

RESOLUTION 24-17

A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURE MANUAL FOR HYRUM CITY CORPORATION TO AMEND SECTION XII. EMPLOYMENT CLASSIFICATIONS, SECTION XVI. RETIREMENT SYSTEM, AND SECTION XVIII. LEAVES OF ABSENCES FOR PART TIME BENEFITED EMPLOYEES AND PART TIME NON BENEFITED EMPLOYEES.

WHEREAS, on March 19, 1998, the Hyrum City Council adopted a personnel policy manual known as "Personnel Policies and Procedures Manual for Hyrum City Corporation" and on December 5, 2013 readopted the Personnel Policy Manual after major revisions were made; and

WHEREAS, said manual sets forth those policies pertaining to personnel conduct, conditions of employment, employment classification, work week, benefits, payroll, and related matters; and

WHEREAS, Section XII of the manual establishes employment classifications and Section XVIII defines Leaves of Absences; and

WHEREAS, Hyrum City's Personnel Policy defines Part-Time with Benefits as employees who work more than 30 hours a week but less than 39 hours a week, and Part-Time Non-Benefited as employees who work less than 29 hours per week; and

WHEREAS, Hyrum City's current employment practice is to classify employees as Part-Time with Benefits that work between 30 to 39 hours a week, and employees as Part-Time Non-Benefited employees that work less than 29.75 hour a week; and

WHEREAS, Hyrum City under the Affordable Care Act now qualifies as an applicable large employer (ALE) with over 50 full time equivalent employees and therefore is required to provide health insurance to all employees working at least 30 hours per week during the calendar month; and

WHEREAS, upon further review of the organization of Hyrum City and the financial obligation to Hyrum City to provide health insurance to employees working more than 30 hours per week Mayor Miller has determined it is necessary to redefine Part Time Benefited employees as employees working atleast 29 but equal to or less than 29.75 hours per week, and Part Time Non Benefited employees as employees that are not to exceed 28.75 hours per week; and

WHEREAS, last July, in anticipation of Hyrum City qualifying as an ALE employer Mayor Miller notified all Part-Time Benefited

employees that their hours would be reduced to 29 to 29.75 hours per week in July 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, that Section XVII. 2., Section XVI 5. and Section XVIII 2. 3. and 4. A. B. and C. of the "Personnel Policies and Procedures Manual for Hyrum City Corporation" is hereby amended to read as follows:

1. Section XII. 2. Employment Classifications of the Hyrum City Personnel Policies and Procedures Manual is hereby amended as follows:

2. EMPLOYMENT CLASSIFICATIONS. There are six classifications of employees within Hyrum City:

- A. Elected Official. Mayor, City Council, and Judge are elected officials and serve in a position where there is not a normal work week and/or works less than twenty (20) hours per week do not qualify for any Hyrum City benefits including retirement with the Utah State Retirement System. Elected Officials who are considered Tier 1 employees by the Utah Retirement System may be eligible for retirement benefits with the Utah Retirement Systems if wage meets Utah Retirement System requirement. Elected Officials who are considered Tier 11 employees by Utah Retirement Systems are considered ineligible for retirement benefits with the Utah Retirement System except for the current Judge who was grandfathered with URS benefits in July, 2012.
- B. Appointed Official. City Recorder and City Treasurer are appointed officials and serve for an indefinite period in a position for which the normal work schedule is forty (40) hours per week may qualify for specific Hyrum City Benefits (such as health, dental, life, and disability insurances; retirement with the Utah Retirement System; vacation and sick leave; etc.). Full time Appointed Officials are considered Full-Time employees for all intent and purposes.
- C. Full-time. An employee hired for an indefinite period in a position for which the normal work schedule is forty (40) hours per week. Full-time employees may or may not qualify for specific Hyrum City benefits.
- D. Part-time with Benefits. An employee hired for an indefinite period in a position for which the normal work schedule is

Part-time employees with benefits qualify for Utah State Retirement System coverage, annual leave, sick leave, and holiday leave. Part-time with benefits employees are not allowed under any circumstance to work more than 29.75 hours per week.

