

Resolution # 3884

A RESOLUTION AMENDING THE EMPLOYEE HANDBOOK SECTIONS 4.15 OVERTIME AND COMPENSATORY TIME AND 2.22 ON-CALL DUTY FOR MUNICIPAL EMPLOYEES

WHEREAS, the City of Sidney has previously, by resolution number 3204, adopted a longevity policy for the payment of yearly bonuses to employees based on years of service to the City of Sidney; and,

WHEREAS, the City of Sidney now wishes to amend that policy to increase the longevity pay offered to municipal employees;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following policy shall replace the previously adopted 4.15 Overtime and Compensatory Time policy of the City of Sidney for Exempt Employees:

Exempt employees are identified using the criteria listed in The Federal Labor Standards Act (FLSA). Exempt employees do not receive overtime pay. If authorized by the Mayor, exempt employees may receive compensatory time off for hours worked in excess of 45 hours per week at the rate of one hour for each hour worked in excess of 45. Exempt employees may accrue a maximum of 180 compensatory hours. The department head shall give prior written authorization for all hours worked in excess of 45 per week. Exempt employees may use vacation and sick time prior to using compensatory time and 140 hours of unused accrued compensatory time can be requested to be paid out one time during the fiscal year. Employees must request the payout with the Mayor a minimum of one week prior to the regular pay cycle. If requested after, the payout will be included in the next pay cycle

Holiday time of eight hours for any paid holiday shall not count toward hours worked. However, absences while in a leave status (e.g., annual leave, sick leave, personal leave, etc.) shall be considered hours worked for the purpose of calculating compensatory time.

The department head shall have the authority to approve overtime and compensatory time. No employee shall work overtime or compensatory hours without the prior knowledge and written approval of the department head. An authorization form will be required for overtime and compensatory hours worked.

No time off or compensatory time is allowed for elected officials and attorneys.

2. The following policy shall replace the previously adopted 2.22 On-Call Duty policy of the City of Sidney:

Call-Out Time: When an Employee is called back to work at a time other than his regular shift, he/she will be given two (2) hours work or paid a minimum of two (2) hours overtime pay. If an Employee is called back to work between the hours of 10:00 p.m. and 5:00 a.m., he/she will be given three (3) hours work or three (3) hours overtime pay. However, if there are regularly scheduled Employees working during the call-out, the on-call Employee receiving the call will contact the regularly scheduled Employee to respond to the call-out as a part of their regularly assigned duties. If the regularly scheduled Employee is busy with another task that cannot be delayed and is unable to respond, the on-call Employee will respond. If an employee chooses to not work the full 40-hour schedule above their call-out time, using

the call-out time hours as flex hours within the same week, they will be paid one half (1/2) their hourly wage per hour of call-out time as an additional pay.

On-Call Time: Employees serving on-call duty will be paid sixty-six and 55/100 (\$66.55) dollars per day for Saturdays, Sundays and holidays and thirty-nine and 94/100 (\$39.94) dollars per day for Monday through Friday (other than holidays), plus call back time as provided for in this Article 10 paragraph one. The amounts for standby time pay will increase annually on July 1 of each subsequent year beginning FY21 by the Consumer Price Index for All Urban Consumers, West Region, December through December, as published by the Bureau of Labor Statistics up to a CAP of four percent (4% [3.5% for third year]) and a floor of zero percent (0%).

The Employees will work together to establish standby schedules and the Employer will accept those arrangements, to the extent the Employer determines staffing needs are met. The Employer reserves the authority to establish schedules for standby shifts and assign standby duties but agrees to exercise that authority only if the Employer determines staffing needs cannot be met through the Employees scheduling efforts. All Employees, except the Mechanic, will be available for standby duty assignments. The Employer will have sole authority to establish standby policies and procedures and will do so with input from the Employees. The standby provisions of the Agreement will in no way restrict the City's right to hire temporary outside forces to address urgent needs on weekends or holidays if City Employees are not available.

Scheduled WWTP Weekend Work: Employees who are on on-call duty and perform the weekend daily checks of the wastewater treatment plant will be given two (2) hours work or paid a minimum of two (2) hours overtime pay. There is no call back time granted for these scheduled hours of work but call back time could apply for other times in the same day. This clause will terminate when the new wastewater plant is online.

The Sidney Police Department is exempt from this policy.

Adopted this ____ day of June, 2022.

Mayor

ATTEST:

Clerk/Treasurer of the City of Sidney