

**No. 2018-08  
ORDINANCE**

*An Ordinance of the County of Luzerne amending the Luzerne County Personnel Code*

WHEREAS, Article VII of the Home Rule Charter of Luzerne County (“Charter”) requires that a Personnel Code be established that sets forth the means to recruit, select, develop, and maintain a qualified, ethical, efficient, effective, productive, and responsive work force in order to best meet the needs of Luzerne County; and

WHEREAS, on April 10, 2012, County Council passed Ordinance 2012-2, which adopted a Personnel Code with an effective date of May 10, 2012; and

WHEREAS, Section 7.02 of the Charter states “County Council may amend the Personnel Code by Ordinance”; and

WHEREAS, Luzerne County Council wishes to amend the language of the Personnel Code to reflect the changes below.

NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE LUZERNE COUNTY COUNCIL, as follows:

**SECTION ONE. Incorporation of Preamble.**

The provisions set forth above in the preamble to this Ordinance are incorporated herein by reference in their entirety.

**SECTION TWO. Amendment to Section 1004.02 of the Personnel Code.**

Section 1004.02 of the Personnel Code shall read:

**1004.02. Orientation.**

The Division of Administrative Services shall be responsible for developing a formal orientation program for all new employees. The Head of Administrative Services shall decide the timing for orientation and the scope of the program.

**SECTION THREE. Amendment to Section 1004.04 of the Personnel Code.**

Section 1004.04 of the Personnel Code shall read:

**1004.04. Performance evaluations.**

A. A Performance Evaluation System shall be established by the Head of Administrative Services and approved by the County Manager. Among other things, the procedures shall provide for the frequency of evaluation, the type of evaluation rating appropriate for each class of employees, the review process, and the opportunity for an employee to file objection to the evaluation.

B. The evaluation system shall be performance-based and established on job-related criteria. Its principal objectives shall be the development of personnel and the correction of poor performance, to the degree possible.

C. The Head of Administrative Services shall arrange for training sessions for all persons responsible for evaluating others. Such sessions shall, among other things, guide evaluators in the use of rating forms and stress the importance of objectivity and professionalism in evaluating others and the need to be familiar with the work and performance of the person being evaluated.

SECTION FOUR. Amendment to Section 1005.02 of the Personnel Code.

Section 1005.02 of the Personnel Code shall read:

**1005.02 Dismissals, suspensions and demotions.**

A. The Head of Administrative Services shall set forth the rules and procedures establishing a disciplinary system, which shall include the Table of Offenses and Penalties and a grievance procedure. The rules and disciplinary system shall be approved by the Manager. The rules shall communicate, among other things, performance expectations, expected standards of conduct, the responsibilities of employees and supervisors in the disciplinary process, and the consequences for failure of any employee to meet expected standards.

B. Except as the Charter provides, any dismissal, demotion to a lower-paid position, or suspension of any non-probationary employee without pay shall be for just cause only. Just cause may be, but is not limited to, inability to consistently perform required duties, absenteeism, delinquency, misconduct, incompetence or inefficiency, poor performance, inappropriate conduct, or violations of the ethics code.

C. The disciplinary rules and procedures shall be incorporated into the Personnel Policy Guide.

D. The County Manager, Elected Official and/or County Council, as appropriate, have full responsibility and authority to impose disciplinary action in accordance with County policy and the circumstances of the particular case. The degree of disciplinary action, up to and including termination, will depend on the severity of the infraction.

SECTION FIVE. Effective Date.

This Ordinance shall become effective 15 days after enactment.

SECTION SIX. Repealer.

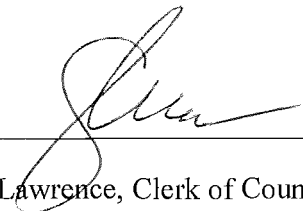
Any Resolution or Ordinance or County Code or parts thereof that conflict with or are inconsistent with this Ordinance are hereby repealed to the extent of the conflict or inconsistency with this Ordinance.

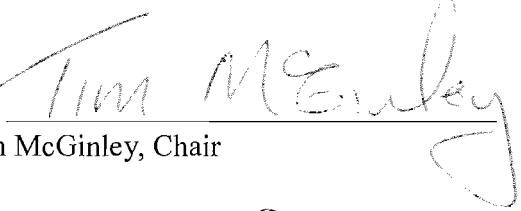
Enacted by County Council this the 24th day of July, 2018.

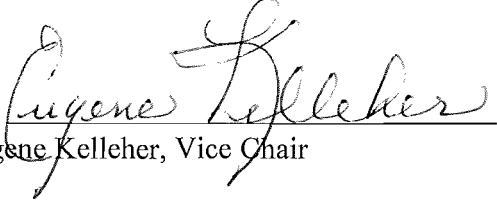
ROLL CALL VOTE (10-0)

YES: Brominski, Haas, Houck, Kelleher, McGinley, Perry, Schnee, SA Urban, Vough and Waitkus

LUZERNE COUNTY COUNCIL

Attest:   
Sharon Lawrence, Clerk of Council

By:   
Tim McGinley, Chair

By:   
Eugene Kelleher, Vice Chair