charter, §32. State law references: Workers' Compensation Act, G.S. §§31-275--31-355a.

cause other than one arising out of and in the course of his employment as defined in the Workmen's Compensation Act, then there shall be paid to his survivors certain allowances as follows:

(1) To the surviving widow a monthly pension of one hundred dollars (\$100.00) payable for life, beginning when she attains the age of sixty-two (62) years, or beginning immediately if that age has already been attained.

(2) If there is a surviving dependent child or children, a monthly pension of fifty dollars (\$50.00), plus an additional fifty dollars (\$50.00) for each such child. The total payable shall be divided equally among the eligible dependent children. As each such child ceases to be a dependent child, the allowance and the share of the total allowance with respect to said child [him and his share of the total] shall cease. The pension of surviving children shall be payable to the surviving widow if she has the children in her care; otherwise it shall be payable to their guardian.

(3) A surviving widow who has not remarried and who is less than sixty-two (62) years of age shall receive a monthly pension of one hundred dollars (\$100.00) for any period during which she has in her care surviving dependent children for whom a pension is being paid under paragraph (2). This additional pension to the surviving widow shall cease when she attains the age of sixty-two (62) years and qualifies for a pension under paragraph (1).

(4) The payment of these survivors' allowances shall be conditioned upon a waiver of any benefits which the payee would otherwise be entitled to receive from the municipal employees' retirement fund and shall not in the aggregate exceed a rate equal to one hundred (100) percent of the deceased member's pay at the time of said member's [his] death or retirement.

(5) Notwithstanding the provisions of paragraph (1), the surviving widow of any police department or fire department member of the municipal employees' retirement fund who is covered under this section and who dies before or after retirement from any cause other than one arising out of and in the course of [his] employment as defined in the Workmen's Compensation Act, shall receive an annual pension equal to twenty-five (25) percent of such member's highest earnings in the last twelve (12) consecutive months' period during which the employee [he] is receiving full salary prior to his retirement or death, as the case may be, beginning immediately and payable monthly for life until her death or remarriage.

(6) Any surviving widow of any fire department member of the municipal employees' retirement fund who is covered under this section and who died prior to April 1, 1969, shall be covered by the benefits of paragraph (5), except that such improved benefits shall be effective from April 1, 1969. Any surviving widow of any police department member of the municipal employees' retirement fund who is covered under this section and who dies prior to December 1, 1971, and any police department member of the municipal employees' retirement fund who was retired because of nonservice-connected disability prior to December 1, 1971, shall be covered by the benefits provided in this section, except that such improved benefits shall not take effect until December 1, 1971.

(7) The provisions of paragraph (5), only as it applies to benefits in the case of widows of retirees who are retired on a normal retirement allowance, shall take effect on April 1, 1971. The remaining provisions of paragraph (5) shall take effect on April 1, 1969.

(E[e]) For the purpose of this section, the term "surviving widow" shall mean the surviving spouse of a policeman or fireman who shall have been married to him and living with him at the time of his death, if he dies while in active service, or who shall have been married to him prior to his retirement and who shall have been living with him at the time of his death, if he dies after retirement.

(E[f]) For the purpose of this section, the term "surviving dependent child" shall mean any unmarried child under the age of eighteen (18), or over eighteen (18) if physically or mentally incapacitated from engaging in gainful employment. It shall not include any child born to a policeman or fireman more than nine (9) months after said individual's [his] retirement from active service, but shall include natural children, adopted children, stepchildren and foster children living with the policeman or fireman at the time of [his] retirement from active service.

(G[g]) Any disability retirement allowance payable under § [section] 3(e) of

the municipal employees' retirement fund to a policeman or fireman who is a member of the municipal employees' retirement fund if such disability arises out of and in the course of employment as defined in the Workmen's Compensation Act shall be one hundred (100) percent of the member's annual pay from C[c]ity employment at the time the individual's [his] disability commenced, less any weekly benefits received under the Workers' Compensation Act. This limitation shall supersede any limitations in effect on January 10, 1966.

(H[h]) Any special disability allowance payable under § [section] 3(f) of the municipal employees' retirement fund to a policeman or fireman who is a member of the municipal employees' retirement fund shall be calculated after excluding a portion of any earnings from gainful employment. The portion to be excluded shall not exceed the income which a social security beneficiary is entitled to earn without causing a reduction of the member's [his] social security benefits, unless the disability arises out of and in the course of employment as defined in the Workmen's Compensation Act in which case the portion to be excluded shall not exceed seventy-five (75) percent of the member's annual pay from C[c]ity employment at the time his disability commenced. Any weekly payments received under the Workmen's Compensation Act shall be considered earnings from gainful employment. This limitation shall supersede any limitations in effect on January 10, 1966.

(I[i]) In addition to the regular contribution required of members of the municipal employees' retirement fund, each member who is a policeman or fireman shall make an additional contribution of two (2) percent of his pay. This additional contribution shall be deducted together with the regular contribution at each pay period and credited to the member's [his] account in the fund, and shall be included in determining the amount of any refunds of contributions for which said member [he] may become eligible.

(J[j]) The benefits provided by this section shall be administered by the pension commission in the same manner that the commission administers the municipal employees' retirement fund. Allowances shall be paid from such fund and the value of the benefits provided in this section shall be included by the commission in determining the contribution to be paid by the C[c]ity into such fund.

(K[k]) In determining the amount of final average pay for the purpose of disability retirement allowance or special disability allowance because of nonjob-connected disability suffered by any police department or any fire department member of the municipal employees' retirement fund who is covered under this section, such final average pay shall mean the average annual rate of pay of such member for the highest five (5) years of the last ten (10) years immediately preceding the member's [his] retirement.

(L[l]) Any special disability allowance payable under § [section] 3(f) of the municipal employees' retirement fund to a police officer or fireman who is a member of the municipal employees' retirement fund with fifteen (15) or more years of service at the time of the member's [his] retirement shall be calculated without excluding any portion of any earnings from gainful employment.

(M[m]) Any special disability allowance payable under § [section] 3(f) of the municipal employees' retirement fund to a policeman or fireman who is a member of the municipal employees' retirement fund with less than fifteen (15) years of service at the time of the member's [his] retirement shall be calculated after excluding a portion of any earnings from gainful employment. The portion to be excluded shall not exceed the income which a social security beneficiary is entitled to earn without causing a reduction of the member's [his] social security benefits, unless the disability arises out of and in the course of employment as defined in the Workers' Compensation Act in which case the portion to be excluded shall not exceed seventy-five (75) percent of the current rate of pay of a policeman or fireman of the same or a corresponding grade. Any weekly payments received under the Workers' Compensation Act shall be considered earnings from gainful employment.

(N[n]) Any special disability allowance payable under § [section] 3(f) of the municipal employees' retirement fund to a policeman or fireman who is a member of the municipal employees' retirement fund and whose disability is shown to the satisfaction of the pension commission to have arisen out of and in the course of the member's [his] employment by the C[c]ity, as defined by the Workers' Compensation Act shall be fifty (50) percent of said member's [his] annual pay from the C[c]ity at the time the member's [his] disability commenced or two (2) percent of such annual pay multiplied by the number of years of [his] service, whichever is greater, and which allowance shall be subject to the restrictions of subsections (L[l]) and (M[m]).

(Q[o]) Any policeman or fireman who has completed at least five (5) years of service and who is totally disabled as a result of a disability which arises outside the course of the member's [his] employment as defined by the Workers' Compensation Act or any policeman or fireman who has completed at least ten (10) years of service and who is partially disabled as a result of a disability which arises outside the course of the member's [his] employment as defined by the Workers' Compensation Act shall be eligible to receive a special disability allowance, which allowance shall be twenty-five (25) percent of said member's [his] final average pay from the C[c]ity at the time the member's [his] disability commenced or two (2) percent of such final average pay multiplied by the number of years of his service, whichever is greater, and which allowance shall be subject to the restrictions of subsections (L[l]) and (M[m]).

Sec. 2-[398] 802. Supplementary retirement allowances⁹¹.

(A[a]) This section shall apply for the benefit of the following classes of C[c]ity employees and dependents:

(1) All permanent, full-time employees who are active or retired members of the firemen's relief fund, the police benefit fund, the retirement allowance fund and the municipal employees' retirement fund, and whose eligibility for pension payments has been or will be established either by reason of service or by reason of an occupational disability with the following exceptions:

(a[.]) Employees with respect to whose C[c]ity employment federal social security taxes are paid,

(b[.]) Employees who are also members of the state teachers' retirement system,

(c[.]) Employees more than half of whose retirement benefits are paid by the metropolitan district.

(2) Widows who are entitled to or who become entitled to widows' benefits from the firemen's relief fund or the police benefit fund.

(3) Joint annuitants who are entitled or who become entitled to retirement allowances as a result of an election of an optional form of retirement allowance by a C[c]ity employee in an eligible class as defined in paragraph (l).

(B[b]) It is declared to be the policy of the C[c]ity that the minimum retirement allowance which should be paid to the above classes of individuals shall be one hundred fifty-five dollars (\$155.00) monthly. However, any individual whose pension has been increased to such minimum shall not receive any further increase in the individual's [his] allowance unless the amount of his original pension plus the supplementary allowances provided in the form of percentage increases, excluding the increment which produced the minimum payment, shall total more than one hundred fifty-five dollars (\$155.00) monthly.

(C[c]) If any individual in an eligible class as defined in subsection (A[a]) is receiving a retirement allowance from the C[c]ity which is less than the minimum provided by subsection (B[b]), then a supplementary monthly retirement allowance shall be paid, sufficient to raise the total retirement allowance to the prescribed minimum.

(D[d]) This section shall take effect April 1, 1973, and shall apply with respect to retirement allowances falling due thereafter. Payments provided by it shall be made from appropriations included in the C[c]ity budget for this purpose. This section shall be administered by the pension commission, and the eligibility for inclusion of any individual in a class for which benefits are provided in this section shall be determined by the commission from its official records; provided, however, that no supplementary retirement allowance provided by previous ordinances shall be reduced.

(E[e]) All schoolteachers, nurses, librarians, principals, dental hygienists and social workers retired on C[c]ity pensions who have been employees of the board of

⁹¹ Recodification and minor modification of §2-398 (Code 1977, §§ 2-166, 2-174; Ord. No. 25-76, 11-22-76; Ord. No. 16-77, 12-12-77; Ord. No. 28-81, 11-23-81; Ord. No. 57-83, 12-2-83; Ord. No. 12-85, 2-25-85; Ord. No. 29-87, 9-14-87; Ord. No. 75-90, 12-10-90; Ord. No. 18-97, 9-22-97; Ord. No. 6-00, 2-28-00; Ord. No. 10-01, 9-24-01)

education shall be entitled monthly to a cost-of-living allowance computed on the basis of current pension schedules, now in effect for the aforementioned retirees in accordance with the following schedule, effective April 1, 1968:

TABLE INSET:

Year of retirement of increase	
1931	.4
1932	.6
1933	.4
1934	.5
1935	.4
1936	.6
1937	.7
1938	.8
1939	.8
1940	.1
1941	.7
1942	.0
1943	.5
1944	.5
1945	.8
1946	.1
1947	.6
1948	.0
1949	.4
1950	.1
1951	.6
1952	.0
1953	.5
1954	.1
1955	.5
1956	.6
1957	.5
1958	8.0
1959	7.2
1960	5.8
1961	4.6
1962	3.5
1963	2.0
1964	2.0
1965	2.0
1966	2.0
1967	2.0

(E[f]) That portion of the pension paid by the C[c]ity to any certified personnel nurse, board of education secretary hired prior to May 1, 1947, librarian, principal, dental hygienist and social worker who had been an employee of the board of education and who retired on or before July 1, 1970, and to each elected beneficiary of such certified personnel nurses, board of education secretaries hired prior to May 1, 1947, librarians, principals, dental hygienists and social workers receiving benefits as such beneficiary, shall be increased by three and one-half (3 1/2) percent. The pensions payable by the C[c]ity to all individuals in these classifications who retired prior to July 1, 1971 shall be further increased by three and one-half (3 1/2) percent effective July 1, 1974, subject to the limitation prescribed in subsection (B[b]) for any pensioner who is receiving payments in the minimum amount of one hundred fifty-five dollars (\$155.00) monthly.

(G[g]) All other service and disability pensioners, and surviving joint annuitants under option elections, who are receiving allowances from the C[c]ity's retirement allowance fund, with commencement dates prior to July 1, 1970, shall receive a seven-percent increase in their pension payments effective July 1, 1974, subject to the limitation prescribed in subsection (B[b]) for any pensioner who is receiving payments in the minimum amount of one hundred fifty-five dollars (\$155.00) monthly;

provided, however, that the seven-percent supplementary allowance shall not apply to individual pensions granted by special legislative acts. Nonuniformed pensioners of the police benefit fund whose benefits commenced prior to July 1, 1970, and disabled-child survivor annuitants of the firemen's relief fund whose benefits commenced prior to July 1, 1970, and who had received no other supplements to their original allowances shall also receive a seven-percent increase in their pension payments effective July 1, 1974.

(H[h]) All pensioners and surviving joint annuitants under option elections, who are receiving allowances from the C[c]ity's retirement allowance fund, with commencement dates on or before August 1, 1974, shall receive a four-percent increase in their pension benefits retroactive to July 1, 1977, subject to the limitation prescribed in subsection (B[b]) for any pensioner who is receiving payments in the minimum amount of one hundred fifty-five dollars (\$155.00) monthly; provided, however, that the four-percent supplementary allowance shall not apply to individual pensions granted by special legislative acts.

(I[i]) All members of the municipal employees' retirement fund who are receiving allowances from the fund who retired or will retire on or before December 31, 1981, and spouses of such members who have died, shall be entitled to increases in benefits effective July 1, 1981, in accordance with the following table:

TABLE INSET:

Year of retirement of increase	
1978--1981	1
1977	2
1976	4
1975	6
1974	8
1973	
1972	
1971	
1970	
1969	
1968 and earlier	

(J[j]) All pensioners and surviving joint annuitants under option elections, who are receiving allowances from the C[c]ity's retirement allowance fund on the date of adoption of this section shall receive a five-percent increase in their pension benefits commencing with the first full month following adoption of this section.

