

To the Mayor and Members of the City Council**June 17, 2025**

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**SUBJECT: CIVIL SERVICE CONSIDERATIONS FOR CITY MARSHALS AND
GENERAL EMPLOYEES**

The purpose of this Budget Response is to provide information to consider civil service like coverage for the City Marshals (CM) in the Municipal Court (MC) Department and over 4,000 General Employees citywide. This summary excludes considerations for City Council Appointed Positions, Elected Positions, Assistant City Managers, Department Heads, Assistant Directors, Deputy Directors, Managers and the City Attorney's office.

The City can provide civil service like coverage through a policy or ordinance. It should be noted Civil Service protection under the Texas Local Government (TLGC) Code Chapter 143 (Ch. 143) is limited to Police, Fire and Emergency Medical Services Personnel. Further, in accordance with the TLGC, and other state law, meet and confer and collective bargaining rights regarding pay, benefits and working conditions, as well as union representation, is prohibited for Marshals or other general employees of the City.

Rules and Regulatory Oversight from a Committee

Marshals and General employees are covered by the City's Personnel Rules and Regulations, which govern practices around hiring, compensation, benefits and other terms and conditions of employment. The City needs to consider providing an alternative method to review what hiring, promotions, disciplinary and termination decisions would be included, if the City decided to move to implement personnel policies that are like TLGC Chapter 143.

Pay Practices

The City's current compensation philosophy is to ensure that the salary range for City job classifications are equal to or close to the respective employer market midpoints. This ensures the City is competitive for attracting and retaining employees. It allows hiring managers the flexibility to pay new hires between the entry and mid-points of the associated pay range for candidates based on skills, education and experience. The City pay changes and pay decisions are based on merit, retention or recognition of performance with pay differentials for high performers.

Change to Pay Practices

Current pay practices allow employees to be hired from entry to midpoint of the pay range. As previously noted, pay increases are allowed for demonstrated performance. There are pay practices that allow for salary adjustments based on merit and recognition of performance.

In addition, the City has various pay programs where employees may receive additional pay including certification(s), shift differentials, license(s) and on-call, which may be subject to change in a civil service like environment.

A key component of civil service pay under Texas law is that every person of the same rank (or job title) receives the same base pay. Differences in pay can be based on longevity, seniority, education, certifications or assignments. Base pay salaries in a civil service environment typically

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require pay steps based on longevity or tenure in a rank rather than a pay range. If that pay model is followed, this will require that the current base salary structures be converted from pay grade ranges to fixed pay steps for each job title. The number of steps, the duration of each step, and the associated percentage increase for each step will have to be determined. Then, each affected employees' base pay rate will be adjusted to and placed at a step rate based on tenor or time in position and not merit or performance related pay adjustments.

This practice would establish a defined pay system for employees and will limit the recruiting ability to hire with a higher hourly rate based upon associated skills, education and experience or desired and necessary skills and experience.

Entry Hiring and Promotions

The current hiring process for filling vacant positions includes an intake assessment of the position, posting requirements, evaluating minimally qualified and highly qualified candidates to be referred to the department, followed by interviews, selection, tentative offers with a salary based on education, relevant experience and other related requirements. The City's average time from job posting to extending a job offer is currently 35 workdays.

For promotional opportunities, the city has opportunities for employees to be promoted through a competitive process and job posting. The City also has career path programs (Auto-Reclassification Program or "ARP") that allows employees to move through different levels of job classifications within a job family when the employee meets the minimum qualifications and demonstrates satisfactory performance in the higher classification based on predetermined criteria. The ARP occurs without the requirement of a competitive process or promotional hire as it recognizes enhanced skills, acquired licensure or certifications and advanced knowledge. Currently, the city has 35 ARP programs in place and continues to expand this program to various job families within the organization.

The hiring and promotional process for filling entry-level vacancies will considerably change for any employee group that is converted to a civil service like system by policy. Modifications from the current merit-based process based upon individuals' skills, knowledge, education and experience, could transition to passing a competitive exam related to the job opening for which the person is applying to. This will require the City to engage a testing consultant to create job-based and validated examinations for all job openings. The City has so many different job types that this could require a large number of different tests and numerous tests dates every year, all at a considerable cost to the City. Candidates who pass the exam for their respective jobs will then be placed on an eligibility list with their exam score (from highest to lowest) and the Department will then hire the highest scoring employee first, unless something in their background makes them ineligible. The same testing process will be used for promotion to a higher job level. Each examination event requires HR to partner with the Department and the exam vendor to ensure proper exam questions are offered to eligible employees on an entry and

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promotional exam basis. The average time from job vacancy to job offer could be significantly impacted.

Changes to appeal procedures for disciplinary action

An appeal is a formal protest of disciplinary actions, including terminations, demotions, suspensions without pay, reductions in pay, and disciplinary probations. The current appeals process provides up to three (3) appeals prior to the final appeal decision, which includes an option for the final appeal to be heard by an independent third party. In a civil service environment, there is only one (1) appeal hearing before the final decision and is typically made by an independent third party. The current appeal process provides for more opportunities for an employee to be heard.

Projected Cost Considerations

The Human Resources and Municipal Court Departments will need to hire additional staff members for examination processes for hiring, promotions, investigations, disciplinary action reviews and appeals, and will require new practices. The costs of preparing and validating the numerous tests that will be needed are considerable.

Projected Estimated Cost Summary – Marshals

City staff calculated the estimated cost summary for civil service like coverage of the CM jobs in the MC Department is approximately \$15.1M over the next three years. This includes the conversion of salary changes, the creation of hiring and promotional testing materials, exam administration, appeals, and administrative staff and associated expenses for a civil service like environment.

Projected Estimated Cost Summary – General Employees

The first-year annual total cost summary for the option of civil service like coverage for over 4,000 citywide general employees is estimated to be approximately \$17.5M for the first year. This includes support for an additional 16 positions, and additional administrative costs in supplies, equipment, training, and other related expenses.

Any consideration of a policy or ordinance providing civil service like protection will require extensive reviews, considerations, rules and policy development, and decisions, to create the environment. The implementation of such changes would require a multi-year approach.

For questions, please contact Holly Moyer, interim Director of Human Resources, via e-mail to Holly.Moyer@fortworthtexas.gov.

Jesus “Jay” Chapa
City Manager