

AR 03-03

AN ADMINISTRATIVE REGULATION ESTABLISHING
PRE-SUSPENSION, PRE-DEMOTION AND PRE-TERMINATION
MEETING PROCEDURES

Section 1. Purpose.

Pursuant to Section 21-7-10, 21-7-11 and 21-7-13 of the Hobbs Municipal Code (Personnel Rules for the City of Hobbs), this Administrative Regulation sets forth procedures for pre-suspension, pre-demotion and pre-termination meetings.

Section 2. Procedure.

A regular, non-probationary employee is entitled to an informal hearing prior to a suspension, a demotion or a termination. An employee may waive his rights to a pre-suspension, pre-demotion or pre-termination meeting by providing a written statement to that effect. The pre-suspension, pre-demotion or pre-termination meeting need not definitively resolve the propriety of the action, but shall serve as an initial check against mistaken decisions. Essentially, there should be a determination of whether there are reasonable grounds to believe that the charges against the employee are true and support the proposed action. A record of the meeting shall be made.

In such situations, the informal pre-suspension, pre-demotion and pre-termination processes only require that the regular, non-probationary employee be given:

1. Oral or written notice of the grounds for discipline;
2. A brief explanation of the employer's evidence; and,
3. An opportunity for the employee to tell his/her side of the story.

Section 3. Notice.

The personnel division will use reasonable means to assure the employee receives notice of the pre-suspension, pre-demotion or pre-termination meeting at least twenty-four (24) hours before the time set for the meeting.

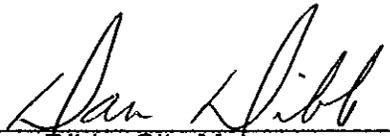
Section 4. Parties in Attendance.

The pre-suspension, pre-demotion and pre-termination meetings are personnel actions. Internal personnel actions are a matter between the employee and the city and are not public meetings. The department head, or designee, with only the department head, or designee, and the employee present, shall conduct the pre-suspension meeting. The department head with only the department head, a representative of the personnel

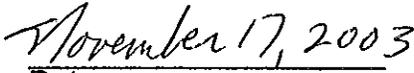
division, and the employee present shall conduct the pre-demotion and pre-termination meeting. No other parties or representatives shall be allowed to attend.

Section 5. Written Report Required.

The department head shall prepare a written report of the meeting, which shall include the cause for the suspension, demotion or termination and a brief description of the issues addressed at the meeting. The report shall be submitted to the city manager, personnel director and the employee. A copy of the report shall be placed in the employee's personnel file.



Dan Dible, City Manager



Date