II. AUTHORITY AND ADMINISTRATION

Section 1. SCOPE

These procedures and rules shall apply to and govern all employees of the City of Oviedo, with the following exceptions:

- Mayor and City Council members
- City Manager
- Members of Boards and Commissions (with the exception of employee Pension Board Trustees)
- Persons employed on a contractual fee for service or retainer basis
- Volunteers of the City

These procedures and rules shall apply to represented employees, except where noted herein or except where an express term of a collective bargaining agreement applies. If a conflict exists between these procedures and rules and any express term of a collective bargaining agreement, the applicable collective bargaining agreement will apply.

The Personnel Procedures and Rules Manual is not intended to supersede the City Charter, Ordinances/Resolutions, or any Florida Statute/provision of the Florida Administrative Code. In the event of a conflict between this Manual and any of these documents, the documents shall prevail.

The contents of this Personnel Procedures and Rules Manual constitute statements of the City's current procedures and rules and may be changed and updated by the City Manager at any time. Nothing in this manual is intended to create an employment contract, either express or implied, between the City and any employee. Nothing in this manual binds the City to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment.

Section 2. AUTHORITY FOR ESTABLISHMENT OF POSITIONS

With the exception of those positions established by Charter, all positions or offices in the municipal organization, and their rates of pay, are established and administered by the City Manager.

Section 3. ADMINISTRATION AND APPOINTIVE AUTHORITY

With the exception of appointments reserved to the City Council by the City of Oviedo Code of Ordinances and Charter, and Florida Statutes, general authority and responsibility for the personnel administration of municipal affairs is vested in the City Manager. Final authority in personnel matters, including the authority to hire, suspend, or remove any City employee, and with regard to all matters and subjects covered by these procedures and rules, is reserved to the City Manager. The City Manager may delegate his authority, at his discretion, to the Assistant City Manager, Department Directors, or the Human Resources Director.

Section 4. ADMINISTRATION OF PERSONNEL PROCEDURES AND RULES

Administration of these procedures and rules shall be the responsibility of the Human Resources Director. Department Directors shall be responsible for the effective administration of these procedures and rules within their respective operations.

Section 5. AUTHORITY FOR DEVELOPMENT OF DEPARTMENTAL PROCEDURES AND RULES

A Department Director shall have the responsibility and authority to develop and implement internal departmental procedures and rules and standard operating procedures, subject to review and approval of the City Manager. In the event of any conflict between such departmental procedures and the provisions contained in this manual, the provisions of the Personnel Procedures and Rules Manual shall apply.

Section 6. AUTHORITY FOR VARIANCE FROM PROCEDURE AND RULES

A Department Director shall have the right to request, in writing, a variance from these procedures and rules when individual circumstances so justify. This request shall be submitted to the City Manager through the Human Resources Department. All variances require the written approval of the City Manager **prior** to implementation.

Section 7. CHANGES/AMENDMENTS TO PERSONNEL PROCEDURES AND RULES

This Personnel Procedures and Rules Manual may be revised from time to time by the City Manager to reflect statutory or ordinance changes; City Council action(s); or as deemed necessary by the City Manager.