Employees hired before January 7, 2021 with an employment classification of Part Time with Benefits working 20 hours but less than 25 hours per week were grandfathered with Part Time benefits at the leave time accrual rate of fifty (50%) percent of a full time employee.

- E. Part-time Non Benefited. An employee hired for an indefinite period in a position for which the normal work schedule is less than twenty nine eight and seventy-five hundredths (29.00 28.75) hours per week. Part-time Non Benefited employees do not qualify for Hyrum City benefits. Part-time Non Benefited employees are not allowed under any circumstance to work more than 28.75 hours per week.
- F. Temporary. An employee hired for a position which is required for only a specific, known duration, usually less than six (6) months. Temporary employees do not qualify for Hyrum City benefits.
- G. Seasonal. An employee hired for a position which is required less than five months, typically April through September. Seasonal employees do not qualify for Hyrum City benefits.
- H. Volunteers. Those serving on various boards and committees in an unpaid capacity.

2. Section XVI. 5. Retirement System of the Hyrum City Personnel Policies and Procedures Manual is hereby amended as follows:

- 5. **RETIREMENT SYSTEM.** Additional details are available from the Mayor, or his/her designee.
 - A. All full time Hyrum City employees are covered by the Utah State Retirement Systems, unless otherwise authorized by the City Council according to State Law. A permanent part time with benefits employee employed in a position requiring at least thirty (30) twenty nine (29) hours of service per week is also covered.
 - B. The cost of this program is paid for by Hyrum City and the employee in the percentages set by action of the City Council.

- C. Employees in the following positions are eligible to request exemption from the Utah State Retirement System under Utah State Law 49-13-203(4). Employee must file an Exemption Form with the Personnel Director within the first 60 days of employment.
- (1) Mayor - Elected
 - (2) City Council Member - Elected
 - (3) Judge - Elected
- Exemption from Utah State Retirement System can only be made by the above employees if position meets the qualification for eligibility to participate in the URS.

3. Section XVIII. Leaves of Absences 2. Annual Leave, 3. Holiday Leave, and 4. Sick Leave A. B. and C. of the Hyrum City Personnel Policies and Procedures Manual is hereby amended as follows:

2. ANNUAL LEAVE.

- A. Each permanent full-time employee shall receive annual leave at the following rate:

<u>Service</u>	<u>Accrual</u>
1 yr.	10 days/yr. or 6 2/3 hrs./month
2 yrs.	10 days/yr. or 6 2/3 hrs./month
3 yrs.	11 days/yr. or 7 1/3 hrs./month
4 yrs.	12 days/yr. or 8 hrs./month
5 yrs.	13 days/yr. or 8 2/3 hrs./month
6 yrs.	14 days/yr. or 9 1/3 hrs./month
7 yrs.	15 days/yr. or 10 hrs./month
8 yrs.	16 days/yr. or 10 2/3 hrs./month
9 yrs.	17 days/yr. or 11 1/3 hrs./month
10 yrs.	18 days/yr. or 12 hrs./month
11 yrs.	19 days/yr. or 12 2/3 hrs./month
12 yrs.	20 days/yr. or 13 1/3 hrs./month
13 yrs.	21 days/yr. or 14 hrs./month
14 yrs.	22 days/yr. or 14 2/3 hrs./month

- B. New employees shall accrue annual leave from the date of hire.
- C. Each permanent part-time with benefits employee who works ~~less than 39~~ **at least 29** hours but ~~more than 30~~ **equal to or less than 29.75** hours will be entitled to three-fourths of full-time employee annual leave listed above.
- D. Persons hired on an emergency, part-time non-benefited, seasonal, temporary or contract basis shall not accrue annual leave.
- E. Individual department heads will issue approval or disapproval on all annual leave requests. All annual

leave requests should be submitted in a reasonable time in advance of the desired time off. If an excessive (being the number of requests if granted that would render the department or organization ineffective) amount of employees request leave for the same time period it shall be granted in order of application (first-come-first-served) at the discretion of the City Administrator, Personnel Director, or Mayor.

