

## **ARTICLE 6 - REQUIREMENTS FOR ORIGINAL EMPLOYMENT**

### **Section 1. Age**

Minimum and maximum age limits shall be in conformity with the laws.

### **Section 2. Residence Requirement**

- A. As required by the City Code, the City Administrator shall reside in the City of Branson during his tenure in office. The City Administrator is authorized to establish Administrative Rules with regard to residency requirements for all other positions in the City service.
- B. Any employee changing residence or address and phone number must notify their Department Administration immediately.

### **Section 3. Fitness for Duty**

All City employees must possess sufficient mental and physical capabilities to be able to perform the requirements of the position for which they are employed. Reasonable accommodation for physical and mental capabilities as regulated by the Americans with Disabilities Act (ADA) shall be provided if the person is otherwise qualified. The physical and mental qualifications of persons in City employment may be evaluated by physicians approved and paid for by the City and all employees shall submit to such examination when so ordered by the Human Resources Director.

### **Section 4. Hiring of Relatives**

- A. The Missouri Constitution, Article VII, Section 6, prohibits nepotism, stating “Any public officer or employee in this state who by virtue of his office or employment names or appoints to public office or employment any relative within the fourth degree, by consanguinity or affinity, shall thereby forfeit his office or employment.” That prohibition causes an automatic forfeiture of your job if you participate in the decision to hire or promote a relative as far removed as a cousin, great-uncle/aunt, son/daughter-in-law, or other blood relative or “in-law” within the “fourth degree.” For purposes of this entire section, cohabitants will be included in the definition of “any relative within the fourth degree”. For a list of relatives included in this definition, please contact the Human Resources Office.
- B. No person shall be hired, transferred, demoted, or promoted as an employee in the classified or unclassified service who is in a relationship status noted in A. above, whether or not related by blood, to any person in a supervisory/subordinate chain-of-command position to the employee’s position.

- C. From and after the effective date of this article, if two people who are in supervisory/subordinate chain-of-command position marry, one party must submit a request to the Human Resources Director for transfer, if a position is available to transfer into. If there is no transfer within 90 calendar days, one party must resign from the City service. If parties involved cannot agree, resignation will be based on a combination of performance and seniority.
- D. Any employment arrangement of relatives within the fourth degree, which can create a potential conflict of interest, will be evaluated and determined by the City Administrator. Such determination by the City Administrator is final. If a conflict of interest is determined, one party must resign from the City service. If parties involved cannot agree, resignation will be based on a combination of performance and seniority.

### **Section 5. Maintenance of Special Requirements**

When the City requires employees to meet specific standards and possess special experience and training to perform the duties of a position, those standards and special experience and training must be maintained in order to continue employment with the City.