

RESOLUTION NO. 66-6

A RESOLUTION ESTABLISHING REGULATIONS AFFECTING CITY EMPLOYEES, CONCERNING OVERTIME WORK, LEAVE OF ABSENCE FROM WORK FOR MEDICAL REASONS, MILITARY OR CIVIL DUTY, CONCERNING THE CONDUCT OF EMPLOYEES, ELIGIBILITY RESTRICTIONS, RETIREMENT, AND ESTABLISHING WORK HOLIDAYS.

Whereas, good personnel practices requires setting uniform standards of employment and employment practices, and it is the intention of the City Council to establish such standards, as workable guide lines, subject to statutory civil service regulations for police and fire departments, and subject to the statutory limitations on the powers of a city of the third class, and subject at all times to the budget and fiscal limitations of the City,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTHELLO, as follows:

Section 1. The following standards shall apply to the employees of the City of Othello, except as any particular provision shall conflict with the civil service regulations<sup>7</sup> of the fire or police departments, or some other statutory or constitutional limitation. The term "employee" as used herein does not include elected City officials or anyone duly appointed to fill an elective position.

Section 2. Salaries and Wages. The City Council has heretofore considered and adopted job classifications, ratings, and wage and salary schedules and guidelines which shall govern the employment and compensation of employees of the City of Othello, insofar as budget limitations, constitutional and statutory provisions, and civil service regulations and statutes for policing and firemen, shall permit, and by this reference said schedules are made a part hereof..

Section 3. Overtime or Compensatory Time Off. Reimbursement shall be made to all City employees for approved emergency overtime when it becomes necessary for the employee to be kept on duty. Attendance of police officers in court, or attendance by any employee excepting department heads at a council meeting or special official meeting shall be construed as overtime, when an employee is requested to attend such meeting. Reimbursement shall be made for approved overtime with compensatory time off, except that pay may be allowed at regular rates for approved emergency overtime, within budget limitations. All overtime must be approved in advance by the City Council, except that emergency overtime may be authorized by a department head subject to subsequent approval by the City Council in the event an unforeseeable critical emergency involving the immediate health or safety of citizens, or irreparable loss or damage to the City.

Section 4. Holidays. Employees of the City of Othello shall have the following holidays, together with such other specifically designated by the City Council by ordinance as a holiday, as a vacation day with pay, except that part-time, seasonal and limited term personnel shall not be entitled to holidays with pay, to-wit:

New Year's Day  
Decoration Day  
Independence Day  
Labor Day

Veteran's Day  
Thanksgiving Day  
Friday following Thanksgiving Day  
Christmas

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When one of the holidays listed above falls on Sunday the next day following will be observed as a holiday with pay.

Employees who shall be required to work for the City on the above mentioned holidays shall receive compensatory time for the hours they work on such holidays and for weekend duty.

Section 5. Vacation Time. Each permanent City employee who has been employed twelve (12) consecutive months or more shall be entitled to an annual vacation equivalent to their respective number of work days in two weeks. Under circumstances requiring the computation of vacation for the fractional part of a year, said time shall be pro-rated for each month's work. Part-time worker, seasonal, limited term and emergency personnel shall not be entitled to vacation with pay.

All employees shall accumulate annual vacation with pay at the rate of one (1) day for each month of service each year accumulative to a maximum of their respective number of work days in two weeks. After five years of service the vacation shall increase one (1) day each year to a maximum of the employee's respective number of work days in three weeks.

The vacation leave shall be taken by the employee upon approval of the department head at a time that will not interfere unreasonably with the operations of the department, Provided that the department head must allow an employee to take vacation leave which would otherwise be invalidated by virtue of the accumulation beyond the maximum. An employee's vacation time may be accumulated in excess of his annual earned vacation and up to a maximum of one additional week, subject, however, to the approval of the department head.

When an employee is transferred to another position, any unused vacation leave which may have accumulated to his credit shall continue to be available for his use.

Section 6. Sick Leave. Sick leave with pay shall accrue at the rate of one (1) working day of leave for each full calendar month of the employee's service, and any such leave accrued or unused in any year shall be accumulative for succeeding years to a maximum of sixty (60) working days. Employees who are granted a leave of absence with pay for any purpose shall continue to accrue sick leave at the regularly prescribed rate during such absence. Part-time workers, seasonal, limited term and emergency personnel shall not be entitled to sick leave with pay.

Each regular employee, upon first beginning work for the City, shall have immediately available for his use six (6) days sick leave as an "advance" upon sick leave earned in the first six (6) months. If employment is terminated, and as a result of such initial "advance" the employee has taken sick leave beyond that earned, his terminating salary shall be adjusted accordingly.

An employee eligible for sick leave with pay shall be granted such leave for the following reasons:

Personal illness or physical incapacity resulting from causes beyond employee's control.

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Forced quarantine of the employee in accordance with community health requirements.

For severe illness or the death of the employee's spouse, father, mother, foster parent, brother, sister, child or foster child, a maximum of five (5) days sick leave may be allowed.

Such leave shall not be used for pregnancy, prenatal care, nor complications immediately arising out of and as a direct result of such pregnancy.

Sick leave shall be granted by the department head up to and including the second day of consecutive absence. Each application which exceeds two (2) days shall be accompanied by certification of a physician, if requested by the department head.

Any failure to file notice or file a physician's certificate as required herein may be cause for denial of sick leave with pay for the period of absence.

When an employee is transferred to another position any unused sick leave which may have accumulated to his credit shall continue to be available for his use.

Section 7. Military Leave. Leave not to exceed fifteen (15) calendar days plus travel time in any period of twelve (12) consecutive months over and above annual vacation may be allowed any employee who is a member of the National Guard or Reserve Corps and shall not involve any less of efficiency rating, privileges or pay. During the period of military leave, the employee shall receive from the City his normal pay.

Section 8. Civil Leave. Any necessary leave may be allowed by the head of the department to permit any employee to serve as a member of the jury or to exercise his other civil duties. Each employee who is granted such leave and who for the performance of the civil duties involved received any compensation shall be paid by the City for the time he is absent only in the amount of excess of his regular salary over the compensation so received, exclusive of mileage.

Section 9. Unauthorized. Leave. A leave of absence from work taken upon the initiative of any City employee without proper authorization from the department head will be a basis for immediate dismissal when such leave is found to be unwarranted or detrimental to the municipal service.

Section 10. Authorized Leave Without Pay. Leave of absence without pay may be granted upon recommendation of the Department head due to lack of work within the department, for prolonged illness, maternity, extended travel, or personal business, such as the settling of an estate.

Leave of absence without pay shall not eliminate the accumulated length of service time of the employee for the purpose of this resolution. Such leave may not be used to protect an employee's leave with the City while he tries another job or undertakes a business venture.

Section 11. Termination of Employment. Each employee whose service is terminated will be allowed pay for any vacation earned and not taken up to a maximum of his annual vacation, Provided,

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said employee has given at least two weeks written notice of termination to his Department head. If any employee shall tender his resignation without adequate time of notification, he shall automatically forfeit his vacation pay.

Upon termination of employment, any salary that is due, either for work or for accrued vacation, shall be paid at the next regular pay period of the City; Except that if the employee is discharged at the option of the City he shall receive any monies due him within twenty-four (24) hours from the time of his dismissal.

Section 12. Regulation of Outside Employment. As a general rule the City does not favor its employees holding jobs with other employers and working for the City at the same time. If outside work contributes to reduced effectiveness on the job, an employee will be given the alternative of terminating this work or his city employment. Each employee is expected to see that his outside employment is covered by Workmen's Compensation. No sick leave with pay will be allowed for injuries incurred while working for other employers. No employee shall hold a job with an outside employer without first having secured written approval from his department head.

City employees may not carry concurrently with their public service any private business or undertaking, the performance of which affects the time or quality of their work, or which casts discredit upon, or creates embarrassment for the city government.

SECTION 13. Employment of Relatives. No person shall be eligible for employment if he is a relative of any elected official or department head of the City of Othello, Except upon written approval of City Council. No two persons from the same family shall be employed in any one department, and shall be employed in another only upon written approval of the City Council.

Section 14. Regulation of Political Activities. As a citizen an employee is entitled to political opinions, may vote as he pleases, and may attend any meetings he wishes. As a non-political public servant, however, he shall refrain from taking an active part in any partisan political campaign and from any other political activity that will interfere with his employment, or create any obligation incompatible with his employment.

Contributions shall not be solicited from City Employees in cash or otherwise for any political party, or for the purpose of promoting or sponsoring legislation or any other political activity.

No employee in City service shall continue in such position after filing as a candidate for nomination or election to any elective office in the City of Othello, nor shall any officer or employee of the City hold any other public office, except in the National Guard, Organized Reserve or as a Notary Public.

Section 15. Regulation of Gifts. Employees are not permitted to receive any personal gifts, tips, or special monetary favors whatsoever.

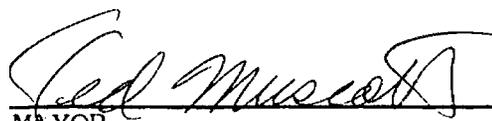
Section 16. Compulsory Retirement. Each employee is subject to compulsory retirement when he attains age 65. Retirement may

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be deferred one year at a time by majority action of the City Council and entering a finding upon the Council Minutes that the employee is physically fit and that his continued employment is desirable for proper operation of that department.

Section 17. Provision Separable. The foregoing provisions are deemed to be separable, and should any provision hereof be in conflict with any constitutional or statutory or other existing law or superior authority, it shall not affect the remaining provisions hereof.

PASSED by the City Council and Approved by the Mayor on this 22nd day of August, 1966.

  
MAYOR

ATTEST: g. "9-z. ....e  
City Clerk