(K[k]) Each member of the retirement allowance fund who is receiving an allowance from such fund shall, in addition to the allowance received from such fund, on or before June 30, 1985 receive a lump sum payment equal to the amount of ten dollars (\$10.00) multiplied by the number of full years' service upon which the deceased member's [his] retirement allowance is based. The surviving spouse of each deceased member of such fund who is receiving an allowance from the fund shall, in addition to the allowance received from the fund, on or before June 30, 1985 receive a lump sum payment equal to the amount of five dollars (\$5.00) multiplied by the number of full years' service upon which the deceased member's retirement allowance was based.

(L[l]) Each member of the municipal employees' retirement fund who is receiving a retirement allowance payment of which allowance commenced on or before December 31, 1980 shall, in addition to the allowance received from such fund, on or before June 30, 1985, receive a lump sum payment equal to the amount of six dollars (\$6.00) multiplied by the number of full years' service upon which the member's [his] retirement allowance is based. In the case of any such member who is deceased the surviving spouse of such deceased member who is receiving an allowance from such fund, on or before June 30, 1985, shall receive a lump sum payment equal to the amount of three dollars (\$3.00) multiplied by the number of full years' of service upon which the deceased member's retirement allowance was based.

(M[m]) Each member of the municipal employees' retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund who retired on or before December 31, 1985, their qualified spouses and their qualified dependent children shall be entitled to an increase in the member's [his or her] monthly retirement pension which shall be known as the cost-of-living adjustment. The cost-of-living adjustment shall be equal to sixty (60) percent of the Consumer Price Index (CPI) increase occurring since the date of retirement and shall be applied to the initial retirement benefit received, but offset by any previous cost-of-living adjustments received by retirees not covered by Social Security. The cost-of-living adjustment for those covered by Social Security shall be equal to forty (40) percent of the CPI increase occurring since the date of retirement applied to the initial retirement benefit received and offset by any previous cost-of-living adjustment received. For those classes of retirees who are already the beneficiaries of increases which are part of automatic adjustments currently in force as a result of terms and conditions previously agreed upon through the process of collective bargaining, the cost-of-living increase will further offset by any increases resulting from bargaining agreements effective on or after July 1, 1987. The provisions of this subsection shall not apply to any beneficiary of the police benefit fund who is receiving benefits under the provisions of § [section] 234(j) of the City of Hartford Charter of 1941.

(N[n]) Each member of the municipal employees' retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund who retired on or before December 31, 1988, their qualified spouses and their qualified dependent children, shall be entitled to an increase in the member's [his or her] monthly retirement pension which shall be known as the cost-of-living adjustment. The cost-of-living adjustment shall be equal to sixty (60) percent of the Consumer Price Index (CPI) increase occurring since the date of retirement and shall be applied to the initial retirement benefit received, but offset by any previous cost-of-living adjustments received by retirees not covered by Social Security. The cost-of-living adjustment for those covered by Social Security shall be equal to forty (40) percent of the CPI increase occurring since the date of retirement applied to the initial retirement benefit received and offset by any previous cost-of-living adjustment received. For those classes of retirees who are already the beneficiaries of increases which are part of automatic adjustments currently in force as a result of terms and conditions of the police benefit fund and the firemen's relief fund, previously approved collective bargaining agreements, or ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil, the COLA increase equal to sixty percent of the CPI increase will be further offset by any increases resulting from said terms and conditions of the police benefit fund and the Firemen's Relief Fund, previously approved collective bargaining agreements, or ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil. The provisions of this subsection shall not apply to any beneficiary of the police benefit fund who is receiving benefits under the provisions of § [section] 234(j) of the City of Hartford Charter of 1941. The minimum increase for each eligible retiree under this section shall be ten dollars (\$10.00) per month or for each eligible survivor under this section shall be five dollars (\$5.00) per month. The maximum increase for each eligible retiree under this section shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's pension is based or for each eligible survivor under this section shall be five dollars (\$5.00) per month for each year of service upon which the survivor's pension is based.

(Q[o]) Each member of the municipal employee's retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund who retired on or before December 31, 1995, their qualified spouses and their qualified dependent children, shall be entitled to an increase in the member's [his or her] monthly retirement pension which shall be known as the cost-of-living adjustment. The cost-of-living adjustment for retirees whose C[c]ity service is not covered by social security shall be equal to sixty (60) percent of the Consumer Price Index (CPI) increase occurring since the date of retirement and shall be applied to the initial retirement benefit received, but offset by any previous cost-of-living adjustments received. The cost-of-living adjustment for retirees whose C[c]ity service is covered by Social Security shall be equal to forty (40) percent of the CPI increase occurring since the date of retirement applied to the initial retirement benefit received and offset by any previous cost-of-living adjustments received. For those classes of retirees who are already the beneficiaries of increases which are part of automatic adjustments currently in force as a result of terms and conditions of the police benefit fund and the firemen's relief fund, previously approved collective bargaining agreements, or ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil, the COLA increase equal to sixty (60) or forty (40) percent of the CPI increase will be further offset by any increases resulting from said terms and conditions of the police benefit fund and the firemen's relief fund, previously approved collective bargaining agreements, or ordinances adopted by the

C[c]ourt of C[c]ommon C[c]ouncil. The provisions of this subsection shall not apply to any beneficiary of the police benefit fund who is receiving benefits under the provisions of § [Section 234(j) for the City of Hartford Charter of 1941. The minimum increase for each retiree eligible for any allowance under this section shall be ten dollars (\$10.00) per month or for each survivor eligible for any allowance under this section shall be five dollars (\$5.00) per month. The maximum increase for each eligible retiree under this section shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's pension is based or for each eligible survivor under this section shall be five dollars (\$5.00) per month for each year of service upon which the survivor's pension is based.

(P[p]) Each member of the municipal employee's retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund who retired on or before December 31, 1997, their qualified spouses and their qualified dependent children, shall be entitled to an increase in the member's [his or her] monthly retirement pension which shall be known as the cost-of-living adjustment. The cost-of-living adjustment for retirees whose C[c]ity service is not covered by social security shall be equal to sixty (60) percent of the Consumer Price Index (CPI) increase occurring since the date of retirement and shall be applied to the initial retirement benefit received, but offset by any previous cost-of-living adjustments received. The cost-of-living adjustment for retirees whose C[c]ity service is covered by Social Security shall be equal to forty (40) percent of the CPI increase occurring since the date of retirement applied to the initial retirement benefit received and offset by any previous cost-of-living adjustments received. For those classes of retirees who are already the beneficiaries of increases which are part of automatic adjustments currently in force as a result of terms and conditions of the police benefit fund and the firemen's relief fund, previously approved collective bargaining agreements, or ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil, the COLA increase equal to sixty (60) or forty (40) percent of the CPI increase will be further offset by any increases resulting from said terms and conditions of the police benefit fund and the firemen's relief fund, previously approved collective bargaining agreements, or ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil. The provisions of this subsection shall not apply to any beneficiary of the police benefit fund who is receiving benefits under the provisions of § [section] 234(j) for the City of Hartford Charter of 1941. The minimum increase for each retiree eligible for any allowance under this section shall be ten dollars (\$10.00) per month or for each survivor eligible for any allowance under this section shall be five dollars (\$5.00) per month. The maximum increase for each eligible retiree under this section shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's pension is based or for each eligible survivor under this section shall be five dollars (\$5.00) per month for each year of service upon which the survivor's pension is based.

(Q[q]) (1) For purposes of this § [section] 2-802 [398] (Q[q]), the following words and phrases shall have the meanings ascribed thereto below:

(a[.]) The "adjusted CPI increase" applicable to any individual shall be that portion of the percentage change in the CPI specified therefor in subsection (4) below;

(b[.]) "Alternate payee" shall mean any person designated as such pursuant to a qualified domestic relations order approved by the pension commission who is not otherwise to be deemed to be a retiree as provided in subparagraph k. below;

(c[.]) "Consumer Price Index" or "CPI" shall mean the Consumer Price Index--Urban Wage Earners and Clerical Workers, U.S. City Average, All Items (1982-84-100);

(d[.]) The "CPI retirement date" applicable to surviving spouses of deceased members of the police benefit fund or firemen's relief fund shall be June 30 of the year in which the deceased member died; the "CPI retirement date" applicable to surviving spouses and dependents of deceased members of the municipal employees' retirement fund whose benefits have been calculated based upon a percentage of a deceased retiree's final pay shall be June 30 of the year in which the deceased member retired; otherwise, the "CPI retirement date" applicable to any retiree, and to any surviving spouse, surviving dependant or alternate payee of any retiree, shall be June 30 of the year in which the retiree first commenced receiving a monthly retirement allowance;

(e[.]) The "current monthly retirement allowance" payable to

any person shall mean the "initial monthly retirement allowance" payable to that person as the same may have been adjusted to account for any previous COLAs;

(f[.]) The "funds" shall mean the municipal employees' retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund;

(g[.]) The "initial monthly retirement allowance" payable to any person shall mean the gross monthly retirement allowance that initially was awarded to such individual by the pension commission, as the same has been (or may hereafter be) adjusted by the pension commission to account for any errors that may have been made in the calculation or award of any benefit or to otherwise reflect the proper amount payable to such individual as of the commencement of the individual's [his or her] monthly retirement allowance;

(h[.]) The "gross monthly retirement allowance" payable to any person shall mean that amount that was awarded to such individual as a monthly retirement allowance, including such amounts, if any, as are (or were) properly payable through the §[section] 415(m) fund at the time of said award, prior to the commission's effecting any offsets or other reductions in that benefit to account for workers compensation, social security, or other income, and prior to the commission's making any adjustments in said benefit to implement any previous COLA(s);

(i[.]) A "monthly retirement allowance" shall mean any allowance that is payable to any person from any of the funds on a monthly basis, whether for or by reason of normal or early retirement, any form of disability or the death of any retiree;

(j[.]) A "previous COLA" shall mean any adjustment that has been made in the benefit payable to a recipient, and/or to the retiree's benefit upon which such recipient's benefit is based, as a result of any prior COLAs pursuant to this § [section] 2-802 [398] and/or (other than such adjustments as may have been made to the pensions payable to members of the police benefit fund or firemen's relief fund to account for changes in the rates of pay of members or employees of the same or corresponding grade) as a result of any automatic adjustments that have been (or were) required to be made to any of said persons' monthly retirement allowance pursuant to the terms and conditions of any previously approved collective bargaining agreements, or the provisions of Chapter XVII, §3(z)(3)(d) of the Charter as set forth in said Charter prior to January 1, 2004 and remaining in full force and effect in accordance with Chapter XII, §1 of the Charter ("Historical Charter") [Charter Chapter XVII, section 3(z)(3)(d)], or any ordinances adopted by the C[c]ourt of C[c]ommon C[c]ouncil (whether in the form of amendments to Historical Charter Chapter XVII or otherwise);

(k[.]) The term "retiree" shall include any alternate payee who is or was eligible to commence receiving a retirement benefit prior to the date the participant from whom the alternate payee has derived a benefit begins to receive a monthly retirement allowance; and

(l[.]) A "qualified recipient" shall mean any retiree, or any surviving spouse, surviving dependent, or alternate payee of any retiree, who, in any case, is entitled to receive an adjustment in the recipient's [his or her] monthly retirement allowance pursuant to this § [section] 2-802 [398] (Q[q]). A "qualified retiree" shall mean any retiree who is entitled to receive an adjustment in said qualified retiree's [his or her] monthly retirement allowance pursuant to this § [section] 2-802 [398] (Q[q]);

(m[.]) "Section 415(m) fund" shall refer to that fund established, and governed, pursuant to the provisions of Historical Charter Chapter XVII, § [section] 3(bb).

(2) Subject to the provisions of subsection (5)(B[b]), below, effective as of July 1, 2001, each member of the municipal employees' retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund who retired on or before December 31, 1999, and each surviving spouse, surviving dependent and alternate payee of any such retiree who was receiving a monthly retirement allowance as of July 1, 2001, shall be entitled to a cost-of-

living adjustment (or "COLA") in their current monthly retirement allowance, subject to and in accordance with the provisions of this § [section] 2-802 [398] (Q[q]). The amount of such adjustment which shall be made in the current monthly retirement allowance payable to each qualified recipient shall be that amount specified in subsection (3) below, subject to the limitations that apply to such adjustments pursuant to subsection (5) below.

(3)

(a[.]) Qualified retirees living as of July 1, 2001. Subject to subsection (5) below, the current monthly retirement allowance payable to each qualified retiree shall be adjusted by the amount derived by multiplying such retiree's initial monthly retirement allowance by the adjusted CPI increase applicable to such individual as determined in accordance with subsection (4) below;

(b[.]) Qualified recipients whose benefit is based upon a percentage of the benefit previously payable to a deceased retiree who was a member of the municipal employees' retirement fund or retirement allowance fund. Subject to subsection (5) below, the current monthly retirement allowance payable to any qualified recipient whose benefit has been calculated based upon a percentage (hereinafter, a "survivor's percentage") of a benefit previously payable to a deceased retiree who was a member of the municipal employees' retirement fund or retirement allowance fund shall be adjusted by that sum necessary for such recipient to receive a monthly retirement allowance which is equal to the product of (1) the survivor's percentage, multiplied by (2) the monthly retirement allowance that otherwise would now be payable to the deceased retiree were the retiree [he or she] still living as determined in accordance with subparagraph a. above; and

(c[.]) Qualified recipients not otherwise covered by subparagraphs (a[.]) or (b[.]), above. Subject to subsection (5) below, the current monthly retirement allowance payable to any qualified recipient not otherwise covered by subparagraph a. or b. above shall be adjusted by the amount derived by multiplying (1) such individual's initial monthly retirement allowance, by (2) the adjusted CPI increase applicable to such individual as determined in accordance with subsection (4) below.

