

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 35 - 2022

MAY 18, 2022

AN ORDINANCE

Amending the Codified Ordinance, Part One, Administrative Legislation, Chapter 80 Personnel Policies, Section 4, Recruitment Procedures changing the age for hiring temporary/seasonal from 16 to 15.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Section 80-4 Personnel Policies, Recruitment Procedures shall be amended as follows:

80-4 Recruitment procedures.

- A. Nonuniformed employment. The recruitment of new employees is the responsibility of the Department of Human Resources.
 - (1) Procurement of nonuniformed replacement employees will be generated from the following sources listed in order of priority:
 - (a) Applications or resumes on file in the Department of Human Resources.
 - (b) Individual referred by current City employees other than a relative.
 - (c) Individuals procured through advertising.
 - (d) Applications are screened by the Recruitment Specialist or Human Resources Director. An interview will be conducted by the department head and/or designees.
 - (2) After a conditional offer of employment is made, applicants will be required to undergo a standard drug test, criminal background check and reference check. The screening tests will be scheduled through the HR office with the designated testing facility within 48 hours of offer of conditional employment. Candidates who are unable to successfully pass the drug screen will not be granted employment with the City of Allentown. The City may require a pre-employment physical examination.

- (3) All candidates must comply with recognized safety standards upon work commencement.
- (4) Applicants under 18 years of age will be required to secure proper working papers and will only be permitted to work when all requirements of the law pertaining to hiring of minors have been met.
- (5) Hiring of close relatives will be permitted only when related employees are not working in the same bureau, and there is no direct reporting relationship. Hiring of close relatives may occur because of civil service rules and regulations in the Police and Fire Departments.
- (6) All new nonuniformed employees are required to undergo a 90 actual work days probationary period. "Working days" is defined as available for work and reporting to work. Employees are evaluated at 45 days and 90 days. At the end of this period, a performance evaluation will be conducted by the immediate supervisor in accordance with the respective department's performance standards and general guidelines of this policy manual. The purpose of the probationary period is to give the employee an opportunity to demonstrate proper knowledge, skills, ability, and attitude for the position for which they were hired. Failure to meet acceptable standards will result in dismissal without prior notice or obligation during this period.
- (7) The official personnel file will be maintained in the Department of Human Resources.

B. Regular part-time employees.

- (1) Anyone employed 32 hours or less per week is considered a part-time employee. This employee may work an average of not more than 25 hours per week. Average can be based on annual total. Part-time employees are not entitled to fringe benefits. Employees hired must complete the appropriate paperwork in the Department of Human Resources such as the W-4, I-9 and workers' compensation initial notification document.
- (2) Employment of part-time and seasonal employees will generally be on the basis of applications received and qualifications to perform the duties required. Employment will be governed by proper authorization and monetary limits that are imposed by the budget.
- (3) Part-time employees are subject to a thirty-day lay off in a calendar period.

C. Temporary/seasonal employees.

- (1) Anyone employed for no more than four months who may work up to a maximum of 40 hours per week. Seasonal employees are not entitled to fringe benefits and must complete the appropriate paperwork in the Department of Human Resources such as the W-4, I-9 and workers' compensation initial notification document.
- (2) Seasonal golf course employees working conditions are governed by the memorandum of understandings agreed to between the City and the Union.

D. Employment of minors. Employees under the age of 18 are considered minors. The following procedures will apply in relation to their employment:

(1) No person under age 18 will be hired as a full-time employee and no person under age ~~16~~ 15 will be hired as a temporary/seasonal employee. Employment of minors will be subject to applicable State and Federal laws and regulations.

(2) Minors under the age of 18 may not operate any City vehicles at any time.

E. No hire policy.

(1) As set forth in this manual, it is the City's policy to attempt to rehabilitate deficiencies in employee conduct and job performance before an adverse action is taken with regard to employment status.

(2) Employees who are involuntarily terminated for disciplinary, conduct or performance related reasons are not eligible for rehire as a City employee should such former employee reapply for employment in the future. Performance reasons shall include, but not be limited to, deficient job performance and excessive absenteeism. Disciplinary or conduct related reasons shall include, but not be limited to, all applicable provisions contained within this policy manual as well as collective bargaining agreements and rules and regulations of police, fire and EMS

SECTION TWO: That Pursuant to Section 218 of the Home Rule Charter and upon the affirmative vote of six of seven Councilpersons, the fourteen-day period between introduction and final passage of this legislation is hereby eliminated.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Human Resources

- **Summary and Facts of the Bill**

Currently City does not hire anyone under the age of 16 for part-time and seasonal employment. However, the City provides life guard training and certification for individuals at 15 years of age. This Bill changes the minimum age for 15 for City employment with working papers.

- **Purpose— Please include the following in your explanation:**
 - **What does the Bill do - what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

There are part-time seasonal positions available each summer that could be filled by individuals at 15 years of age, however, the City currently does not allow anyone to be hired under the age of 16.

The City also coordinates with the Red Cross to provide life guard training and certification. Lowering the age requirement to 15 will allow the City to hire these individuals after they are fully certified.

Any individual hired at age 15 is to have working papers and will be subject to applicable State and Federal laws and regulations.

- **Financial Impact — Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

No financial impact.

- **Funding Sources — Please include the following in your explanation: o if transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Part-time and seasonal positions are budgeted under Temporary Wages each year. Lowering the hiring age to 15 will have no impact on the budget.

- **Priority status/Deadlines, if any**

The goal is to have this legislation in place for summer employment.

- **Why should Council unanimously support this bill?**

This will allow the City to hire part-time and seasonal employees at an age allowable by law giving minors an opportunity to work earlier than previously permitted.