

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 125 HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS; SECTION 125.140 TRANSFER, PROMOTION, RECLASSIFICATION, DEMOTION, SUSPENSION AND REINSTATEMENT FROM SERVICE AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within the City Code there are hereby enacted amendments as set forth below with new material set out in **RED** follows:

Section 125.140. Transfer, Promotion, Reclassification, Demotion, Suspension and Reinstatement.

Transfer. No employee shall be transferred to a position for which he/she does not possess the minimum qualifications unless the City Administrator authorizes an on-the-job training appointment. If an employee transfers from one position to another position within the same pay range **with similar duties**, the employee's salary shall **be within the salary range of the new position. remain the same.**

A. *Promotion.* Insofar as is consistent with the best interests of the City, vacancies in the classified service may be filled by promotion from within the classified service. ~~Employees who are promoted from one pay level to a higher pay level shall receive a three percent (3%) increase for each pay level increase or the minimum salary level for the new position.~~ **The pay increase will be determined by evaluating internal equity within the new pay band, taking into account factors such as comparable experience, performance, education, changes in FLSA status, and the applicable supervisory level. Under no circumstances will an employee be paid below the minimum or above the maximum of the approved pay range for the new position.**

B. *Reclassification.* ~~An employee may request a reclassification to a position assigned a lower pay level. If the position requested by the employee is in the career ladder or promotional path of the employee, the employee's salary will be reduced only to the extent required to bring the employee within the salary range of the new position.~~

1. If an employee's position is reclassified from a lower pay level to a higher pay level, the employee's rate of pay will not be adjusted unless the reclassification results in the addition of substantial duties added to the job responsibilities; provided that an employee's rate of pay will be increased as necessary to ensure the employee is **at least at the** minimum of the pay band. **The pay increase will be determined by evaluating internal equity within the new pay band, taking into account factors such as comparable experience, performance, education, changes in FLSA status, and the applicable supervisory level. Under no circumstances will an employee be paid below the minimum or above the maximum of the approved pay range for the new position.**

2. If an employee's position is reclassified from a higher pay level to a lower pay level, the employee's rate of pay will not be adjusted unless the reclassification is the result of a demotion in which substantial duties are removed from the job responsibilities. In the event the reclassification is a demotion, the demotion procedures shall apply.

C. *Demotion.*

1. **Involuntary demotion.** The City Administrator may demote an employee who is ~~unable to perform his/ her required duties or~~ for disciplinary or operational purposes. In this event, ~~the employee's pay may be reduced to the minimum of the new pay level.~~ employees who are demoted will generally receive a 5% to 10% decrease in base pay. Internal equity may require a reduction in salary beyond the 10%. Under no circumstances will an employee be paid below the minimum or above the maximum of the new range. Written notice of the demotion shall be given to the employee at least seven days before the effective date of the demotion. ~~In the event the employee cannot be located, notice will be given by certified mail to the employee's last listed mailing address.~~
 2. **Voluntary demotion.** A demotion may be authorized by the City Administrator upon employee request if a vacant position exists in a lower classification. An employee who takes a voluntary demotion will be placed at a rate within the pay level for that position. Under no circumstances will an employee be paid below the minimum or above the maximum of the approved pay level of the new position.
- D. *Suspension without pay.* The City Administrator may suspend an employee at any time for a violation of City Code. Suspension without pay shall not exceed thirty (30) calendar days. Department managers may suspend a subordinate employee **without pay** for not more than three (3) working days at any one (1) time, and not more than once in a thirty (30) calendar day period. Any suspension shall be reported immediately to the City Administrator.
- E. *Suspension with pay.* The City Administrator or department managers may suspend an employee with pay for up to three (3) working days for the purpose of conducting an investigation. The City Administrator may authorize a longer period if necessary. All such suspensions shall be reported immediately to the City Administrator.
- F. *Reinstatement.* Former employees with less than thirty (30) days break in service may be reinstated at the same pay, benefits, and seniority by the City Administrator. Other former employees, except those on re-employment lists, will be treated in the same manner as all other applicants and subject to all normal selection processes.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same

would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: August 7 2025

READ SECOND TIME: August 21, 2025

I hereby certify that Ordinance No.25.66 was duly passed on August 21, 2025, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6 Nays: 0 Abstentions: 0 Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

August 21, 25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.66.

Michael Harmison
Michael Harmison, Mayor

August 21, 25
Date

Tara Berreth
Tara Berreth, City Clerk