(4) For each retiree whose C[c]ity service was not covered by social security, and for each surviving spouse, alternate payee and surviving dependent of any such retiree, the adjusted CPI increase shall equal that percentage which is sixty (60) percent of the increase in the CPI which has occurred from that individual's CPI retirement date through December 31, 2000. For each retiree whose C[c]ity service was covered by Social Security, and for each surviving spouse, alternate payee, and surviving dependent of any such retiree, the adjusted CPI increase shall equal that percentage which is forty (40) percent of the increase in the CPI which has occurred from that individual's CPI retirement date through December 31, 2000.

(5)

(a[.]) Except as otherwise provided in subparagraph *(b[.])* below, the minimum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this § [section] 2-802 [398](Q[q]) shall be ten dollars (\$10.00) per month, while the minimum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month. The maximum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this § [section] 2-802 [398](Q[q]) shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's or alternate payee's pension is based, respectively, while the maximum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month for each year of service upon which the retiree's pension was based.

(b[.]) Nothing in this § [section] 2-802 [398] (Q[q]) shall require or be deemed to require that any monthly retirement allowance

currently payable to any qualified recipient be reduced in any manner or that any adjustment be made in any benefit if the affect of doing so would be to jeopardize the tax exempt status of the funds. Additionally, no adjustment shall be made in the current monthly retirement allowance payable to any retiree, or to any surviving spouse, surviving dependent or alternate payee of any retiree, pursuant to the first sentence of subparagraph a. above unless such person otherwise would be entitled to an increase in their current monthly retirement allowance by operation of subsection (4) above.

(6) The benefits provided by this § [section] 2-802 [398](Q[q]) shall be administered by the pension commission and (except, and then only to the extent otherwise provided in the following sentence) payable from the respective funds from which any qualified recipient otherwise is currently receiving a monthly retirement allowance. Any such benefits not properly payable from any of the funds shall be paid from the § [section] 415(m) fund as, but then only to the extent, any qualified recipient otherwise is entitled to participate in said § [section] 415(m) fund. The value of said benefits also shall be included by the commission in determining the contribution to be paid by the C[c]ity into said funds.

(7) Notwithstanding anything to the contrary which may be contained in this § [section] 2-802 [398] (Q[q]), the provisions of this section 2-802 [398] (Q[q]) shall not apply to any beneficiary of the police benefit fund to the extent said beneficiary [he or she] is receiving benefits under the provisions of § [section] 234(j) of the City of Hartford Charter of 1941.

(8) The pension commission shall have the authority to refrain from correcting any error that was made in the calculation or award of any benefit under, in connection with or by reason of any previous COLA if the adjustment required to correct any such error would involve adjusting a benefit by less than ten dollars (\$10.00) a month, or if, in the commission's opinion, any such correction would cause a hardship on any retiree or any surviving spouse, surviving dependent or alternate payee of a retiree.

(R[r]) (1) For purposes of this § [Section] 2-802 [398] (R[r]), the following words and phrases shall have the meanings ascribed thereto below:

(a[A]) the "Adjusted CPI Increase" applicable to any individual shall be that portion of the percentage change in the CPI specified therefor in subsection (iv) below;

(b[B]) "alternate payee" shall mean any person designated as such pursuant to a qualified domestic relations order approved by the pension commission who is not otherwise to be deemed to be a retiree as provided in subparagraph (K) below;

(c[C]) "Consumer Price Index" or "CPI" shall mean the Consumer Price Index– Urban Wage Earners and Clerical Workers, U.S. City Average, All Items (1982-84 = 100);

(d[D]) the "CPI Retirement Date" applicable to surviving spouses of deceased members of the police benefit fund or firemen's relief fund shall be June 30th of the year in which the deceased member died; the "CPI Retirement Date" applicable to surviving spouses and dependents of deceased members of the municipal employees' retirement fund whose benefits have been calculated based upon a percentage of a deceased retiree's final pay shall be June 30th of the year in which the deceased member retired; otherwise, the "CPI Retirement Date" applicable to any retiree, and to any surviving spouse, surviving dependant or alternate payee of any retiree, shall be June 30th of the year in which the retiree first commenced receiving a monthly retirement allowance;

(e[E]) the "current monthly retirement allowance" payable to any person shall mean the "initial monthly retirement allowance" payable to that person as the same may have been adjusted to account for any Previous COLAs;

(f[F]) the "Funds" shall mean the municipal employees' retirement fund, retirement allowance fund, firemen's relief fund and police benefit fund;

(g[G]) the “initial monthly retirement allowance” payable to any person shall mean the gross monthly retirement allowance that initially was awarded to such individual by the pension commission, as the same has been (or may hereafter be) adjusted by the pension commission to account for any errors that may have been made in the calculation or award of any benefit or to otherwise reflect the proper amount payable to such individual as of the commencement of his or her monthly retirement allowance;

(h[H]) the “gross monthly retirement allowance” payable to any person shall mean that amount that was awarded to such individual as a monthly retirement allowance, including such amounts, if any, as are (or were) properly payable through the Section 415(m) Fund at the time of said award, prior to the commission’s effecting any offsets or other reductions in that benefit to account for workers compensation, social security, or other income, and prior to the commission’s making any adjustments in said benefit to implement any Previous COLA(s);

(i[I]) a “monthly retirement allowance” shall mean any allowance that is payable to any person from any of the Funds on a monthly basis, whether for or by reason of normal or early retirement, any form of disability or the death of any retiree;

(j[J]) a “Previous COLA” shall mean any adjustment that has been made in the monthly retirement allowance payable to a retiree, or any surviving spouse, surviving dependant, or alternate payee of any retiree, and/or to the retiree’s monthly retirement allowance upon which any surviving spouse, surviving dependant, or alternate payee’s benefit is based, as a result of any prior COLAs pursuant to this § [Section] 2-802 [398] and/or as a result of any automatic adjustments that have been (or were) required to be made to any of said persons’ monthly retirement allowance pursuant to the terms and conditions of any previously approved collective bargaining agreements, or former Charter Chapter XVII, § [Section] 3(z)(3)(d), or any ordinances adopted by the court of common council (whether in the form of amendments to former Charter Chapter XVII or otherwise);

(k[K]) the term “retiree” shall include any alternate payee who is or was eligible to commence receiving a retirement benefit prior to the date the participant from whom the alternate payee has derived a benefit begins to receive a monthly retirement allowance;

(l[L]) A “qualified recipient” shall mean any retiree, or any surviving spouse, surviving dependant, or alternate payee of any retiree, who, in any case, is entitled to receive an adjustment in his or her monthly retirement allowance pursuant to this § [Section] 2-802 [398] (R[r]). A “qualified retiree” shall mean any retiree who is entitled to receive an adjustment in his or her monthly retirement allowance pursuant to this § [Section] 2-802 [398] (R[r]); and

(m[M]) “Section 415(m) Fund” shall refer to that fund established, and governed, pursuant to the provisions of the City of Hartford Municipal Code Article 1, Division I, Sec. 2A-15.

(2[ii]) Subject to the provisions of subsection 5 [(v)] (b) below, effective as of July 1, 2005, each member of the municipal employees’ retirement fund, retirement allowance fund, firemen’s relief fund and police benefit fund who retired on or before December 31, 2003, and each surviving spouse, surviving dependent and alternate payee of any such retiree who was receiving a monthly retirement allowance as of July 1, 2005, shall be entitled to a cost-of-living adjustment (or “COLA”) in their current monthly retirement allowance, subject to and in accordance with the provisions of this § [Section] 2-802 [398] (R[r]). The amount of such adjustment which shall be made in the current monthly retirement allowance payable to each qualified recipient shall be that amount specified in subsection (3[iii]) below, subject to the limitations that apply to such adjustments pursuant to subsection (5[v]) below.

(3[iii]) (a) *Qualified retirees living as of July 1, 2005.* Subject to subsection (5[v]) below, the current monthly retirement allowance payable to

each qualified retiree shall be adjusted by the amount derived by multiplying such retiree's initial monthly retirement allowance by the Adjusted CPI Increase applicable to such individual as determined in accordance with subsection (4[iv]), below;

(b) *Qualified recipients whose benefit is based upon a percentage of the benefit previously payable to a deceased retiree who was a member of the municipal employees' retirement fund or retirement allowance fund.* Subject to subsection (5[v]) below, the current monthly retirement allowance payable to any qualified recipient whose benefit has been calculated based upon a percentage (hereinafter, a "survivor's percentage") of a benefit previously payable to a deceased retiree who was a member of the municipal employees' retirement fund or retirement allowance fund shall be adjusted by that sum necessary for such recipient to receive a monthly retirement allowance which is equal to the product of (1) the survivor's percentage, multiplied by (2) the monthly retirement allowance that otherwise would now be payable to the deceased retiree were he or she still living as determined in accordance with subparagraph (a) above; and

(c) *Qualified recipients not otherwise covered by subparagraphs (a) or (b), above.* Subject to subsection (5[v]) below, the current monthly retirement allowance payable to any qualified recipient not otherwise covered by subparagraph (a) or (b) above shall be adjusted by the amount derived by multiplying (1) such individual's initial monthly retirement allowance, by (2) the Adjusted CPI Increase applicable to such individual as determined in accordance with subsection (4[iv]), below.

(4[iv]) For each retiree whose city service was not covered by social security, and for each surviving spouse, alternate payee and surviving dependent of any such retiree, the Adjusted CPI Increase shall equal that percentage which is sixty percent (60%) of the increase in the CPI which has occurred from that individual's CPI Retirement Date through December 31, 2004 provided however, the Adjusted CPI Increase shall be offset by any Previous COLA. For each retiree whose city service was covered by social security, and for each surviving spouse, alternate payee, and surviving dependent of any such retiree, the Adjusted CPI Increase shall equal that percentage which is forty percent (40%) of the increase in the CPI which has occurred from that individual's CPI Retirement Date through December 31, 2004 provided however, the Adjusted CPI Increase shall be offset by any Previous COLA.

(a) Except as otherwise provided in subparagraph (b) below, the minimum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this Section 2-398(r) shall be ten dollars (\$10.00) per month, while the minimum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month. The maximum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this Section 2-398(r) shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's or alternate payee's pension is based, respectively, while the maximum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month for each year of service upon which the retiree's pension was based.

(b) Nothing in this § [Section] 2-802 [398] (R[r]) shall require or be deemed to require that any monthly retirement allowance currently payable to any qualified recipient be reduced in any manner or that any adjustment be made in any benefit if the affect of doing so would be to jeopardize the tax exempt status of the Funds. Additionally, no adjustment shall be made in the current monthly retirement allowance payable to any retiree, or to any surviving spouse, surviving dependent or alternate payee of any retiree, pursuant to the first sentence of subparagraph (a), above, unless such person otherwise would be

entitled to an increase in their current monthly retirement allowance by operation of subsection (4[iv]), above.

(5[v]) (a) Except as otherwise provided in subparagraph (b) below, the minimum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this § [Section] 2-802 [398] (R[r]) shall be ten dollars (\$10.00) per month, while the minimum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month. The maximum increase in the current monthly retirement allowance of each retiree and alternate payee eligible for any adjustment under this § [Section] 2-802 [398] (R[r]) shall be ten dollars (\$10.00) per month for each year of service upon which the retiree's or alternate payee's pension is based, respectively, while the maximum increase in the current monthly retirement allowance of each surviving spouse and surviving dependent eligible for any adjustment hereunder shall be five dollars (\$5.00) per month for each year of service upon which the retiree's pension was based.

(b) Nothing in this § [Section] 2-802 [398] (R[r]) shall require or be deemed to require that any monthly retirement allowance currently payable to any qualified recipient be reduced in any manner or that any adjustment be made in any benefit if the affect of doing so would be to jeopardize the tax exempt status of the Funds. Additionally, no adjustment shall be made in the current monthly retirement allowance payable to any retiree, or to any surviving spouse, surviving dependent or alternate payee of any retiree, pursuant to the first sentence of subparagraph (a), above unless such person otherwise would be entitled to an increase in their current monthly retirement allowance by operation of subsection (4[iv]) above.

(6[vi]) The benefits provided by this § [Section] 2-802 [398] (R[r]) shall be administered by the pension commission and (except, and then only to the extent otherwise provided in the following sentence) payable from the respective Funds from which any qualified recipient otherwise is currently receiving a monthly retirement allowance. Any such benefits not properly payable from any of the Funds shall be paid from the Section 415(m) Fund as, but then only to the extent, any qualified recipient otherwise is entitled to participate in said Section 415(m) Fund. The value of said benefits also shall be included by the commission in determining the contribution to be paid by the city into said Funds.

(7[vii]) Notwithstanding anything to the contrary which may be contained in this § [Section] 2-802 [398] (R[r]), the provisions of this § [Section] 2-802 [398] (R[r]) shall not apply to:

(a) any retiree, or any surviving spouse, surviving dependant, or alternate payee of any retiree who was a member of Local 1716 or Local 566 and is receiving benefits from the State of Connecticut Municipal Employees' Retirement System;

(b) any beneficiary of the police benefit fund to the extent he or she is receiving benefits under the provisions of section 234(j) of the City of Hartford Charter of 1941; and

(c) any retiree, or any surviving spouse, surviving dependant, or alternate payee of any retiree who retired under the 2003 retirement incentive program pursuant to the provisions of the former City Charter Chapter XVII, Sec. 3 (z) (5) through (8).

(8[viii]) The pension commission shall have the authority to refrain from correcting any error that was made in the calculation or award of any benefit under, in connection with or by reason of any Previous COLA if the adjustment required to correct any such error would involve adjusting a benefit by less than ten dollars (\$10.00) a month, or if, in the commission's opinion, any such correction would cause a hardship on any retiree or any surviving spouse, surviving dependent or alternate payee of a retiree.

Sec. 2-[399] 803. Widows' benefits⁹².

(A[a]) This section shall apply for the benefit of the following classes of widows:

(1) Widows who are entitled to or who become entitled to widows' benefits from the firemen's relief fund and whose husbands are killed in the performance of duty.

(2) Widows who are entitled to or who become entitled to widows' benefits from the firemen's relief fund and whose husbands die from the effects of injuries received or exposure endured in the performance of duty.

