

ORDINANCE NO. 5, 2013

AN ORDINANCE AMENDING CHAPTER 52 PERSONNEL AND PERSONNEL PROCEDURES, EMPLOYEE MANUAL, ARTICLE II, EMPLOYMENT AND TERMINATION, B. WORK FORCE REDUCTION/LAYOFF POLICY OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 52, Personnel and Personnel Procedures, Employee Manual, Article II, Employment and Termination, B. Termination, 2. Regulations, b. Work force reduction/layoff policy, ii Procedure is hereby amended to read as follows:

ii. PROCEDURE. In the event the City of Linwood finds it necessary or appropriate to institute a reduction in force, various factors will be considered in determining which employees shall be displaced. Such factors may include, but are not limited to, the following: qualifications, performance record, attendance record, diversity of skills, length of service, etc. In the event that qualifications and performance are found to be equal, seniority will be the controlling factor. In case of non-exempt employees, the department head will make a recommendation to the Council Representative. He or she will make a recommendation to the Mayor or Council depending on who has hiring authority for the position involved. The Mayor or Council shall have absolute discretion in making the final determination as to which employees will be displaced. Employees covered under a collective bargaining agreement will be subject to the terms of their contract. No permanent employee in the classified service or employee serving a working test period after regular appointment shall be laid off or demoted in lieu of layoff until given notice in writing, personally or by certified mail, or the date upon which the layoff or demotion becomes effective. Such notice shall be served at least 21 days before the layoff or demotion, and a copy of the notice will be forwarded to the New Jersey Department of Personnel. Employees receiving notice of a layoff or demoted in lieu of layoff have the right to appeal to the Merit System Board within 20 days of receipt of such notice. Employees should contact their department manager or the City Solicitor with questions regarding the specifics of this policy.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

