

ORDINANCE NO. 6  
AN ORDINANCE ESTABLISHING HIRING PROTOCOL FOR THE  
CITY OF HELENA-WEST HELENA DURING TIMES OF NATIONAL OR  
STATEWIDE EMERGENCY; TEMPORARILY SUSPENDING AND WAIVING  
CERTAIN ADVERTISING REQUIREMENTS FOR POTENTIAL EMPLOYEES OF  
FIRE DEPARTMENT AND POLICE DEPARTMENT OF THE CITY OF HELENA-  
WEST HELENA, ARKANSAS

WHEREAS, because of health concerns regarding the COVID-19 virus, and following a declaration of national and state emergency due to the same, limits to the number of persons physically present in public groups have been put in place by the Governor of Arkansas; and

WHEREAS, due to these state mandated changes in a time of pandemic emergency, protocol must be established for hiring of essential employees in the City of Helena-West Helena, in order to conduct business while safely utilizing all means possible to adhere with all applicable policies and regulations of the City personnel handbook; and

WHEREAS, declaration of a pandemic constitutes an emergency, which shall invoke the Mayor or his/her designee to declare a state of local emergency and thereby establish a policy for modified conduct of all of its advertising for hiring on a temporary basis and suspending certain provisions of the personnel manual to authorize the Mayor to meet the needs of the City during this pandemic.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HELENA-WEST HELENA, ARKANSAS THAT THE MAYOR IS HEREBY AUTHORIZE TO HIRE POLICE AND FIRE DEPARTMENT EMPLOYEES ON AN EMERGENCY BASIS THROUGH THE FOLLOWING PROTOCOL:

Section 1: Advertising of City Positions

- a) In pertinent part, the current personnel policy provides:

3.3 JOB POSTING AND ADVERTISING

An application for employment will be accepted from anyone who wishes to apply for employment on forms provided by the city.

Application forms are available in the office of Administrative Assistant to the Mayor. All information provided on the application must be true and correct with the provision of false information being grounds for elimination of consideration for hiring and/or dismissal from City employment.

In the event of a job opening, the position or positions open will be announced and posted in the Daily World newspaper or other newspaper or periodical of general and regular circulation within the city limits at least ten (10) days prior to the deadline for receiving

applications. Copies of the job announcement will be distributed to city departments and as appropriate, to public and private employment agencies, local newspapers and other sources which might recruit applicants. Recruitment resources will be notified at least ten (10) days prior to the predetermined cut-off date for receiving applications.

Applications for full-time city employment will not be accepted from anyone under eighteen (18) years of age. Except as otherwise provided by Arkansas law, the Mayor is authorized to make the final decision with respect to hiring new employees and promoting existing employees.

- b) The City Council hereby waives and suspends portions of that provision of the Employee handbook during the existence of this pandemic. The Mayor of the City of Helena-West Helena shall immediately post every vacancy within the police and fire departments of the City of Helena-West Helena for a period of five (5) days. The Mayor shall also provide notice to all Department Heads, all City elected officials, Daily World and Arkansas Workforce.

The initial advertisement for openings shall be for a period of five (5) days. Thereafter, the Mayor shall weekly provide notice of openings in the police and fire departments to the all Department Heads, all City elected officials, Daily World and Arkansas Workforce. After, the initial posting for a period of five (5) days, the City will accept applications on a daily basis and maintain a pool of applicants for hiring purposes.

- c) The Mayor's initial notice shall provide that the City is accepting applications for Police and Fire Department personnel. It shall also provide that during this pandemic, that the hiring process shall remain opening during the entirety of this emergency protocol. The notice shall provide that the City will weekly review applications for potential employees and that, once positions are available, the city will hire from the existing applications that are received for Police and Fire Department employees.
- d) The Mayor and Human Resources shall maintain the applications for all who apply during this pendency of this protocol. On a weekly basis, the Mayor, Department Heads, and Human Resources shall review the applications on file and, determine the most qualified applicants. In the event, that an opening occurs, the Mayor and Department Heads are authorized to hire the most qualified candidate from the pool of existing applications; however, the application must have been submitted since the enactment of this ordinance.
- e) This authority to hire Police and Fire Department employees does not waive any provision of the current budget or base pay ordinances. This ordinance does not create any new positions. At all times, the Mayor and Department Heads shall be guided by the budget and based pay provisions. Moreover, if the City is hiring a former employee, said employee does not automatic maintain his or her former rank, position, or pay.
- f) In an effort to ensure the availability of positions, the Department Heads and Mayor shall

review available positions within the Department that have not been filled due the lack of promotions. To effectuate this ordinance, the Mayor and Department Heads shall immediately identify the open positions that have not been filled due to lack of promotions, and begin the promotion process. The Mayor and Department Head shall present the list of potential promotions to the City Council for approval. The promotion process must occur prior to hiring any personnel. As a consequence, all employees who are hired shall be hired during this time period shall not be eligible for a ranking position unless it is brought to the City Council and approved during a City Council meeting.

- g) The City Clerk and City Treasurer shall keep all city officials apprised regarding all financials regarding this matter.
- h) This Ordinance temporarily waives and suspends the advertising provisions for the Police and Fire Departments. This Ordinance shall expire on May 31, 2020. Prior to the expiration of this Ordinance the City Council shall review this hiring process and may extend this ordinance on a monthly basis until the expiring of this monthly protocol.

**SECTION 2-Severability:**

If, for any reason, any portion of this ordinance is held to be invalid, such invalidity shall in no way affect the remaining portions thereof, which are valid, but such valid portions shall be and remain in full force and effect.

**SECTION 3 - Repealer:**

This Ordinance does not repeal any ordinance. It temporarily suspends and waives provisions of the City Personnel Handbook. Upon the expiration of this ordinance, the provisions that are temporarily suspended and/or waived shall remain in full force and effect.

**SECTION 4 – Emergency Enactment:**

This Ordinance being necessary to promote the health, safety, peace, and general welfare of the citizens of Helena-West Helena, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately. Because of the Covid-19 virus, the City has an immediate need for first responders. Police and Firemen are vital for the protection of citizens and for the enforcement of the Governor’s orders and Mayor’s directives. The City declares an emergency for the protection of the citizens.

PASSED: April 7, 2020

APPROVED: \_\_\_\_\_  
Kevin Smith, Mayor

ATTESTED: DRamsey  
Sandi Ramsey, City Clerk