(B[b]) It is declared to be the policy of the C[c]ity that the minimum retirement allowance which should be paid to the above classes of widows shall be two hundred sixty-six dollars and sixty-seven cents (\$266.67) per month.

(C[c]) If any widow in an eligible class as defined in subsection (a) is receiving a retirement allowance from the C[c]ity which is less than the minimum provided by subsection (b), then a supplementary monthly retirement allowance shall be paid, sufficient to raise the total retirement allowance to the prescribed minimum.

(D[d]) This section shall apply with respect to retirement allowances falling due after November 27, 1967. Payments provided by it shall be made from appropriations included in the C[c]ity budget for this purpose. This section shall be administered by the pension commission, and the eligibility for inclusion of any individual in a class for which benefits are provided in this section shall be determined by the commission from its official records.

Sec. 2-[400] 804. Incentive bonus for retirements prior to July 31, 1976⁹³.

(A[a]) As used in subsection (C[c]) the term "employee" shall mean any employee of the C[c]ity who is not included in a bargaining unit for collective bargaining purposes, and shall also mean any employee who is in a bargaining unit that has ratified a contract which includes a provision similar to the provisions of subsection (C[c]).

(B[b]) As used in subsection (C[c]) the term "employee" shall not include employees of the board of education, the Hartford Public Library, or any employee who is in a bargaining unit that has not ratified a contract which includes a provision similar to the provisions of subsection (C[c]).

(C[c]) An incentive bonus for retirement shall be paid to any employee who is eligible for either normal retirement or early retirement under one (1) of the C[c]ity pension plans. The bonus shall be paid to those eligible members who submit a retirement application between May 1, and July 31, 1976, and whose last day of work is on or before July 31, 1976. Such an employee may continue on pay status to utilize accrued vacation and will be eligible for longevity pay and any pay increases that may affect the computation of said employee's [his] retirement benefit. The bonus shall be five hundred dollars (\$500.00) per year for a period of ten (10) years and shall be paid to the retiree or [his] the survivors of said retiree as a lump sum payment on October first of each year, beginning October 1, 1976.

(D[d]) An incentive bonus for retirement shall be paid to any employee, except those excluded under subsection (B[b]), who is eligible for either normal retirement or early retirement under one (1) of the C[c]ity pension plans. The bonus shall be paid to those eligible members who submit a retirement application between June 15, 1979 and August 15, 1979 and whose last day of work is on or before August 15, 1979. Such an employee may continue on pay status to utilize accrued vacation and will be eligible for longevity pay and any pay increases that may affect the computation of the [his] retirement benefit. The bonus shall be five hundred dollars (\$500.00) per year for a period of ten (10) years and shall be paid to the retiree or the [his] survivors of said retiree as a lump sum payment on October first of each year.

(E[e]) In those instances where an August 15, 1979 retirement would cause an undue hardship to C[c]ity operations, the Mayor or designee [city manager] may grant a deferment in such cases to C[c]ity employees which would enable those employees to receive the retirement incentive pay, but not be required to leave C[c]ity employment on or before August 15, 1979.

⁹² Recodification and minor modification of §2-399. (Code 1977, § 2-167)

⁹³ Recodification and minor modification of §2-400 (Code 1977, § 2-168; Ord. No. 22-79, 8-13-79).

Sec. 2-[401] 805. Hartford Federation of School Secretaries; retirement allowance adjustment⁹⁴.

(A[a]) Commencing May 1, 1991, any member of the Hartford Federation of School Secretaries who retired between July 1, 1988 and September 11, 1989 shall have said member's [his or her] retirement allowance adjusted so that the [his or her] retirement allowance on and after May 1, 1991 shall amount to two (2) percent of the employee's final average pay per whole year of service to a maximum of seventy (70) percent of the final average pay. Final average pay will be computed on the basis of the employee's highest five (5) of the last ten (10) years of the member's [his or her] gross earnings.

(B[b]) The survivor of any member of the Hartford Federation of School Secretaries who retired between July 1, 1988 and September 11, 1989 and who died or dies prior to May 1, 1991 shall have the member's [his or her] survivor's allowance adjusted to reflect the adjustment provided for in paragraph (a) above.

Sec. 2-[402] 806⁹⁵. Incentive bonus for retirements prior to September 30, 1992.

(A[a]) As used in this section, the term "employee" shall mean any employee of the C[c]ity, to include the library, who is not included in a bargaining unit for collective bargaining purposes, and shall also mean any employee who is in a bargaining unit that enters into an agreement with the C[c]ity which includes a provision similar to the provisions of this section.

(B[b]) As used in this section, the term "employee" shall not include employees of the board of education or any employee who is in a bargaining unit that does not enter into an agreement which includes a provision similar to the provisions of this section.

(C[c]) An incentive bonus for retirement shall be paid to any employee who is eligible for either normal retirement or early retirement under one (1) of the C[c]ity pension plans. The bonus shall be paid to those eligible members who are retiring from C[c]ity service and whose last day of work is between May 1, 1992 and September 30, 1992, both dates inclusive. Such an employee may continue on pay status after said employee's [his or her] last day of work to utilize accrued vacation as well as to obtain longevity pay and any pay increases that may affect the computation of the [his or her] retirement benefit without affecting the employee's [his or her] eligibility for the bonus provided under this section. The bonus shall be two thousand dollars (\$2,000.00) per year for a period of ten (10) years and shall be paid to the retiree or the [his] survivors of said retiree as a lump sum payment in January of each year, beginning January 1, 1993.

(D[d]) In those instances where a September 30, 1992 retirement would cause an undue hardship to C[c]ity operations, the Mayor or designee [city manager] may grant a deferment in such cases to C[c]ity employees which would enable those employees to continue to work beyond September 30, 1992 and still receive the retirement incentive pay, providing their last day of work for the C[c]ity occurs on or before December 31, 1992.

(E[e]) Any employee eligible for the incentive bonus, provided in this section may waive the payments due [him or her] under this section and in lieu thereof the C[c]ity shall pay the annual payments of two thousand dollars (\$2,000.00) toward the cost of the employee's health insurance, which payments shall be in addition to any other payments for health insurance to which the employee may be entitled.

Sec. 2-[403] 807. Incentive bonus for retirements of members of Hartford Federation of Paraprofessionals prior to December 31, 1993⁹⁶.

(A[a]) As used in this section the term "HFP employee" shall mean any employee of the C[c]ity who is a member of Local #2221, Hartford Federation of Paraprofessionals.

(B[b]) An incentive bonus for retirement shall be paid to any HFP employee eligible for either normal or early retirement under the municipal employees' retirement fund who takes an early or normal retirement in the manner and within the time periods set forth below (hereinafter referred to as an "eligible HFP employee").

⁹⁴ Recodification and minor modification of §2-401 (Ord. No. 12-91, 5-13-91).

⁹⁵ Recodification and minor modification of §2-402 (Ord. No. 12-91, 5-13-91; Ord. No. 27-92, 6-22-92; Ord. No. 37-92, 9-14-92)

⁹⁶ Recodification and minor modification of §2-403 (Ord. No. 4-93, 1-25-93; Ord. No. 10-93, 4-12-93)

The bonus shall be paid to those eligible HFP employees who, on or before May 15, 1993, notify the board of education of their intent to avail themselves of the bonus, and then retire from C[c]ity service with an effective date of retirement between June 1, 1993 and January 1, 1994, both dates inclusive. Any eligible HFP employee who has earned any longevity pay prior to the [his or her] effective date of retirement shall be entitled to have such longevity pay included within such employee's pension calculations even though the employee [he or she] does not receive such pay until after his or her effective date of retirement. The bonus shall be two thousand dollars (\$2,000.00) per year for a period of ten (10) years and shall be paid to the retiree, or [his or her] the survivors of said retiree under the fund, as a lump sum payment beginning in April 1994 and then continuing in April of each succeeding year through April 2003.

(C[c]) In those instances where a January 1, 1994 retirement of any HFP employee would cause an undue hardship to board of education operations and such employee otherwise would qualify for the aforementioned bonus, the superintendent may grant a deferment which enables that employee to continue to work beyond January 1, 1994 and still receive the [his or her] retirement incentive bonus, providing his or her effective date of retirement occurs on or before March 1, 1994.

Sec. 2-[404] 808⁹⁷. Retirement incentive for retirements on or before July 31, 1993.

(A[a]) As used in this section, the term "employee" shall mean any employee of the C[c]ity, to include the library, who is not included in a bargaining unit for collective bargaining purposes, and shall also mean any employee who is in a bargaining unit that enters into an agreement with the C[c]ity which includes provisions the same as the provisions of this section.

(B[b]) As used in this section, the term "employee" shall not include employees of the board of education or any employee who is in a bargaining unit that does not enter into an agreement with the C[c]ity, which includes provisions the same as the provision of this section.

(C[c]) Any employee who is eligible for a normal or early retirement, or who, by operation of the provisions of Chapter XVII, § [Section] (3)(z) of the Historical Charter, becomes eligible for a normal or early retirement, and who files a [his or her] retirement application with the pension commission between, and whose last day of work is between June 15, 1993 and July 31, 1993, both dates inclusive, shall be entitled to the following:

(1) In addition to any periods of C[c]ity -paid coverage as provided for by contract, ordinances or resolution, and in lieu of any partial payments made by the C[c]ity toward the cost of health insurance as provided for by contract, ordinances or resolution, said employee shall be entitled to up to five (5) years of C[c]ity -paid health insurance for themselves and any enrolled dependents under the C[c]ity's health insurance plan, commencing upon retirement but ending as of the month the employee turns sixty-five (65) years of age or dies, whichever occurs first.

(D[d]) Any employee so eligible for the benefit stated in this section may continue on pay status after the employee's [his or her] last day of work to utilize accrued vacation time without affecting [his or her] eligibility for the benefit provided hereby.

(E[e]) In those instances where an employee's retirement prior to August 1, 1993 would cause an undue hardship to C[c]ity operations, the Mayor or designee [city manager] may grant a deferment to such employee which enables such employee to continue to work beyond July 31, 1993 and still be eligible for the benefits provided under this section provided, however, that (subject to subparagraph (D[d]) above) any such employee's last day of work occurs on or before December 31, 1993.

Sec. 2-[405] 809⁹⁸. Incentive bonus for retirements of nonbargaining unit members and certain noncertified collective bargaining unit members of the board of education on or before December 30, 1994.

(A[a]) As used in this section, the term "employee" shall mean any

⁹⁷ Recodification and minor modification of §2-404 (Ord. No. 16-93, 6-14-93).

⁹⁸ Recodification and minor modification of §2-405 (Ord. No. 32-94, 9-26-94).

nonbargaining unit employee of the board of education and any noncertified employee of the board of education who is a member of a collective bargaining unit which has agreed to the provisions of this section.

(B[b]) Any employee who is eligible for a normal or early retirement, or who, by operation of the provisions of C[c]hapter XVII, § [section] (3)(z)(4) of the Historical Charter, becomes eligible for a normal or early retirement, and who takes an early or normal retirement under such § [section] (3)(z)(4) with a last day of work between November 10, 1994 and December 30, 1994, both dates inclusive, and any employee who, by operation of the provisions of C[c]hapter XVII, § [section] (3)(z)(4)(i) of the Historical Charter, becomes eligible for a normal or early retirement, and who takes an early or normal retirement under such § [section] (3)(z)(4)(i) with a last day of work of June 30, 1994, shall be entitled to the following:

(1) In addition to any periods of C[c]ity -paid coverage as provided for by contract, ordinance or resolution, and in lieu of any partial payments made by the C[c]ity toward the cost of health insurance as provided for by contract, ordinance or resolution, such employee shall be entitled to up to five (5) years of C[c]ity-paid health insurance for themselves under the C[c]ity's health insurance plan, commencing upon retirement, but ending as of the month the employee turns sixty-five (65) years of age or dies, whichever occurs first.

(2) In addition to the benefits described in subsection (1) above, any such employee also may elect to obtain such health insurance for their dependents during the same such period of time, all at such employee's sole cost and expense.

(C[c]) Any employee so eligible for the benefit stated in this section must utilize accrued vacation time prior to the employee's [his or her] last day of work as set forth in subparagraph (B[b]), above, or be paid for such accrued vacation time upon retirement. Such accrued vacation time may not be utilized in order to continue such employee on pay status after the [his or her] last day of work.

(D[d]) In those instances where an eligible employee's retirement prior to December 31, 1994 would cause an extreme hardship to board of education operations, the superintendent may grant a deferment to such employee which enables such employee to continue to work beyond December 30, 1994 and still be eligible for the benefits provided under this section, provided, however, that any such employee's last day of work occurs on or before March 31, 1995.

Sec. 2-[406] 810⁹⁹. Retirement incentives for retirements on or before June 30, 2002.

(A[a]) As used in this section, the term "employee" shall mean any employee of the C[c]ity who is not in a bargaining unit for collective bargaining purposes, and any members of the following bargaining units, providing that the respective bargaining unit enters into an agreement with the C[c]ity regarding the proposed benefits discussed below: AFSCME, Local 1716, CHPEA, HMEA and the MLA.

(B[b]) Any employee who is eligible for a normal or early retirement, or who, by operation of the provisions of the Charter or applicable collective bargaining agreement, becomes eligible for a normal or early retirement, and who files a a [his or her] retirement application with the pension commission between, and whose last day of work is between June 1, 2002 and June 30, 2002, both dates inclusive, shall be entitled to choose one (1) of the following benefits:

Option 1: In addition to any partial payments made by the C[c]ity toward the cost of health insurance as provided for by contract, ordinances or resolution, said employee shall be entitled to a C[c]ity paid subsidy toward the cost of health insurance up to a maximum of three hundred dollars (\$300.00) per month for a period of three (3) years; or

Option 2: Incentive payment of one week's pay for each year of service with the C[c]ity, to a maximum of ten (10) weeks' pay.

(C[c]) Any employee so eligible for the benefit stated in this section may continue on pay status after the employee's [his or her] last day of work to utilize accrued vacation time without affecting [his or her] eligibility for the benefit provided hereby.

