

Updates for Personnel Rules for 2024 7.16.24

Transfer of compensatory time in leave bank when an employee moves into a position not eligible for comp time.

Update sick leave language.

Remove temporary employees' eligibility for holiday pay. Note may be tied to 2026 budget.

Allow fire department staff (paramedics) to work some 16-hour shifts, requested by DFR.

#### **SEC. 34-24. COMPENSATORY LEAVE.**

(a) Eligibility. An exempt employee (other than the city manager, the first assistant city manager, an assistant city manager, a department director, an assistant department director, other managerial personnel designated by the city council, or an exempt employee of the city attorney's office or the city auditor's office) who works overtime one full hour or more in a pay period may earn compensatory leave. A nonexempt employee (other than a sworn employee of the police or fire department) may not accrue compensatory leave but will be paid overtime for any overtime hours worked.

(b) Accrual. Compensatory leave is accrued in half hour increments for each half hour worked over 80 hours in a pay period, up to a maximum balance of 80 hours.

(c) Reporting and records. Compensatory leave must be reported biweekly. As with any payroll transaction, the recording of compensatory time may be subject to audit.

(d) Maximum balance. An employee's compensatory leave balance may not exceed 80 hours at any time. Hours accrued in excess of this maximum amount will be immediately forfeited. An exempt employee may not be paid for accrued compensatory hours.

(e) This section does not apply to an exempt sworn employee of the fire department below the rank of deputy chief.

*(f) Balance transfer. An employee with a compensatory leave balance who transfers or is reassigned to a position that is not eligible for compensatory leave may maintain and use the compensatory leave balance within the leave approval process for the work group to which the employee has transferred. Although the employee may maintain and use the compensatory leave balance with supervisor approval, the employee is no longer eligible to accrue compensatory time after transfer to a position that is not eligible for compensatory leave.*

#### **SEC. 34-22. SICK LEAVE.**

(g) Sick leave usage. Sick leave may only be granted or taken when:

(1) an employee is incapacitated for the performance of duties due to an illness, surgical procedure, medical complications, or off-job injury;

(2) a medical, dental, or optical examination or treatment is necessary, provided that prior approval of the supervisor is obtained;

~~(3) an employee is incapacitated by or recovering from pregnancy, miscarriage, abortion, or childbirth; (reserved)~~

- (4) it is necessary to care for an immediate family member who is ill or incapacitated;
- (5) an employee has been exposed to a contagious disease, meaning one that would warrant quarantine by a health officer, and the employee's presence on the job would jeopardize the health of others;
- (6) it is allowed under the city's wage supplementation plan; or
- (7) it is allowed under the city's administrative directives governing the administration of the Family and Medical Leave Act.

#### **SEC. 34-9. ELIGIBILITY FOR BENEFITS.**

(a) **Permanent Employees.**

(1) A permanent full-time employee is eligible for employee benefits, including, but not limited to, paid leave as provided in this chapter, health benefit plan participation, life insurance, and retirement benefits. Benefits may be changed at any time subject to applicable law and subject to city council approval when required, for any lawful reason, including budget constraints.

(2) An employee hired in a classification other than permanent full-time is eligible for benefits in accordance with federal law and as described in the applicable plan documents.

(3) ~~A temporary employee is entitled to holiday pay in accordance with Section 34-25(b).~~ Reserved

(b) City council members. City council members are not employees. City council members are eligible for certain tax-favored benefits in accordance with federal law and as described in the applicable plan documents. (Ord. Nos. 19340; 22026; 22195; 22296; 22318; 24873; 25051; [29883](#); [31745](#); [32342](#))

#### **SEC. 34-25. HOLIDAYS.**

(b) Holiday pay. Paid holidays are extended to every permanent employee ~~and to every temporary employee as described in Section 34-8(a).~~ ~~A temporary employee is extended the official holiday, but without pay, except that a temporary employee who is assigned to work on the official holiday will be paid for the hours worked.~~ A full-time permanent ~~or temporary~~ employee receives holiday pay equal to the employee's standard work day. A part-time permanent ~~or temporary~~ employee receives holiday pay prorated on the basis of the average number of paid hours credited to the employee in the four payroll weeks preceding the holiday. For the purpose of calculating overtime, holidays are included as hours worked.