- F. The maximum annual leave which can be accrued and carried forward from calendar year to calendar year is two hundred and forty (240) hours for a full time employee; and one hundred and eighty (180) hours for a part-time with benefits employee. Any accrued annual leave in excess of two hundred and forty (240) hours for a full time employee; or one hundred and eighty (180) hours for a part time with benefits employee shall be forfeited on December 31 in which the leave was accrued. A full time employee may turn in up to fifty six (56) hours of vacation per year for pay; and a part time with benefits employee may turn in up to forty two (42) hours of vacation per year for pay.
- G. A holiday which falls during an employee's annual leave shall be counted as a paid holiday and not as annual leave.
- H. An employee who is separated from employment shall be compensated for all accrued annual leave.
- I. Official vacation records will be maintained and kept current by the Personnel Director.

3. HOLIDAY LEAVE.

- A. Holidays which apply to permanent full time and part time with benefits employees are:
 - (1) New Year's Day January 1st
 - (2) Human Rights Day 3rd Monday in January
 - (3) President's Birthday 3rd Monday in February
 - (4) Memorial Day Last Monday in May
 - (5) JuneTeenth June 19 On the 19th if Monday; If 19th is on Tuesday-Friday it is immediate preceding Monday; if 19th is on Saturday or Sunday it is the immediate following Monday. June 19; T-F next Monday; Or S-S following Monday
 - (6) Independence Day July 4th
 - (7) Pioneer Day July 24th

- (8) Labor Day 1st Monday in September
- (9) Columbus Day 2nd Monday in October
- (10) Veteran's Day November 11th
- (11) Thanksgiving 4th Thursday in November
- (12) Day After Thanksgiving 4th Friday in November
- (13) Christmas Eve *Half Day December 24th
- (14) Christmas December 25th

- B. If any of the above holidays fall on Saturday, then the preceding Friday shall be the holiday. If any of the above holidays fall on Sunday, then the following Monday is the holiday.
- C. Each full time employee will receive eight (8) hours of pay on each holiday listed above except Christmas Eve which is four (4) hours of pay; and permanent part-time with benefits employee who work **atleast 29** hours but **equal to or less than 29.75** hours ~~less than 39 hours but more than 30 hours~~ will be entitled to 6 hours of pay on each holiday listed above except Christmas Eve which is 3 hours of pay.

4. SICK LEAVE.

- A. Purpose. Short-term sick leave accruals may be used to cover the employee on days when he/she must be absent from work due to short-term illness or when the employee is absent from work for personal business. Long-term sick leave accruals are to be used to cover the employee for illness in excess of four days, or to supplement disability or Workers' Compensation payments to make up the employees average weekly earnings.
- B. Eligibility. Sick leave shall be available to all permanent employees, including part time with benefits employees working **30 29** hours or more per week, and probationary employees. Part-time Non-Benefited, seasonal, temporary, provisional, and emergency employees are not eligible for sick leave. ~~Sick leave will not be granted to employees during their first ninety (90) calendar days of employment, except for emergency circumstances.~~
- C. Accrual. The employee will begin to accrue sick leave immediately upon being hired by Hyrum City. Sick leave shall not accrue if an employee is in a leave-without-pay status. The two categories of sick leave are short-term sick leave and long-term sick leave.
 - (1) Short-term sick leave accrues at the rate of 5 days per year, or 1.67 hours per pay period, to

a maximum accumulation of 300 hours for full-time employees; and 30 hours per year, or 1.25 hours per pay period to a maximum accumulation of 225 hours for part-time with benefits employees ~~(those working at least 30 hours, but fewer than 39 hours per week)~~.

- (2) Long-term sick leave accrues at the rate of 7 days per year, or 2.33 hours per pay period, to a maximum accumulation of 1,040 hours for full-time employees; and 42 hours per year, or 1.75 hours per pay period, to a maximum accumulation of 780 hours for part-time with benefits employees ~~(those working at least 30 hours, but fewer than 39 hours per week)~~.

THIS RESOLUTION shall become effective July 1, 2024.

ADOPTED this 16th day of May, 2024.

HYRUM CITY CORP.

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder