

Sec. 35.002. - APPLICATION; EXCLUSIONS.

- (A) All persons regularly employed by the municipality in any department shall be construed to come within the provisions of this subchapter, except Assistant City Managers, Assistants to the City Manager, Department Heads and Police Majors. This subchapter shall not include any officer or person employed part time or for temporary duty only; nor shall it include employees covered under the terms of a collective bargaining agreement, or expired collective bargaining agreement which is subject to renegotiation unless otherwise expressly provided in this subchapter or in the code of rules and regulations or in the collective bargaining agreement.
- (B) The provisions of this subchapter shall not apply to those persons appointed by the City Commission.
- (C) An employee appointed to the position of Major in the Police Department after October 1, 1996, with previous permanent status under the Civil Service Act, shall have the right to return to the employee's previously held civil service position.

(Ord. No. [04-18](#), § 2(Exh. A), passed 5/15/18)