#### **SEC. 34-16. WORK HOURS.**

(a) Standard work day. The standard work day is eight hours, but may deviate depending on departmental operating needs. The work day may exclude approved meal periods, but may include a 15-minute break period within any uninterrupted four-hour work period. An employee may be required to work hours other than the employee's normal work schedule.

(b) The standard work week is 40 hours, but may deviate depending on departmental operating needs.

(c) Alternate work schedules. The following alternate work schedules, and any additional ones adopted by city council resolution, may be selected and implemented for a department, with prior written approval from the director of human resources and the city manager.

SCHEDULE	HOURS PER WEEK	HOURS PER 24 HOUR PERIOD BEGINNING AT MIDNIGHT
(1) Four 10-hour days a week.	40	Maximum of 10.
(2) 12-hour days on Monday and Tuesday and 8-hour days on Thursday and Friday. Tasking is allowed.	40	Varies from a minimum of 8 to a maximum of 12.
(3) Five 8-hour days a week. Tasking is allowed.	40	Maximum of 8.
(4) Four 9-hour days and one 4- hour day a week.	40	Varies from a minimum of 4 to a maximum of 9.
(5) Three 11-1/2 hour days one week of a pay period and four 11-1/2 hour days the other week of a pay period.	Varies from 34.5 to 46.	Maximum of 11- 1/2.
(6) Three 12-hour days one week of a pay period and four 12-hour days the other week of a pay period.	Varies from 36 to 48	Maximum of 12
(7) Three 12-hour days one week of a pay period and three 12-hour days and one 8-hour day the other week of a pay period.	Varies from 36 to 44	Varies from a minimum of 8 to a maximum of 12
(8) Two 13-hour days and one 14-hour day a week	40	Varies from a minimum of 13 to a maximum of 14.
(9) Any combination of hours, ranging from a minimum of 4 to a maximum of 12, in a day. A work week consists of a minimum of 3-1/2 days and a maximum of 7 days. Tasking is allowed.	Varies from 32 to 48	Varies from a minimum of 4 to a maximum of 12.
<i>(10) Any combination of hours, ranging from a minimum of 4 to a maximum of 16, in a day. A work week consists of a minimum of 3-1/2 days and a maximum of 7 days. Tasking is allowed.</i>	<i>Varies from 32 to 48</i>	<i>Varies from a minimum of 4 to a maximum of 16.</i>

(b) Fire department. The work period and work hours for sworn employees of the fire department are as follows:

(1) The work period for a sworn employee of the fire department is, depending upon assignment, 28 days (pursuant to Fair Labor Standards Act, as amended,) or a standard 40-hour work week.

(2) The standard work day or shift for a sworn employee of the fire department may consist of the following, depending upon assignment:

(A) 8 hours a day;

(B) (1) 12 hours a day; or

(2) 16 hours a day; or

(C) 24 hours a day.

(D) Variable schedule with the approval of the fire chief and director of Human Resources in accordance with federal and state law.

**SEC. 34-19. WORK HOURS, PAID LEAVE, AND OVERTIME FOR PUBLIC SAFETY EMPLOYEES.**

(b) Fire department. The work period and work hours for sworn employees of the fire department are as follows:

(1) The work period for a sworn employee of the fire department is, depending upon assignment, 28 days (pursuant to Fair Labor Standards Act, as amended,) or a standard 40-hour work week.

(2) The standard work day or shift for a sworn employee of the fire department may consist of the following, depending upon assignment:

(A) 8 hours a day;

(B)( 1) 12 hours a day; or

(B) (2) 16 hours a day; or

(C) 24 hours a day.

(D) Variable schedule with the approval of the fire chief and director of Human Resources in accordance with federal and state law.