

HB 153 -- Redline

Amended to Enrolled -- Law Enforcement Officer Employment Amendments

Deletions ~~struck~~ · Insertions underlined

~~02-18~~Enrolled 12:02 Copy H.B.

Suspension or discharge by department head -- Appeal to ~~H~~-commission -- Hearing and decision.

~~B~~-(1)(a) [All] Subject to Subsection (1)(b), all persons in the classified civil service ~~ma~~may be suspended as provided in Section 10-3-912, or removed from office or employment by the head of the department for misconduct, incompetency, failure to perform duties, or failure to observe properly the rules of the department, but subject to appeal H.B.

~~be~~153 ~~suspended~~Enrolled as ~~Copy~~provided in Section 10-3-912, or removed from office or employment ~~5~~by the head of the department for misconduct, incompetency, failure to perform 3 duties, or failure to observe properly the rules of the department, but subject to appeal by the suspended or discharged person to the civil service commission.

(b) Before a law enforcement officer, as that term is defined in Section 53-13-103, who ~~H.B.~~is in the classified civil service may be suspended for more than two days, demoted, or removed from employment under Subsection (1)(a), the law enforcement officer's employing agency shall, at a minimum:

~~153 02-18 12:02 is in the classified civil service may be suspended for more than two days, demoted, or removed from employment under Subsection (1)(a), the law enforcement officer's employing agency shall, at a minimum:~~

~~[(a)]- (i)2 because of~~Enrolled the ~~Copy~~employee's ~~H.B. politics or religious belief;~~

~~or~~153 [(b)][(a)] (ii)(i) incident~~because to, of or through changes, either in the elective~~employee's officers, politics governing or -religious 2belief; -- 02-18 12:02 H.B.

~~153 or [(b)] (ii) incident to, or through changes, either in the elective officers, governing~~ body, or heads of departments.

(b) Before an employee who is a law enforcement officer, as that term is defined in Section 53-13-103, to which Subsection 10-3-1105(1)(a) applies may be discharged, suspended without pay for more than two days, or involuntarily transferred to a position with less remuneration ~~H2~~due to disciplinary reasons~~reasons. 2H~~, the law ~~69a~~ enforcement officer's employing agency shall, at a minimum:

(i) notify the law enforcement officer of the allegations of wrongdoing that the employing agency believes may support a disciplinary action of discharge, suspension of more than two days without pay, or involuntary transfer to a position with less remuneration ~~H2~~due to disciplinary reasons~~reasons; 2H~~;

(b) If the municipality provides an internal grievance procedure, the employee shall exhaust the employee's rights under that grievance procedure before appealing to the ~~appeal board~~3 or hearing~~H.B. officer.~~

~~-153 3~~Enrolled -Copy H.B. appeal board or hearing officer.

~~153 02-18 12:02~~ (3)(a) Each appeal under Subsection (2) shall be taken by filing written notice of the appeal with the municipal recorder in accordance with procedures established by a municipality within 10 calendar days after:

(i) the employee's salary for the period of time during which the employee is discharged or suspended without pay less any amounts the employee earned from ~~other employment~~4 during this~~Enrolled period~~Copy of H.B. time;

~~or~~153 -other 4employment -during 02-18 this 12:02 period H.B. of time;

~~153 or~~ (ii) any deficiency in salary for the period during which the employee was transferred to a position of less remuneration.