

**CURRY COUNTY ORDINANCE NUMBER 2011- 02
AN ORDINANCE AMENDING CURRY COUNTY PERSONNEL POLICY**

WHEREAS, Curry County has, on October 7, 2010, adopted Ordinance #2010-03, which is the Curry County Personnel Policy; and,

WHEREAS, Curry County has determined that there is a need for amendments and modifications to said Personnel Policy.

BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CURRY, STATE OF NEW MEXICO, that on this 20th day of December, 2011, the Curry County Personnel Policy, Ordinance #2010-03 be and the same hereby is modified and amended as follows:

A. SECTION 1. GENERAL PROVISIONS shall be amended as follows:

- 1) Section G. MODIFICATION/CHANGE in the original policy is deleted in its entirety.
- 2) A new Section G. MODIFICATION/CHANGE shall be added to the policy, which shall read as follows:

The County Commissioners may, from time to time, change, modify, delete or alter any and/or all of the terms and provisions contained herein and may also add or substitute any new, additional or alternate provisions to this policy as they deem appropriate.

Changes, amendments and/or revisions to this Personnel Policy can be made by the adoption of an ordinance or by adoption of resolutions by the Curry County Commission. Any such changes, modifications or amendments, when approved and adopted by the Curry County Commission, shall become effective and shall become a part of this policy, and shall apply to all County personnel on the date approved by the Curry County Board of County Commissioners.

B. SECTION 5. CHANGES IN EMPLOYMENT STATUS shall be amended as follows:

- 1) Section 5 (B) PROMOTION in the original policy is deleted in its entirety.
- 2) A new Section 5 (B) PROMOTION shall be added to the policy, which shall read as follows:

Curry County encourages the professional growth of its employees and rewards the initiative, creativity, effort, commitment, and

diligence of its employees through the promotional process. County employees are encouraged to take advantage of promotional opportunities and apply for higher paying positions for which they qualify. Promoted employees will receive an increase in pay which is commensurate with the new position. A promotion is a movement to a higher classified position within the County's classification plan.

An employee who is promoted will be required to serve a six (6) month probationary period in the new position. This probationary period is an integral part of the evaluation process and is used for observing the employee's performance in the new position. If the employee does not satisfactorily complete this six (6) month probationary period, the employee will be returned to his/her previous position. While the employee is serving the probationary period, the employee's salary will be temporarily increased to reflect the salary at the new position. The salary increase during this probationary period is not a permanent benefit and, the employee acknowledges and understands that should the employee not satisfactorily complete the probationary period and is restored to his/her prior job, the employee's salary will be reduced back down to the salary level it was prior to the probationary period.

Interim Position—an employee may be appointed to interim position at the County with the approval of the County Manager until the position can be posted, background checks performed and interviews conducted. The interim position is a probationary period, and as above, neither the position and/or the pay increase are permanent. While the employee is serving in the interim position, the employee's salary will be temporarily increased to reflect the salary for the interim position. The salary increase during the interim period is not a permanent benefit and, the employee acknowledges and understand that the salary will be reduced back down following the interim appointment to the salary level it was prior to the interim position. Any employee can be transferred back at any time and without any reason to the position prior. Interim periods are for short periods of time not to exceed six (6) months and neither the employee's right to maintain, hold or be promoted to the interim position, nor the increase in pay, are grievable.

All County employees understand and acknowledge that they have no right to a grievance to a determination of their not satisfactorily completing the probationary period and/or to their being restored to their previous position and that pay rate.

C. **SECTION 6. CONDITIONS OF EMPLOYMENT** is modified and amended as follows:

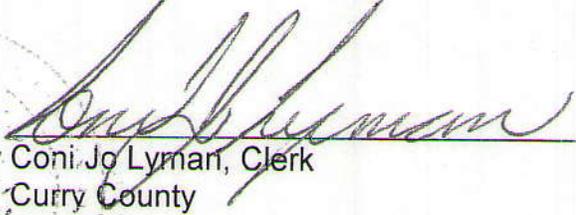
- 1) Section 6 (D) NEPOTISM shall be amended to reflect that a new Subparagraph D(4) shall be added to read as follows:
 - (a) This Curry County Personnel Policy prohibits near relatives, or persons cohabitating, from working in the same department while employed with Curry County.
 - (b) When there is a change in assignment or relative relationships among County employees which leads to both employees sharing the same department, the employee must inform the Department Head in writing within five (5) working days. The Department Head must transmit the letter and a recommended course of action to the County Personnel Director within five (5) working days of receipt of the letter. The County Personnel Director will arrange for the transfer of one of the employees in question and will officially notify those involved within ten (10) working days, if a position is available. If no position is available within three (3) months of notice, one employee will be terminated. Any employee not submitting a letter indicating a change of relative or spousal relationship, as specified in this section, will be disciplined.
 - (c) Employees, hired prior to December 20, 2011, who are near relatives of supervisors or employees in their direct chain of command or persons who are cohabiting with a supervisory employee in their direct chain of command are grand-fathered in for their duration as County employees.

This Ordinance only changes and amends those provisions of the Curry County Personnel Policy set forth in Sections A, B and C hereinabove stated. Each and every other part of the Curry County Policy, Ordinance 2010-03 that are not specifically altered, amended or modified by this Ordinance, are to remain in full force and effect.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2011.

ATTEST TO:


Caleb Chandler, Chairman
Board of Curry County Commissioners


Coni Jo Lyman, Clerk
Curry County