⁹⁹ Recodification and minor modification of §2-406 (Ord. No. 17-02, 5-28-02).
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

(D[d]) In those instances where any employee's retirement prior to June 30, 2002 would cause an undue hardship to C[c]ity operations, the Mayor or designee [city manager] may grant a deferment to such employee which enables such employee to continue to work beyond June 30, 2002 and still be eligible for the benefits provided under this section provided, however, that (subject to subparagraph (C[c]) above) any such employee's last day of work occurs on or before September 30, 2002.

Sec. 2-[407] 811¹⁰⁰. Benefits for employees laid-off as a result of the 2002-2003 budget.

(A[a]) As used in this section, the term "employee" shall mean any employee of the C[c]ity who is not a bargaining unit for collective bargaining purposes, and any member of the following bargaining units, providing that the respective bargaining unit enters into an agreement with the C[c]ity regarding the proposed benefits discussed below: AFSCME Local 1716, CHPEA, HMEA and the MLA.

(B[b]) Any employee who is not eligible for a normal or early retirement, nor who, by operation of the provisions of the chapter or applicable collective bargaining agreement, becomes eligible for a normal or early retirement, and who is laid off as a result of the City of Hartford 2002-2003 budget, shall be entitled to choose one of the following benefits:

Option 1: Medical coverage paid by the C[c]ity for a period of six (6) months or

Option 2: Separation payment of one (1) week's pay for each year of service with the C[c]ity, to a maximum of six (6) weeks' pay.

Sec. 2-[408] 812¹⁰¹. Benefits for employees laid-off as a result of the 2003-2004 budget.

(A[a]) As used in this section, the term "employee" shall mean any employee of the C[c]ity or Hartford Public Library who is not in a bargaining unit for collective bargaining purposes, and any members of the following bargaining units, providing that the respective bargaining unit enters into an agreement with the C[c]ity regarding the proposed benefits discussed below: AFSCME Local 1716, CHPEA, HMEA, the Communication Workers of America, Local 1289 and the MLA.

(B[b]) Any employee who is not eligible for a normal or early retirement, nor who, by operation of the provisions of the Charter or applicable collective bargaining agreement, becomes eligible for a normal or early retirement, and who is laid off as a result of the City of Hartford 2003-2004 budget, shall be entitled to receive the same health insurance benefits as the individual [he or she] received while an employee of the C[c]ity, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium or equivalent monthly premium, for a period of six (6) months after the employee's [his or her] last day of work.

Secs. 2-[409] 813--2-[415] 819. Reserved for Future Use.

¹⁰⁰ Recodification and minor modification of §2-407 (Ord. No. 18-02, 5-28-02).

¹⁰¹ Recodification and minor modification of §2-408 (Ord. No. 8-03, 4-14-03).

[DIVISION 1] ARTICLE XVIII. OFFICERS AND EMPLOYEES^{102*}

Sec. 2-[331] 850 Residency requirements¹⁰³.

(A) All council appointees [,city manager] and U[u]nclassified E[e]mployees employed by the C[c]ity, shall maintain a continuous residence in the C[c]ity during the period of such appointment or employment. This section shall not apply to new employees or appointees during the first six (6) months of such employment or appointment. If such individual [person] ceases to be a bona fide resident of the C[c]ity once the residency has been established or fails to become a bona fide resident within six (6) months of the [his] appointment or employment, the [his] office or P[p]osition of the individual shall thereupon become vacant, and such appointment or employment shall terminate.

(B) The provisions of subsection (A[a]) above shall not apply to individuals who were employees and appointees at the time of the effective date of this section.]

Sec. 2-[335] 851 Personal injury protection for Employees in unclassified service¹⁰⁴.

Each member of the U[u]nclassified S[s]ervice shall be entitled to the same coverage for personal injuries sustained by [him] the member arising out of and in the course of [his] the member's employment as provided in the personnel rules for each member of the C[c]lassified S[s]ervice.

Sec. 2-[337] 852. Position of confidential secretary created¹⁰⁵.

The P[p]osition C[c]lass of confidential secretary is established and authorized as a C[c]lass title in the U[u]nclassified S[s]ervice.

Sec. 2-[339] 853 Assistants and Employees of the corporation counsel¹⁰⁶.

(A) In addition to the corporation counsel, the office of the corporation counsel may [shall] consist of one (1) full-time assistant corporation counsel designated as deputy corporate counsel, two (2) full-time assistant corporation counsels designated as senior assistant corporation counsels, two (2) special counsels, nine (9) full-time assistant corporation counsels, one (1) legal assistant, one (1) senior administrative analyst, two (2) administrative assistants, one (1) secretary, three (3) legal stenographers, one (1) claims investigator, all of whom shall be appointed by the corporation counsel. Except as otherwise may be provided by the City Charter, the corporation counsel and the two (2) special counsels shall be in the unclassified service, and the full-time assistant corporation counsels designated as senior assistant corporation counsels and the full-time assistant corporation counsel designated as deputy corporation counsel, the nine (9) full-time assistant

¹⁰² Recodification of Division 4 of Article VI. This section has not been reviewed for content. **Charter references:** Pensions generally, Ch. XVII. **Cross references:** Compensation generally, § 2-376 et seq.

¹⁰³ Recodification and minor modification of current §2-331. (Code 1977, §2-126; Ord. No. 21-76, 10-27-76; Ord. No. 2-77, 3-17-77; Ord. No. 13-81, 4-13-81; Ord. No. 20-85, §2, 4-8-85).

Drafting Note 1: This provision was modified in order to comport with Charter Revision it was not reviewed in order to determine compliance with the authority pertaining to residency requirements, as set forth in the General Statutes.

Drafting Note 2: §§2-332 and 2-333 have been recodified as §§2-42 and 2-43, respectively.

¹⁰⁴ Recodification and minor modification of current §2-335 (Code 1977, §2-130). **State law references:** Workers' Compensation Act, G.S. § 31-275 et seq.

¹⁰⁵ Recodification and minor modification of current §2-337 (Code 1977, §2-131).

See also, current §2-338 entitled "Positions of executive secretary and executive assistant to city manager created", which is hereby repealed, as follows: (a) The Position class of executive secretary to the city manager is established and authorized as a class title in the unclassified service. (b) There shall be an executive assistant to the city manager who shall be an officer of the city, whose duties shall be as prescribed by the city manager who shall be appointed by the council upon nomination by the city manager, who shall be a member of the unclassified service and who shall serve at the pleasure of the city manager (Code 1977, § 2-132; Ord. No. 15-86, 6-9-86).

¹⁰⁶ Recodification and minor modification of current § 2-339 (Code 1977, § 2-133; Ord. No. 36-84, 12-10-84; Ord. No. 55-88, 9-12-88; Ord. No. 66-88, 10-24-88; Ord. No. 61-93, 10-25-93). **Charter references:** Corporation counsel generally, Ch. XVIII, § 4.

corporation counsels and all other employees of the corporation counsel's office shall be in the C[c]lassified S[s]ervice.

(B) When the corporation counsel is absent, the deputy corporation counsel shall serve as acting corporation counsel, and shall have all of the powers of the corporation counsel under the Charter. In the absence of the corporation counsel and the deputy corporation counsel either of the senior assistant corporation counsels shall serve as acting corporation counsel and shall have all of the powers of the corporation counsel under the Charter; providing that, in the event both senior assistant corporation counsels are present, the senior assistant corporation counsel with the longest seniority in the office of the corporation counsel, shall serve as acting corporation counsel.

Sec. 2-[340] 854 Investment analyst under C[c]ity T[t]reasurer; other Employees¹⁰⁷.

(A) In addition to the C[c]ity T[t]reasurer and assistant C[c]ity T[t]reasurer as provided in the Charter, there shall be a principal investment officer, whose duties shall be as prescribed by the C[c]ity T[t]reasurer and shall include review of investments by the C[c]ity and recommendations to the C[c]ity T[t]reasurer in connection therewith, and who shall have all the powers and duties of the C[c]ity T[t]reasurer in the absence or disability of both the C[c]ity T[t]reasurer and assistant C[c]ity T[t]reasurer.

(B) The C[c]ity T[t]reasurer shall appoint such other employees as may be necessary to perform the work incident to the duties of said [his or her] office, in accordance with the P[p]ositions authorized in the budget.

Sec. 2-[341] 855 Employees of pension commission¹⁰⁸.

The pension commission shall appoint such employees as may be necessary to perform the work incident to the duties of such commission.

Sec. 2-[342] 856 Moonlighting by police officers and firefighters¹⁰⁹.

Police officers and firefighters shall be permitted to secure outside employment and to work for a limited number of hours on a limited type of job, in the C[c]ity and contiguous towns, all subject to the approval of the chief of the department. All C[c]ity employees in these departments who obtain such work shall register with the chief of the department and shall be subject to call to duty twenty-four (24) hours a day.

Sec. 2-[356-360] 857 Official Bonds¹¹⁰.

(A) **Required of Certain Personnel¹¹¹.** In addition to the officers required by law to give bonds, such other officers as may be required by ordinance shall execute bonds with good and sufficient surety, payable to the C[c]ity and conditioned for the faithful performance of the duties of their offices and the payment of all moneys received by such officers; provided, however, that no officer who, by virtue of the individual's [his] office, is required or authorized to act in any other capacity, shall be required to execute an additional bond before entering upon the duties of the [his] office ex officio.

(1) City Clerk and City Treasurer. The C[c]ity C[c]lerk and C[c]ity T[t]reasurer may require any of their subordinate officers or employees to give bond payable to the C[c]ity, with good and sufficient surety and conditioned for the faithful performance of the duties of their office or P[p]osition and the payment of all moneys received by them.

(2) Other Subordinate Officers or Employees. Any subordinate

¹⁰⁷ Recodification and minor modification of current § 2-340 (Code 1977, § 2-134; Ord. No. 14-82, 9-27-82; Ord. No. 23-95, 10-23-95).

Charter references: City treasurer, Ch. IX.

¹⁰⁸ Recodification and minor modification of current § 2-341 (Code 1977, § 2-135). Charter references: Pension Commission, Ch. XVII, §2.

¹⁰⁹ Recodification and minor modification of current § 2-342 (Code 1977, §2-136).

Drafting Note: Is this otherwise covered by collective bargaining?

¹¹⁰ §2-457 is a recodification and minor modification of current Division 2 entitled "Official Bonds", including current §§2-356 through 2-360.

¹¹¹ Sub-section (A) is a derived from §2-356 (Code 1977, § 2-141).

officer or employee may be required by the head of the department or agency of the C[c]ity [government] to which such officer or employee has been appointed, or by the council, to give bond payable to the C[c]ity, with good and sufficient surety and conditioned for the faithful performance of the duties of the [his] office or P[p]osition and the payment of all moneys received by such officer or employee. All subordinate officers and employees of the C[c]ity who receive or have the care, custody or handling of any C[c]ity moneys, property or other valuable thing belonging to the C[c]ity shall be required to give such bond.

Bond shall be given in every case before the officer or employee required to give such bond shall enter upon the individual's [his] official duties.

(B) Procurement and approval¹¹². All bonds of officers or employees payable to the C[c]ity shall be procured in accordance with the requirements of the Code of Ordinances and any regulations adopted thereunder and insurance and the form and sufficiency of such bonds, as well as the sureties thereon, shall be approved by the Chief Operating Officer [city manager].

(C) Premiums to be paid by City¹¹³. The cost of obtaining all bonds of officers and employees payable to the C[c]ity and the premiums thereon shall be paid out of the funds of the C[c]ity.

(D) Control and custody¹¹⁴. After the approval of the bond of any officer or employee, as required by sub-section (B) [section 2-357], above, the date of approval shall be endorsed thereon and the bond shall be filed with the division of purchases and insurance, which shall have control and custody of the bond.

(E) Termination and cancellation¹¹⁵. All bonds of officers and employees shall continue in effect so long as the officers and employees named therein continue in office and until an accounting is had and payment made by such officers and employees of all moneys received by them; provided, however, that liability under any such bond may be terminated by the surety in respect of any official act which shall be taken or occur after thirty (30) days' written notice to the Chief Operating Officer or the designee thereof [city manager] by the surety by registered mail of the termination or cancellation of such bond. In case of termination or cancellation of any bond by any surety during the continuance in office or employment of any officer or employee, such officer or employee shall execute a new bond in the same manner, of the same type, and with the same conditions and penalties as were required originally.

Sec. 2-[416-420] 858 Group Insurance and Service Benefits¹¹⁶.

(A) Authorization¹¹⁷. The director of finance shall, from annual appropriations made by the council for employee group insurance and service benefits, purchase in accordance with the rules and regulations in Sec. 2-425(F) the following insurance and service benefits for all full-time, permanent, active employees of the C[c]ity, its several municipal departments and agencies, as defined in the charter and amendments thereto, listed on the payrolls of the C[c]ity and appointed, unclassified, salaried personnel and for those eligible for benefits under this division by virtue of the charter, resolutions and ordinances of the C[c]ity, and such other employees presently covered under the existing insurance plan:

(1) Group term life insurance and accidental death and dismemberment insurance;

¹¹² Sub-section (B) is derived from §2-357 (Code 1977, §2-142). **Charter references:** Division of purchases and insurance constituted a division of department of finance, Ch. VIII, § 1.

¹¹³ Sub-section (C) is derived from §2-358 (Code 1977, §2-143).

¹¹⁴ Sub-section (D) is derived from §2-359 (Code 1977, §2-144).

¹¹⁵ Sub-section (E) is derived from §2-360 (Code 1977, §2-145).

¹¹⁶ §2-458 is a recodification of the revised contents of current Division 5 entitled "Group Insurance and Service Benefits", including current §§2-416 through 2-420.

Drafting Note: This provision was modified in order to comport with Charter Revision it was not reviewed in order to determine whether the provisions are currently utilized by the City.

¹¹⁷ Sub-sections (A), (B), (C) and (D) are derived from §2-416 (Code 1977, Sec. 2-174; Ord. No. 22-91, 5-28-91; Ord. No. 30-92, 6-22-92) Sub-sections (A), (B), (C) and (D)).

- (2) Hospitalization services;
- (3) Medical and surgical services;
- (4) Extended medical catastrophic indemnity insurance;
- (5) Dental insurance.

(B) Group Term Life Insurance for Eligible Pensioners. In addition, said director of finance [he] shall purchase group term life insurance for eligible pensioners under the C[c]ity pension plan at a reduced principal sum in accordance with rules and regulations in Sec. 2-425(F).

(C) Self-Insurance Option. In lieu of purchasing insurance for any of these benefits, the director of finance may establish a self-insurance program to underwrite their costs. Such self-insurance program shall include claims processing service, maintenance of actuarially-determined reserve funds and purchase of excess insurance or other provisions to limit the C[c]ity 's risk exposure.

(D) Associated Costs.

(1) Commencing July 1, 1992, all full-time, employees in the administrative series, appointees of council and elected officials and their unclassified appointees, Mayoral [city manager] appointees and elected officials shall pay [10%] ten dollars (\$10.00) per week towards the cost of the group health insurance premiums for the insurance provided in section (A) 2, 3, 4 and 5 above.

(2) Commencing July 1, 1993, all full-time, employees in the administrative series, appointees of council and elected officials and their unclassified appointees, Mayoral [city manager] appointees and elected officials shall pay [20%] twenty dollars (\$20.00) per week towards the cost of the group health insurance premiums for the insurance provided in section (A) 2, 3, 4 and 5 above.

(3) Commencing July 1, 1992, all employees not covered by section (d) above shall pay ten dollars (\$10.00) per week towards the cost of the group health insurance provided in section (A) 2, 3, 4 and 5 above.

(4) Commencing July 1, 1993, all employees not covered by section (e) above shall pay twenty dollars (\$20.00) per week towards the cost of the group health insurance provided in subsection (A)(2), (3), (4) and (5) above.

(E) Eligibility¹¹⁸. All eligible employees shall be entitled to the coverages listed in §[Sec.] 2-458 (A)-(D) without premium cost for employee coverages except group term life insurance and accidental death and dismemberment insurance in accordance with the rules and regulations in Sec. 2-458(F).

(F) Regulations Authorized; Filing, Approval¹¹⁹. The director of finance shall be empowered to make rules and regulations governing the detailed administration of this division. Said director [He] shall file with the C[c]ity clerk a copy of such rules and regulations and benefits and amendments thereto and revisions thereof. The C[c]ity clerk shall cause these to be presented to the council in the form of a resolution for its approval or disapproval as required by §§ [sections] 2-1 and 2-2 and they shall become effective five (5) days after approval by the council.

(G) Reserve for Contingencies¹²⁰. For the purpose of providing for group term life insurance and accidental death and dismembership insurance contingencies, the director of finance is authorized to establish an insurance reserve for contingency fund with the insurance carriers, such fund to be limited to five (5) times the monthly premium payment for this coverage.

(H) Group accident insurance for unpaid members of boards, commissions, etc¹²¹. The director of finance shall purchase yearly, pursuant to C.G.S. §31-275, at the expense of the C[c]ity from sums appropriated by the council, workers' compensation insurance covering elected and appointed members of official C[c]ity boards, commissions and committees, established by charter, statute,

¹¹⁸ Sub-section (E) is derived from §2-417 (Code 1977, §2-175).

¹¹⁹ Sub-section (F) is derived from §2-418 (Code 1977, §2-176).

¹²⁰ Sub-section (G) is derived from §2-419 (Code 1977, §2-177).

¹²¹ Sub-section (H) is derived from §2-420 (Code 1977, §21-178; Ord. No. 3-85, 1-16-85).

ordinance or resolution, while such members are on official C[c]ity business or acting within the scope of responsibilities required of them in their capacity as a C[c]ity official.

Sec. 2-[380] 859 Use of private automobiles for official business¹²².

The heads of the respective departments, with the written consent of the Mayor or a designee thereof [city manager], may authorize persons employed in their departments to use privately-owned automobiles in the performance of their official duties. Such persons shall be reimbursed and such automobiles shall be used upon such terms and conditions as the Mayor or a designee thereof [city manager] may determine in writing.

Sec. 2-860 - Sec. 2-899 Reserved for Future Use.

¹²² Recodification and minor modification of current §2-380 (Code 1977, §2-9).
Substitute Council Submission II
Revised 8/1/2005 2:24 PM

[DIVISION 1] ARTICLE XIX. CODE OF ETHICS^{123*}

Sec. 2-[456-458] 900 Generally.

(A) Short Title¹²⁴. This division shall be known and referred to as the "Code of Ethics of the City of Hartford".

(B) Applicability¹²⁵. The code of ethics shall be applied to and be binding on every officer, official or employee of the C[c]ity and every member of any board, commission or agency of the C[c]ity.

(C) Statement of Policy¹²⁶.

(1) It is the policy of the C[c]ity to uphold, promote and demand the highest standards of ethics from all its officers, officials, employees and members of boards, commissions, and agencies, whether elected or appointed. Accordingly, they shall maintain the highest standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants and never use their C[c]ity P[p]osition or powers for personal gain.

(2) A conflict of interest occurs when any officer, official or employee of the C[c]ity, or any member of a board, commission or agency of the C[c]ity, engages in any act which advances personal interests and private financial interests over the interests of the general public. Such conflicts of interest undermine the public trust that C[c]ity officials and employees will always act impartially in the public interest. Public officials should be particularly scrupulous in avoiding even the appearance of conflict of interest.

Sec. 2-[459] 901 Definitions¹²⁷.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(A) Blind trust means a trust established by an Individual who is a C[c]ity officer, official, employee, or a member of any board, commission or agency or member of the Individual's [his/her] immediate family for the purpose of divestiture of all control and knowledge of assets.

(B) Business with which the Individual [he/she] is associated means any sole proprietorship, partnership, firm, corporation, trust or other entity through which business for profit or not for profit is conducted in which an officer or official or C[c]ity employee or any member of any board, commission or agency or member of the individual's [his or her] immediate family is a director, officer, owner, limited or general partner, beneficiary of a trust or holder of stock constituting five (5) percent or more of the total outstanding stock of any class. Officer refers only to the president, executive or senior vice president or treasurer of such business.

(C) Commission means the C[c]ity ethics commission established in § [section] 2-473 of this division.

(D) Contract management authority means personal involvement in or direct supervisory responsibility for the formulation or execution of a C[c]ity contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiations of contract terms or supervision of performance.

¹²³ §2-465 et seq. is a recodification and minor modification of the revised contents of current Division 7 entitled "Code of Ethics", including current §§2-456 through 2-480. Historical Editor's Note: Division 7, formerly entitled, "Conflict of Interest", was originally derived from the Code of 1977, §§ 2-201--2-210. Ord. No. 13-93, adopted May 10, 1993 repealed this division and substituted a new division in its place.

¹²⁴ Derived from current §2-456 (Ord. No. 13-93, 5-10-93).

¹²⁵ Derived from current §2-457 (Ord. No. 13-93, 5-10-93).

¹²⁶ Recodification and minor modification of current §2-458 (Ord. No. 13-93, 5-10-93).

¹²⁷ Recodification and minor modification of current §2-459 (Ord. No. 13-93, 5-10-93; Ord. No. 44-96, 9-23-96; Ord. No. 5-01, 5-29-01).

(E) *Council* means each and every member of the council including the mayor.

(F) *Employee* means each and every person employed by the C[c]ity in any capacity whether as a C[c]lassified E[e]mployee, U[u]nclassified E[e]mployee, or on a contractual basis, permanent or temporary, full-time or part-time and all E[e]mployees of the board of education.

(G) *Financial gain* means money, thing of value or other pecuniary benefit received worth in excess of fifty dollars (\$50.00).

(H) *Financial interest* means:

(1) Any source of income, direct or indirect, from which a person has received, within the past three (3) years, or is presently receiving, or in the future is entitled to receive, more than five hundred dollars (\$500.00) per year; or

(2) Ownership, or the ownership of securities of any kind representing or convertible into ownership, of more than three (3) percent of a business entity; or

(3) Ownership of any other interest worth more than one thousand dollars (\$1,000.00).

(I) *Gift* means a payment, subscription, advance, forbearance, rendering of services, deposit of money, or anything of value unless consideration of equal or greater value is received, including but not limited to money, meals, services, loans, travel, entertainment, hospitality, promises, or any other forms which can reasonably be inferred as seeking to influence or [and/or] reward an officer, official, employee or member of a board, commission or agency in the carrying out of their official C[c]ity duties. "Gift" shall not include a political contribution otherwise reported as required by law; services provided without compensation by persons volunteering their time; a commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business; a gift received from an individual's spouse or the parent, brother or sister of such spouse or such individual, or the child or spouse of such child; a certificate, plaque or other ceremonial award costing less than one hundred dollars (\$100.00); gifts costing less than one hundred dollars (\$100.00) in the aggregate or food or beverage provided at a hospitality suite at a meeting or conference of an interstate or national municipal or governmental association, by a person who is not doing business with the City [of Hartford]; food or beverage or both, costing less than fifty dollars (\$50.00) per person and consumed on a single occasion at which the person paying, directly or indirectly, for the food or beverage, or the [his or her] representative of the person paying, is in attendance; or anything having a value of not more than twenty-five dollars (\$25.00), provided the aggregate value of all things provided by a donor to a recipient under this exception shall not exceed one hundred dollars (\$100.00) in any calendar year.

(J) *Immediate family* means any spouse, children or dependent relatives who reside in the individual's household.

(K) *Individual* means a natural person.

(L) *Individual with which one is associated* means an individual with whom the person or member of the person's [his] immediate family mutually has an interest in any business.

(M) *Interest* means any legal or equitable interest, of value or capable of valuation, whether or not subject to an encumbrance or a condition, which was or is owned or held, in whole or in part, jointly or severally, directly or indirectly.

(N) *Member of any board, commission or agency* means each and every person appointed by the council[,] or the mayor [or the city manager], to any authority, board, commission or agency, whether autonomous or not, of the C[c]ity.

(O) *Officers and officials* means each and every person elected or appointed to C[c]ity office including but not limited to members of the council, the mayor, [the city manager,] department heads, corporation counsel, town and city clerk of the C[c]ity, members of the board of education and officials of the board of education.

(P) *Person* means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, whether or not operated for profit.

(Q) *Personal gain* means an advantage or benefit not of a financial nature.

(R) *Personal interest* means a private involvement of an I[*i*]ndividual [and/or his/her relatives] or a relative of the Individual from which [he/she/they] the Individual or the relative may derive an advantage or benefit of a non-financial nature.

(S) *Relative* means a person who is related to an officer, official, employee or member of any board, commission or agency as spouse or as any of the following, whether by blood, by marriage or by adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister.

Sec. 2-[460] 902 Prohibited generally¹²⁸.

(A) No Individual who is an officer, official, employee or member of any board, commission or agency, whether paid or unpaid, shall engage in any business or transaction or have a financial, or personal, interest, direct or indirect, which is incompatible with the proper discharge of [his/her] the Individual's official duties in the public interest or would tend to impair the Individual's [his/her] independence of judgment and action in the performance of the Individual's [his/her] official duties. Nor shall the Individual [he/she] engage in any financial dealings with any persons whose activities are regulated or supervised by the Individual's [his/her] department, board, commission or agency or accept a gift from such persons.

(B) Use of any and all C[c]ity equipment or supplies to which an Individual who is an officer, official or employee has access in the course of the Individual's [his/her] C[c]ity duties must be restricted only to those duties. The Individual [He/she] shall not employ such equipment for personal use or for any other purposes except those related directly to the Individual's [his/her] C[c]ity duties. The Individual [He/she] shall not pressure or otherwise coerce other C[c]ity officers, officials or employees to use such equipment for anything other than work related to the Individual's [his/her/their] official duties. No labor shall be performed for any person[s] or on any job while on C[c]ity time except that which is part of the Individual's [one's] official duties. No supervisor shall pressure or otherwise coerce C[c]ity employees to perform labor outside C[c]ity time. Supervisors shall be especially sensitive to the fact that even asking for labor may be perceived by the employee as a subtle form of pressure.

(C) A conflict of interest exists if an Individual who is an officer, official or employee or member of any board, commission or agency or their relatives, directly or indirectly, may receive financial gain or personal gain from the outcome of, or have a financial interest in, any matter under consideration before the Individual [him or her] in the Individual's [his or her] official capacity. In the case of a member of council or a member of a board, commission or agency, such member [person] shall disclose on the public record of such public body, the existence of any such interest and the member may not vote or otherwise act [shall disqualify himself/herself from voting or acting] on such matters.

(D) A conflict of interest exists if any officer, official, employee or member of any board, commission or agency, has a financial or personal interest in any matter which may be adverse to the public interest in the proper performance of their governmental duties or an interest in speculative or investment activities that would benefit from use of confidential information gained from such officers, officials, employees or members.

(E) No officer, official or employee shall hold two or more P[p]ositions in C[c]ity government, [(]whether paid or unpaid[)], if any of those P[p]ositions constitute a conflict of interest or have the appearance of a conflict of interest.

(F) No provision of this code of ethics shall be understood to deny employees or other officials or officers who have not been elected to represent a public constituency the right to participate in political activities provided that they do not actively represent candidates or electoral issues in the course of or in connection with official duties. E[e]mployees shall not identify support of or opposition to a candidate or issue with their official Position or use C[c]ity resources in this regard. No officer, official, employee or member of any board, commission or agency of the C[c]ity shall compel, coerce or intimidate any other officer, official, employee or

¹²⁸ Recodification and minor modification of current §2-460 (Ord. No. 13-93, 5-10-93).
Substitute Council Submission II 63
Revised 8/1/2005 2:24 PM

member of any board, commission or agency of the C[c]ity to make or refrain from making, or solicit any political contribution.

(G) All financial or personal interests of an officer, official, employee or member of any board, commission or agency which have the potential for a conflict of interest shall be disclosed in writing to the Mayor or a designee thereof [city manager] and city council whenever such potential presents itself.

Sec. 2-[461] 903 Disclosure of confidential information¹²⁹.

(A) No Individual, who is an officer, official, employee or member of any board, commission or agency, shall use or disclose confidential information concerning the property, government or affairs of the C[c]ity for the purpose of advancing the financial or personal interests of the Individual [himself/herself] or other persons.

(B) Former officers and officials shall not use confidential information gained in their service to the C[c]ity for the financial gain or personal gain of any person[(s)].

(C) Information that is shared in council executive sessions and caucuses as confidential shall not be disclosed.

Sec. 2-[462] 904 Appearance and intervention on behalf of others¹³⁰.

(A) No Individual, who is an officer, official or employee shall appear before the council or any board, commission, department or agency of the C[c]ity on behalf of private persons in any matter which will be in conflict with the Individual's [his/her] duties as such officer, official or E[e]mployee may appear before C[c]ity agencies on behalf of the Individual's [his/her] constituents in the course of the Individual's [his/her] duties as a representative of the electorate or the performance of civic obligations provided that no retainer, compensation or gift shall be accepted in connection with such representation.

(B) Former officers and officials shall be prohibited from representing for compensation any persons in their business with the C[c]ity for two (2) years after the end of their service if the officer or official participated personally and substantially in the subject matter of the transaction during the officer's or official's [his/her] term of office or employment; provided that if the officer or official exercised contract management authority with respect to a contract, this prohibition shall be permanent as to that contract.

(C) Former employees shall be prohibited from representing for compensation any persons in their business with the C[c]ity for one (1) year after the end of their service, if the employee participated personally and substantially in the subject matter of the transaction during the employee's [his/her] employment; provided that, if the employee exercised contract management authority with respect to a contract, this prohibition shall be permanent as to that contract.

(D) If members of the council, in the course of their business or profession, currently represent persons with matters before council for determination by that body, then in such cases the council member shall disclose such representation and shall promptly abstain from such consideration, determination and council action. If a matter connected with such representation requires solely administrative action by a department or agency of the C[c]ity, then no direct personal intervention or representation shall be undertaken by the council member with such department or agency. If a council member does desire to intervene personally in such a matter before a department head or agency, the council member [he] shall formally present the matter under consideration in writing to the Mayor [city manager] and any action required shall thereafter be undertaken through the office of the Mayor [city manager thereafter].

(E) If a member of the council has a conflict of interest involving a zoning matter or amendment, the council member in conflict shall be disqualified from acting on the amendment or change, shall abstain from voting thereon, shall in no fashion attempt to influence the vote of other members of council, and shall place on the public record at the public hearing the reasons for the disqualification and conflict of interest including relationships with any parties that may be interested in the zone change or amendment.

¹²⁹ Recodification and minor modification of current §2-461 (Ord. No. 13-93, 5-10-93).

¹³⁰ Recodification and minor modification of current §2-462 (Ord. No. 13-93, 5-10-93).

Sec. 2-[463] 905 Violations; contracts¹³¹.

Any contract, agreement or business engagement entered into in violation of this code of ethics shall render the transaction void where so provided in the charter, otherwise same shall be voidable.

Sec. 2-[464] 906 Disclosure of financial interests; filing requirements¹³².

(A) Each of the following individuals shall file, under penalty of false statement, a statement of financial interests for the preceding calendar year with the ethics commission on or before the first of May of the following year in which they hold such a Position:

- (1) Mayor;
- (2) Members of the C[c]ourt of C[c]ommon C[c]ouncil;
- (3) City I[t]reasurer;
- (4) Assistant city treasurers;
- (5) Chief Operating Officer;
- (6) Chief of Staff;
[Deputy Chief Operating Officer; (7) Assistants to the Chief Operating Officer;]
- (7 [8]) Corporation counsel;
- (8 [9]) Deputy corporation counsel;
- (9 [10]) Department heads;
- (10 [11]) Deputy and assistant department heads;
- (11 [12]) Directors of information services and human relations;
- (12 [13]) Executive director of redevelopment;
- (13 [14]) Members of the board of education;
- (14 [15]) Superintendent of schools;
- (15 [16]) Members of the redevelopment agency;
- (16 [17]) Members of the zoning board of appeals;
- (17 [18]) Members of the Hartford parking authority;
- (18 [19]) Commissioners of the Hartford economic development commission;
- (19 [20]) Members of the board of assessment appeals;
- (20 [21]) Registrars of voters;
- (21 [22]) City clerk; and
- (22 [23]) Members of the ethics commission.
[City manager;
Deputy city manager;
Assistant city managers and assistants to the city managers;]

Any such Individual who leaves said [his/her] office or P[p]osition shall file a statement of financial interests covering that portion of the year during which the Individual [he or she] held the [his/her] office or P[p]osition. In addition, any I[i]ndividual who is appointed to such an office or P[p]osition shall file a statement of financial interest for the calendar year preceding the year of [his/her] appointment to the office or position. The commission shall notify all such I[i]ndividuals of the requirements of this subsection within thirty (30) days after their departure from, or

¹³¹ Recodification and minor modification of current §2-463 (Ord. No. 13-93, 5-10-93).

¹³² Recodification and minor modification of current §2-464 (Ord. No. 13-93, 5-10-93; Ord. No. 45-96, 9-23-96; Ord. No. 11-97, 4-28-97; Ord. No. 57-98, 10-26-98; Ord. No. 15-99, 9-27-99).

appointment to, such office or P[p]osition. Such I[i]ndividuals shall file such statement within sixty (60) days after receipt of the notification.

(B) The statement shall include the following information for the preceding calendar year in regard to the I[i]ndividual required to file the statement and the Individual's [his/her] immediate family:

- (1) The names of all businesses with which associated;
- (2) The names of all I[i]ndividuals with which associated;
- (3) The names of all employers;
- (4) The existence of any known blind trust and the names of the trustees;
- (5) All real property located within the C[c]ity, and its location, owned or leased for a term of five (5) years or more by such I[i]ndividual or the Individual's [his/her] immediate family, and all such real property owned or so leased held in the name of a corporation, partnership or trust for the benefit of such I[i]ndividual or the Individual's [his/her] immediate family; and
- (6) Any leases or contracts with the C[c]ity held or entered into by the I[i]ndividual or a business with which the Individual [he/she] was associated.

(C) The statement filed pursuant to this section shall be a matter of public information.

(D) Any I[i]ndividual who is unable to provide information required under the provisions of subsection (B) of this section by reason of impossibility may petition the commission for a waiver of the requirements.

(E) Any I[i]ndividual who fails to file the statement of financial interests or other information as required by this section and is found by the ethics commission to be in violation of this section, may be fined up to ten dollars (\$10.00) per day, by the commission, for each violation. Each violation of this section shall be a separate offense and in the case of a continued violation, each day thereof shall be deemed a separate offense. In no event shall the aggregate penalty imposed for failing to file the statement or other information exceed two thousand dollars (\$2,000.00).

Sec. 2-[465] 907 Duty to disclose¹³³.

(A) All officers, officials, employees and members of any board, commission or agency who have knowledge of or believe there to be violations of any provisions in this code of ethics are duty-bound to report those violations to the ethics commission. Such reports shall be in good faith and the C[c]ity in turn guarantees that no reprisals against a reporter of such violations will be taken, [(provided that such charges are not later proven to have been both malicious and false)]. All persons against whom such charges have been made will have full access to all the protections of due process as spelled out by the ethics commission. Appropriate sanctions will also be taken against any person who is found to have falsely and maliciously charged another with violations of the code of ethics.

(B) Persons who are proven to have had knowledge of violations of the code of ethics and who failed to report such violations will be regarded as having condoned those violations.

Sec. 2-[466-470] 908 Commission created; memberships; terms; vacancies¹³⁴.

(A) **Created.** There shall be an ethics commission, hereinafter referred to as the commission, consisting of five (5) electors of the C[c]ity who shall serve for three-year terms without compensation, except reimbursement for expenses incurred in performance of commission duties, and who shall be appointed by the mayor with the approval of council. This commission is established pursuant to C.G.S. §7-148h, and shall be bound by that section in its proceedings and determinations. No member shall:

- (1) Hold or campaign for public office;

¹³³ Recodification and minor modification of current §2-465 (Ord. No. 13-93, 5-10-93).

¹³⁴ Recodification and minor modification of current §2-466 (Ord. No. 13-93, 5-10-93).

- (2) Have held or been a candidate for public office during the three-year period prior to appointment;
- (3) Hold office in any political party or political committee;
- (4) Be a C[c]ity employee;
- (5) Employ or be employed as a person required to register as a lobbyist; or
- (6) Hold any financial interest in any work or business of the C[c]ity or official action by the C[c]ity.

(B) Terms. The terms of membership will be three (3) years and staggered (of the first members appointed two (2) shall serve for 3 years, two (2) for 2 years, and one (1) for 1 year). No more than three (3) members may have the same political party affiliation. Members may be removed by a two-thirds (2/3) majority vote of the commission only for neglect of duty, misconduct in office, or inability to discharge powers and duties, provided the member shall have been served with a written notice of the intention to remove the member [him/her], containing a clear statement of the grounds for such removal and of the time and place, not less than ten (10) days after the service of such notice, at which the member [he/she] shall be given an opportunity to be heard thereon. After such hearing, which shall be public at the option of the member and at which the member [he/she] may be represented by counsel, the action of the commission shall be final. From the service of notice until final action by the commission the member shall be ineligible to perform the duties of the commission. Each member shall be a resident of the C[c]ity and shall serve for the term for which the member [he/she] is appointed and qualified. At the expiration of each member's term, the member [he/she] may be reappointed or a successor appointed for another term. An incumbent shall remain in office until reappointed or a successor is appointed. No member may serve more than two (2) consecutive terms. In the event of the death, resignation or removal of any member of the commission, the [his/her] successor to the member shall be appointed by the M[m]ayor to serve the unexpired period of the term for which such member has been appointed. The commission shall annually designate one (1) member to act as chairperson of the commission.

(C) Duties¹³⁵. The duties of this commission are:

- (1) To investigate and hear any reported allegations, make findings, and to take any appropriate disciplinary or enforcement actions pursuant to this code of ethics;
- (2) To render advice, which may include written advisory opinions, to the city council, corporation counsel, or any other public employee or official on this code of ethics;
- (3) To recommend legislative action as it may deem appropriate to effect the policy of this Code;
- (4) To prepare and publish, from time to time but at least annually, reports summarizing the commission's activities, which reports shall be presented to the mayor[, city manager] and city council; and
- (5) To educate all current and new officers, officials, employees, and members of any board, commission or agency about the code of ethics.

(D) Meetings; Quorum; Voting; Chairperson¹³⁶. In order to be eligible to vote, attendance is mandatory at all prior meetings on the issue. Three (3) members of the five-member commission constitute a quorum, and a majority vote of the quorum is necessary for any action to take place. The chairperson will serve a full term even when the initial membership is staggered. The chairperson [He or she] will preside over all meetings and may call special meetings. Otherwise, the chairperson has power equal to all other members.

(E) Procedural Regulations. The commission shall establish its bylaws and all other regulations governing its operations, meetings, and hearings. No hearing shall be held by the commission until such time as the commission has adopted rules of procedure governing said hearings and such rules have been approved by the council.

(F) Assistance of the Corporation Counsel. The corporation counsel

¹³⁵ Recodification of current §2-467 (Ord. No. 13-93, 5-10-93).

¹³⁶ Sub-sections (D), (E) and (F) are a recodification of current §2-468 (Ord. No. 13-93, 5-10-93).

shall be available to the commission to advise the commission on legal matters and to represent the commission when necessary.

(G) Staff¹³⁷. Staff for the commission shall include a secretary and other personnel as is necessary to enable the commission to carry out its functions.

(H) Enforcement¹³⁸. The primary responsibility of the commission is to enforce the code of ethics. The commission shall have the power to investigate any reported allegations, to hold hearings, and to recommend disciplinary action to appropriate parties in accordance with C[c]ity procedures and policies. Sanctions may include but are not limited to fines, termination of employment, suspension without pay, and/or censure. If the commission believes an activity to be illegal, it shall report its findings to the appropriate authority for investigation.

Sec. 2-909 – 2-914 Reserved for Future Use.

¹³⁷ Recodification of current §2-469 (Ord. No. 13-93, 5-10-93).

¹³⁸ Recodification of current §2-470 (Ord. No. 13-93, 5-10-93).

[DIVISION 5] ARTICLE XX. GROUP INSURANCE AND SERVICE BENEFITS¹³⁹

Sec. 2-[416] 915. Authorized¹⁴⁰.

(A[a]) The director of finance shall, from annual appropriations made by the council for employee group insurance and service benefits, purchase in accordance with the rules and regulations in § [section] 2-917 [418] the following insurance and service benefits for all full-time, permanent, active employees of the city, its several municipal departments and agencies, as defined in the charter and amendments thereto, listed on the payrolls of the city and appointed, unclassified, salaried personnel and for those eligible for benefits under this division by virtue of the charter, resolutions and ordinances of the city, and such other employees presently covered under the existing insurance plan:

- (1) Group term life insurance and accidental death and dismemberment insurance;
- (2) Hospitalization services;
- (3) Medical and surgical services;
- (4) Extended medical catastrophic indemnity insurance;
- (5) Dental insurance.

(B[b]) In addition, said director [he] shall purchase group term life insurance for eligible pensioners under the city pension plan at a reduced principal sum in accordance with rules and regulations in § [section] 2-917 [418].

(C[c]) In lieu of purchasing insurance for any of these benefits, the director of finance may establish a self-insurance program to underwrite their costs. Such self-insurance program shall include claims processing service, maintenance of actuarially-determined reserve funds and purchase of excess insurance or other provisions to limit the city's risk exposure.

(D[d]) Commencing July 1, 1992, all full-time, non-bargaining unit employees in the administrative series, appointees of the mayor, council and elected officials and their unclassified appointees[, city manager appointees] and elected officials shall pay (10%) ten dollars (\$10.00) per week towards the cost of the group health insurance premiums for the insurance provided in section (A[a]) 2, 3, 4 and 5 above.

(E[e]) Commencing July 1, 1993, all full-time, non-bargaining unit employees in the administrative series, appointees of the mayor, council and elected officials and their unclassified appointees[, city manager appointees] and elected officials shall pay [20%] twenty dollars (\$20.00) per week towards the cost of the group health insurance premiums for the insurance provided in section (A[a]) 2, 3, 4 and 5 above.

