

Policy Manual
Authority to Take Personnel Action of
Appointed Officials Policy
City of Weiser, Idaho



Authority to Take Personnel Action of Appointed Officials Policy

The Mayor, with City Council approval, has the authority to take personnel actions regarding Appointed Officials, including counseling, demotion, dismissal, suspension, or dismissal. Note: Dismissals must be approved by an affirmative vote of one-half-plus-one of the members of the City Council.

Some individuals may hold both appointed official positions and regular employee positions. This policy applies to the Chief of Police, Public Works Director, Treasurer, City Clerk, and City Attorney.

If there is an issue or an employee has a question, it should be addressed with the Human Resources Representative/City Clerk or the Mayor.

Guidelines & Procedures

I. Policy of Authority

The Mayor has the authority to deal with personnel matters of Appointed Officials with the approval of the City Council.

- A. Suspend, Demote, Council:** The Mayor has the power to suspend (temporarily remove), demote (reduce in rank or position), and take corrective actions (counseling) of an Appointed Official. This action must be for a valid reason ("for cause") and must follow specific guidelines outlined in the City's 240: Employee Corrective Action.
- B. Dismissal/Termination:** According to Municipal Corporation, Chapter 2, "Removal of Appointive Officers," any appointive officer, may be removed by the Mayor for any cause by them deemed sufficient; but such removal shall be with the affirmative vote of one-half-plus-one of the members of the full City Council.
- C. City Council Authority:** Removal of an Appointed Officer may be initiated by the Mayor with the approval of the majority of the full Council. Or, the Council (without the mayor's consent) may remove an Appointed Officer by unanimous vote of the full Council.

II. Dual Status Employees

City employees who have dual status, as both appointed officials and City employees, in whom issues need to be addressed, will be handled according to the course of their responsibility:

- A. Appointment Officials:** If the appointed official's behavior or performance, in their appointed official capacity, is in violation of a City policy or inherently detrimental to the City, they will be treated as Appointed Officials. In their appointed capacity, they are not considered an employee. The Mayor may take personnel actions as defined in the policy above.

Note: Appointed officials do not have the same rights as regular employees, meaning they cannot appeal decisions made against them and do not have a job that is secured by their length of work within the City.

- B. City Employee:** If the person is acting in the capacity of an employee, and that portion of their job is in violation, they will be handled following the City policies.

III. Summary

The policy outlines the Mayor's authority to take disciplinary action against Appointed Officials and the involvement of the City Council in the approval for the procedure. The policy further distinguishes between dual-status employees and appointed officials. The Treasurer, City Clerk, and Public Works Director, in their appointed capacity, do not have the same protections as regular employees.