

CITY OF SAN LUIS OBISPO

PERSONNEL BOARD

BY-LAWS

ARTICLE 1. PURPOSE

It is the purpose of the Personnel Board to hear employee appeals from disciplinary action, to review employee grievances, and to hear issues of Council censure. The Board shall then make advisory recommendations to the City Council. The Personnel Board shall also perform other duties pertaining to personnel management as directed by the City Council.

ARTICLE 2. MEMBERSHIP AND TERMS OF OFFICE

Five (5) members of the Personnel Board shall be appointed by the City Council and shall serve for terms of four (4) years. Members must be residents and registered voters of the City.

- a. Appointments will be made in a staggered every other year pattern, such that two (2) members' terms will expire during a given year and the terms of the other three (3) members will expire two (2) years later.
- b. Any vacancies on the Personnel Board shall be filled for the unexpired term of the person replaced.
- c. Members shall be appointed for no more than two (2) consecutive terms (8 years).

ARTICLE 3. OFFICERS

The officers shall be a Chairperson and a Vice-Chairperson who shall be elected at the first meeting of alternate calendar years to serve two-year terms.

- a. The Chairperson shall preside over all meetings of the Personnel Board, subpoena witnesses and require the production of books, papers and any other materials pertinent to the investigation or hearing.
- b. The Vice-Chairperson shall serve in the absence of the Chairperson.

- c. The Director of Human Resources or his or her designee shall serve as recording secretary, keeping record of all meetings, and shall issue all necessary notices, copies of agendas, minutes and copies of necessary documents.

ARTICLE 4. MEETINGS

- a. The Personnel Board shall meet as needed.
- b. Three (3) members of the Board shall constitute a quorum for the transaction of business. However, for the purpose of a hearing on appeal of a disciplinary action, no Board member may vote on a decision if absent from part of a hearing, unless such member certifies that he/she listened to a recording of or read the transcript of the missed portion of the hearing.
- c. Pursuant to Personnel Exception of the Brown Act (Government Code Section 54957), a meeting may be closed to the public at the request of any appellant when the pending issue deals with a particular employee.
- d. The Chairperson or the legal advisor to the Board shall administer oaths to all witnesses appearing before the Board. Any regular officer or employee of the City who fails to take the oath or fails to testify truthfully under oath at a hearing shall be subject to disciplinary action.
- e. All grievance and disciplinary appeal hearings shall be recorded.
- f. At the request of the appellant, a court reporter shall be used. The cost of the court reporter shall be paid as agreed upon by both sides.
- g. All actions of the Board shall be decided by majority vote, and shall be directed through the Board Chairperson.
- h. The Board may meet with its legal advisor, as needed and outside the presence of any other persons, to receive opinions and advice.
- i. The Board may direct the parties to submit hearing briefs outlining the facts and arguments to be presented prior to any hearing. The Chairperson shall establish a schedule for submission of the hearing briefs.

ARTICLE 5. AMENDMENTS

At such time as these by-laws need to be amended, the Director of Human Resources shall meet and determine an appropriate procedure for making such amendment(s).