(F[f]) Commencing July 1, 1992, all non-bargaining unit employees not covered by section (D[d]) above shall pay ten dollars (\$10.00) per week towards the cost of the group health insurance provided in section (A[a]) 2, 3, 4 and 5 above.

¹³⁹ §2-915 et seq. is a recodification and minor modification of the revised contents of current Division 5 entitled "Group Insurance and Service Benefits". **State law references:** Authority to provide group insurance, G.S. § 7-464.

¹⁴⁰ Recodification and minor modification of current §2-416. Code 1977, § 2-174; Ord. No. 22-91, 5-28-91; Ord. No. 30-92, 6-22-92)

(G[g]) Commencing July 1, 1993, all non-bargaining unit employees not covered by section (E[e]) above shall pay twenty dollars (\$20.00) per week towards the cost of the group health insurance provided in subsection (A[a])(2), (3), (4) and (5) above.

Sec. 2-[417] 916. Eligibility¹⁴¹.

All eligible employees shall be entitled to the coverages listed in § [section] 2-915 [416] without premium cost for employee coverages except group term life insurance and accidental death and dismemberment insurance in accordance with the rules and regulations in § [section] 2-917 [418].

Sec. 2-[418] 917. Regulations authorized; filing, approval¹⁴².

The director of finance shall be empowered to make rules and regulations governing the detailed administration of this division. Said director [He] shall file with the city clerk a copy of such rules and regulations and benefits and amendments thereto and revisions thereof. The city clerk shall cause these to be presented to the council in the form of a resolution for its approval or disapproval as required by §§ [sections] 2-1 and 2-2 and they shall become effective five (5) days after approval by the council.

Sec. 2-[419] 918. Reserve for contingencies¹⁴³.

For the purpose of providing for group term life insurance and accidental death and dismemberment insurance contingencies, the director of finance is authorized to establish an insurance reserve for contingency fund with the insurance carriers, such fund to be limited to five (5) times the monthly premium payment for this coverage.

Sec. 2-[420] 919. Group accident insurance for unpaid members of boards, commissions, etc...¹⁴⁴.

The director of finance shall purchase yearly, pursuant to [G.S.] §31-275 of the Connecticut General Statutes, at the expense of the city from sums appropriated by the council, workers' compensation insurance covering elected and appointed members of official city boards, commissions and committees, established by charter, statute, ordinance or resolution, while such members are on official city business or acting within the scope of responsibilities required of them in their capacity as a city official.

Sec. 2-[421] 920. Benefits for nonbargaining unit employees retiring pursuant to incentive program¹⁴⁵.

(A[a]) Any nonbargaining unit employee of the city, any nonbargaining unit member of the Hartford Public Library and any member of the collective bargaining unit Communication Workers of America, Local 1298 ("CWA"), provided that CWA has agreed to the provisions of this paragraph (hereinafter referred to in this paragraph as "employee"), who either is, or, by operation of subsection (1) below, becomes, eligible to take an early or normal retirement between April 15, 2003 and May 30, 2003, both dates inclusive, and who takes an early or normal retirement and whose last day of work is between April 15, 2003 and May 30, 2003, both dates

¹⁴¹ Recodification and minor modification of current §2-417. Code 1977, § 2-175.

¹⁴² Recodification and minor modification of current §2-418. Code 1977, § 2-176.

¹⁴³ Recodification and minor modification of current §2-419. Code 1977, § 2-177.

¹⁴⁴ Recodification and minor modification of current §2-420. Code 1977, § 2-178; Ord. No. 3-85, 1-16-85.

¹⁴⁵ Recodification and minor modification of current §2-421. Ord. No. 9-03, 4-14-03.

inclusive, and who, between 8:30 a.m. EST, March 10, 2003 and 4:30 p.m. EST, April 15, 2003, both dates and times inclusive, notifies, the personnel department, in writing, on a form provided by the personnel department or its equivalent, of his or her intention to retire on or before May 30, 2003, shall be entitled to the benefit listed below. In those instances where a May 30, 2003 retirement would cause an undue hardship to city operations, the city manager may grant a deferment in such cases to city employees which would enable those employees to continue to work beyond May 30, 2003, and still receive the benefit as set forth herein, providing their last day of work for the city occurs on or before September 26, 2003.

(1) In addition to any payments made by the city toward the cost of health insurance as provided for by contract, ordinances or resolution, any such employee shall be entitled to receive the same health insurance benefits as he or she was receiving while employed by the city, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium or equivalent monthly premium, for a period of one (1) year from the date of retirement.

(B[b]) Any member of the following collective bargaining units, MLA CHPEA and HMEA, provided that the members respective collective bargaining unit has agreed to the provisions of this paragraph, (hereinafter referred to in this paragraph as "employee"), who either is, or, by operation of subsection (1) below, becomes, eligible to take an early or normal retirement between April 15, 2003 and May 30, 2003, both dates inclusive, and who takes an early or normal retirement and whose last day of work is between April 15, 2003 and May 30, 2003, both dates inclusive, and who, between 8:30 a.m. EST. March 10, 2003 and 4:30 p.m. EST, April 15, 2003, both dates and times inclusive, notifies, the personnel department, in writing, on a form provided by the personnel department or its equivalent, of the individuals [his or her] intention to retire on or before May 30, 2003, shall be entitled to the benefit listed below. In those instances where a May 30, 2003 retirement would cause an undue hardship to city operations, the Chief Operating Officer [city manager] may grant a deferment in such cases to city employees which would enable those employees to continue to work beyond May 30, 2003, and still receive the benefit as set forth herein, providing their last day of work for the city occurs on or before September 26, 2003.

(1) In addition to any payments made by the city toward the cost of health insurance as provided for by contract, ordinances or resolution, any such employee shall be entitled to receive the same health insurance benefits as the individual [he or she] was receiving while employed by the city, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium or equivalent monthly premium, for a period of one (1) year from the date of retirement.

(C[c]) Any member of the collective bargaining unit AFSCME, Local 1716, provided that the collective bargaining unit has agreed to the provisions of this paragraph, (hereinafter referred to in this paragraph as "employee"), who either is eligible to take an early or normal retirement between April 15, 2003 and May 30, 2003, both dates inclusive, and who takes an early or normal retirement and whose last day of work is between April 15, 2003 and May 30, 2003, both dates inclusive, and who notifies, in writing, the personnel department of his or her intention to retire on or before April 22, 2003, shall be entitled to the benefit listed below.

(1) In addition to any payments made by the city toward the cost of health insurance as provided for by contract, ordinances or resolution, any such employee shall be entitled to receive the same health insurance benefits as he or she was receiving while employed by the city, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium

or equivalent monthly premium, for a period of one (1) year from the date of retirement.

Sec. 2-[422] 921. Benefits for collective bargaining unit employees retiring pursuant to incentive program¹⁴⁶.

Any employee of the Hartford Public Library who is a member of the collective bargaining unit Evelyn Ball Professional/Non-Professional Units, Local 1716, Council 4, American Federation of State, County and Municipal Employees, AFL-CIO ("Evelyn Ball"), provided that Evelyn Ball has agreed to the provisions of this paragraph (hereinafter referred to in this paragraph as "employee"), who either is, or, by operation of subsection (1) below, becomes, eligible to take an early or normal retirement between April 15, 2003 and May 30, 2003, both dates inclusive, and who takes an early or normal retirement and whose last day of work is between April 15, 2003 and May 30, 2003, both dates inclusive, and who, between 8:30 a.m. EST, March 10, 2003 and 4:30 p.m. EST, April 15, 2003, both dates and times inclusive, notifies, the head librarian, in writing, on a form provided by the head librarian or its equivalent, of his or her intention to retire on or before May 30, 2003, shall be entitled to the benefit listed below. In those instances where a May 30, 2003 retirement would cause an undue hardship to library operations, the head librarian may grant a deferment in such cases to employees which would enable those employees to continue to work beyond May 30, 2003, and still receive the benefit as set forth herein, providing their last day of work for the city occurs on or before September 26, 2003.

(1) In addition to any payments made by the city toward the cost of health insurance as provided for by contract, ordinances or resolution, any such employee shall be entitled to receive the same health insurance benefits as he or she was receiving while employed by the city, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium or equivalent monthly premium, for a period of one (1) year from the date of retirement.

Sec. 2-[423] 922. Benefits for employees of the Hartford Board of Education retiring pursuant to incentive program¹⁴⁷.

(A[a]) Any nonbargaining unit employee of the Hartford Board of Education (the "HBOE"), and any other employee of the HBOE who is a member of the HFSP, HSSA, HFSHP, HFSS, Local 818 or HFP collective bargaining units, provided that the member's bargaining unit has agreed to the provisions of this subsection (8) [Chapter III, section 3(8) of the Charter], (hereinafter referred to in this subsection as an "employee") who either is, or, by operation of subparagraph (B) below [Chapter III, section 3(8)(B) of the Charter], becomes, eligible to take an early or normal retirement between May 15, 2003 and June 30, 2003, both dates inclusive, and who takes an early or normal retirement and whose last day of work is between May 15, 2003 and June 30, 2003, both dates inclusive, and who, between 8:30 a.m. EST, April 14, 2003 and 4:30 p.m. EST, May 15, 2003, both dates and times inclusive, notifies the human resources department of the HBOE, in writing, on a form provided by such department or its equivalent, of his or her intention to retire on or before June 30, 2003, shall be entitled to the adjustments in both his or her eligibility to qualify for a pension and in the calculation of his or her pension benefits as described in this subsection. In those instances where a June 30, 2003 departure date would cause an undue hardship to HBOE operations, the superintendent may grant a deferment in such cases to employees which would enable those employees to continue to work beyond June 30, 2003, and still receive their retirement allowance as set forth herein,

¹⁴⁶ Recodification and minor modification of current §2-422. Ord. No. 11-03, 4-28-03.

¹⁴⁷ Recodification and minor modification of current §2-423. Ord. No. 19-03, 5-27-03.

providing their last day of work for the HBOE occurs on or before September 26, 2003.

(1) In addition to any payments made by the city toward the cost of health insurance as provided for by contract, ordinances or resolution, any such employee shall be entitled to receive the same health insurance benefits as he or she was receiving while employed by the city, under the same terms as said health insurance benefits had been provided, except that such employee shall not be required to make payments for the insurance premium or equivalent monthly premium, for a period of one (1) year from the date of retirement.

Secs. 2-922--2-925. Reserved.

OTHER RECODIFICATIONS

Sec. 2-[332] 43 Appointment of officers by council¹⁴⁸.

At the organizational meeting of the council held [on the fourth Monday of December following the election of the members thereof] in January of each even-numbered year, [the appointment of such officers as are to be appointed by it shall be made,] the council shall elect the council president and shall appoint a town and city clerk and other officers, except as otherwise provided by law.

Sec. 2-[333] 44 How vacancies filled¹⁴⁹.

(A) If a vacancy occurs in any city office, such vacancy shall be filled by the appointing authority pursuant to the Charter or this Code of Ordinances.

[If a vacancy occurs in any appointed C[c]ity or town office, [such] the vacancy may be filled, after nomination by the nominating authority, at any regular meeting of the council or at any other meeting of the council specially warned for that purpose. The [person] individual chosen to fill the vacancy, when qualified, according to law, shall be vested with all the powers and functions pertaining to the office for the full unexpired portion of the term in which the vacancy has occurred and shall be entitled to such part of the salary and emoluments of the office as shall be justly proportioned to the time for which [he] the individual shall hold the office.]

(B) If a vacancy occurs in an elective office, the vacancy shall be filled in the manner provided in chapter III, §4(c) of the Charter¹⁵⁰.

Sec. 2-[334] 45 Oath of office¹⁵¹.

Before any person [officer of the city] required by the Connecticut General Statutes or by ordinance to be sworn shall be qualified to enter upon the duties of [his] office, [he] the individual shall receive from some [person] individual qualified to administer oaths a form of oath specifying the office for which [he] the individual is qualifying and requiring [him] the individual to perform all the duties and obligations thereof, faithfully and uprightly, according to the best of [his] the individual's ability, during the full term for which [he] the individual shall hold or continue in such office by election or reelection. Such person [officer] shall receive from the [person] individual administering the oath a certificate that the oath has been administered in due and legal form, and shall lodge the certificate with the city clerk, to be kept on file by [him] the clerk; provided, however, that when any such oath shall be administered by any qualified [person] individual at any meeting of the council, a record of the fact by the clerk of the council, as a part of the proceedings of such meeting naming the [person] individual present and sworn, shall be sufficient without a certificate. Whenever any person [officer] continues in [his] office by reelection or reappointment no new oath shall be required of [him] said person.

Sec. 2-[336] 46 Administrative support for council¹⁵².

The employees of the council shall be as follows:

(A) Each council member may appoint an executive assistant who shall serve at the pleasure of, and whose duties shall be prescribed by, the council member making said appointment. Such executive assistant shall be an Unclassified Employee [a member of the unclassified service].

(B) The council may authorize the council president to employ such other staff and assistants as deemed necessary for conducting official business.

¹⁴⁸ Recodification and minor modification of current §2-332 (Code 1977, § 2-127). **Charter references:** Appointments by council, Ch. III, §15.

¹⁴⁹ Recodification and minor modification of current §2-333 (Code 1977, §2-128).

¹⁵⁰ Amendments to subsection (a) clarify that those provisions apply to vacancies that occur in appointive offices. Subsection (b) was added to refer to the charter procedures for filling vacancies for elective offices.

¹⁵¹ Recodification and minor revisions of current §2-334 (Code 1977, § 2-129). **Charter references:** Authority to provide form of oaths of city officers, Ch. III, § 14.

¹⁵² Recodification and minor revisions of current §2-336 (Code 1977, § 2-40; Ord. No. 11-92, 1-13-92; Ord. No. 15-95, 7-10-95; Ord. No. 4-98, 4-13-98; Ord. No. 1-02, 1-14-02).

This ordinance shall take effect upon adoption.