

# ADMINISTRATIVE RULES – CITY OF KNOXVILLE

## 16 – Unclassified Service

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### **16.01**      **GENERAL PROVISIONS**

The rules in this Section 16 of the Administrative Rules apply to all positions in the City of Knoxville that are unclassified or exempt positions pursuant to Section 1002 of the City Charter (“unclassified service”); provided, however, that the rules in this Section 16 shall not apply to mayoral appointees to City boards or commissions.

Positions in the unclassified service are not governed by the Rules and Regulations of the Civil Service Merit Board and are, instead, governed only by the Administrative Rules as well as the City Charter; City ordinances; mayoral executive orders; mayoral, departmental, agency, or office policies, procedures, regulations, and rules; and local, state, and federal laws and regulations.

The provisions of this Section 16 apply to employees occupying positions in the unclassified service, notwithstanding any other administrative rule to the contrary.

Nothing in this Section 16 shall impair or diminish the rights, benefits, and privileges of employees occupying positions in the unclassified service who possess civil service status through prior service in the classified service.

### **16.02**      **APPOINTING OFFICERS**

Employees occupying positions in the unclassified service shall be managed in all respects by the relevant appointing officer in consultation with the Department of Human Resources.

For positions in the unclassified service organized within the Mayor’s office, the Mayor or the Mayor’s delegee is the relevant appointing officer.

For positions in the unclassified service organized within a department, the department director is the relevant appointing officer.

For positions in the unclassified service organized in any other agency or office, the head of the agency or office is the relevant appointing officer.

### **16.03**      **REQUISITION**

Whenever a position in the unclassified service is intended to be created or whenever a vacancy in the unclassified service is to be filled, the relevant appointing officer shall submit a requisition request to the Department of Human Resources through the City’s human resources information system. After consultation with the Department of Finance and Accountability, the Department of Human Resources shall develop all necessary documentation, coordinate as necessary with the Civil Service Merit Board, implement the creation of the unclassified position, and fill the new position or vacancy at the discretion of the appointing officer.

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### **16.04**      **ABOLISHMENT OF POSITION**

Whenever an appointing officer intends to abolish a position or positions in the unclassified service, the appointing officer shall notify the Department of Human Resources.

### **16.05**      **HIRING PROCESS**

Applicants for positions in the unclassified service shall submit all application materials required by the appointing officer in consultation with the Department of Human Resources.

All employees occupying unclassified positions are employees at-will, serving as employees of the City of Knoxville solely at the discretion of the relevant appointing officer and applicable law.

### **16.06**      **PERFORMANCE EVALUATIONS**

Employees occupying positions in the unclassified service may be subject to performance evaluations at the discretion of the relevant appointing officer in consultation with the Department of Human Resources.

### **16.07**      **TRANSFERS**

The transfer of an employee transferring from occupying a position in the classified service to occupying a position in the unclassified service shall be effectuated by the Department of Human Resources without regard to any transfer list.

### **16.08**      **COMPENSATION**

Compensation for employees occupying positions in the unclassified service shall be set and maintained by the relevant appointing officer in consultation with the Department of Human Resources and the Department of Finance and Accountability.

Compensation for employees occupying positions in the unclassified service shall be established at levels that properly relate qualifications to job requirements.

For positions in the unclassified service that have substantially similar job duties to positions in the classified service or that can be reasonably compared to similar positions included in the City's periodic salary survey, compensation for such positions shall be within the minimum and maximum rates of pay reflected in the most recent salary survey, including subsequent pay increases.

Pay increases and bonuses may be granted to reward employees occupying positions in the unclassified service. Such pay increases and bonuses are at the discretion of the relevant appointing officer in consultation with the Department of Human Resources and the Department of Finance and Accountability. Pay increases granted

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pursuant to Administrative Rule 2.05.06(3) may require the completion of a performance evaluation.

For positions in the unclassified service which are assigned a maximum rate of pay by ordinance, in no event shall any such pay increase or bonus given in the form of a base pay adjustment result in a pay advance beyond the maximum rate of pay established by ordinance.

### **16.09**

#### **DISCIPLINE**

Disciplinary action against employees occupying positions in the unclassified service is within the sound discretion of the relevant appointing officer in consultation with the Department of Human Resources.