

CLASSIFICATION AND PAY PLAN

§ 39.120 APPLICATION OF PLAN; EMPLOYEES COVERED.

This subchapter applies only to those employees in the civil service of the city as provided in §§ 39.035 through 39.068 and 39.080 through 39.092, except as specifically provided in this section. A position classification plan, prepared by the director and approved by the civil service board and the mayor, as amended, shall constitute a description of the duties and responsibilities of civil service positions. The plan shall serve as a guide for the development and implementation of a systematic salary plan for those employees and development of examination, transfer, promotion, reassignment and training procedures. Notwithstanding any provisions of this subchapter as they existed prior to the adoption of the ordinance from which this section is derived, as amended, the operation and application of any previous classification and pay plans including the step placement and step advancement of all city employees, including appointive officers, prior to the effective date of the ordinance from which this section is derived, as amended, are ratified.

(1957 Rev. Ords., § 2.208; 1992 Code, § 30-96) (Ord. 2669, passed 3-3-1970; Ord. 24-91, passed 3-25-1991; Ord. 87-91, passed 11-25-1991; Ord. 32-94, passed 4-11-1994; Ord. 37-95, passed 3-6-1995)

§ 39.121 OPERATION OF PLAN; STEP ADVANCEMENT.

(a) Except as otherwise provided in this section, an employee's eligibility for step advancements within the city's position classification and pay plan is pursuant to the completion of the waiting period within each step as shown in the following table.

(b) New employees under the city's classification and pay plan will start at step 1 except as specifically provided in § 39.124. Upon completing the waiting period in each step as shown in division (a) above, the employee will advance to the next step unless cause for denial is shown by the employer. If cause is shown by the employer and an employee is denied step advancement at the time of eligibility, the employer may grant the employee that step advancement at any time thereafter.

(c) The employee's anniversary date for purposes of step advancement eligibility will be the month and day of the actual hire date unless cause for denial is shown by the employer. When a step is denied, the anniversary date for future step advancement eligibility will be the effective date of the next step increase that is granted.

(d) Should an employee be absent from the job on unpaid leave for more than 30 days during the waiting period for step advancement eligibility, the waiting period for that step will be extended for a period of time equal to the absence, and the employee's anniversary date for future step advancement eligibility will be adjusted to the effective date of the next step increase that is granted.

(e) If step advancement is granted, it shall be granted on the first day of the biweekly pay period which is nearest to the anniversary date of the employee.

(f) All increases or decreases into a new step shall be recorded on an employee status change form and a new service rating shall accompany this form. The department head and director or designee shall approve all budgeted salary changes.

(g) A midmanagement employee may be eligible for an annual accelerated step advancement under the city's position classification and pay plan. Accelerated step placement will be based upon documented excellence in employee performance. Any acceleration of step advancement for excellence in performance must be recommended by the director and approved by the director of human resources and the mayor.

(1957 Rev. Ords., § 2.210; 1992 Code, § 30-97) (Ord. 2669, passed 3-3-1970; Ord. 84-75, passed 12-15-1975; Ord. 100-76, passed 11-29-1976; Ord. 130-81, passed 12-28-1981; Ord. 41-83, passed 6-27-1983; Ord. 97-83, passed 11-21-1983; Ord. 24-91, passed 3-25-1991; Ord. 87-91, passed 11-25-1991; Ord. 37-95, passed 3-6-1995; Ord. 4-01, passed 1-8-2001; Ord. 73-01, passed 8-6-2001)

§ 39.122 PROMOTION/TRANSFER; SALARY CHANGES.

(a) The word PROMOTION as used in this section applies to an actual permanent vacancy resulting in the movement of an employee from his or her present job classification to another job classification having a higher maximum biweekly or hourly rate of pay. The word TRANSFER as used in this section applies to an actual permanent vacancy resulting in the movement of an employee from his or her present job classification or position to another job classification or position having an equivalent or lower maximum biweekly or hourly rate of pay.

(b) An employee promoted to fill a vacant position shall be placed into the salary step of the pay grade which is at least, and is closest to, 5% higher than the salary received prior to the promotion. Based upon qualifications and the needs of the city, and upon the recommendation of the director of human resources, the mayor may approve placements above 5%. However, if salary Step 9 of the new position is less than 5% higher than the salary amount received prior to promotion, the employee will be placed at Step 9 and receive the lower percentage increase in pay. A promoted employee is not eligible for a step increase upon completion of probation. Upon recommendation of the director of human resources, the mayor may adjust salary steps.

(c) When an employee transfers from a position in one department to a position in another department without a change in job classification, the employee's salary step and rate of pay shall remain the same.

(d) When an employee transfers to a job classification with the same or lower maximum biweekly or hourly rate of pay, the employee must have completed a minimum of one year of experience in the same field at the same level of difficulty for each step granted above step 1 in the new pay scale. The salary step placement will be made at the discretion of the department head, subject to approval by the director of human resources.

(e) After successful completion of a six-month probationary period, a transferred employee may be eligible to advance to the next step in the salary grade. An employee shall only be eligible for a probationary step advancement if the employee's biweekly or hourly rate of pay was reduced at the time of transfer. The anniversary date for future step advancement eligibility shall be the effective date of the probationary step advancement if one is granted.

(f) The anniversary date for future step advancement eligibility will not be adjusted at the time of promotion or transfer unless there is a change in the biweekly or hourly rate of pay. If the biweekly or hourly rate of pay is changed, the anniversary date for future step advancement eligibility shall become the effective date of promotion or transfer.

(1992 Code, § 30-98) (Ord. 24-91, passed 3-25-1991; Ord. 87-91, passed 11-25-1991; Ord. 37-95, passed 3-6-1995; Ord. 87-97, passed 12-2-1997; Ord. 129-99, passed 12-13-1999; Ord. 30-02, passed 4-8-2002)

§ 39.123 REASSIGNMENT; SALARY CHANGES.

Those employees not represented by a collective bargaining unit are subject to the following provisions.

(a) Reassignment for employees applies to a personnel action where no actual vacancy exists but an employee's job classification and/or pay grade is changed. This personnel action will result from a management-initiated job audit or reorganization.

(b) When the pay grade for a classification is upgraded or if an employee is reassigned to a classification having a higher maximum or hourly rate of pay, the employee's salary shall:

(1) Go to the step with the salary amount in the new pay grade which is next over the salary amount received in the prior pay grade if the employee has not been performing the duties commensurate with their higher pay grade prior to their reassignment; or

(2) Go to the same step in the new pay grade as it was in the prior pay grade if the employee is, through a management-initiated audit, determined to have been performing duties commensurate with the higher pay grade prior to the reassignment.

(c) When an employee is reassigned to a job classification due to a management-initiated job audit or reorganization having the same maximum biweekly or hourly rate of pay, the employee's salary step and rate of pay shall remain the same.

(d) When the pay grade for a classification is downgraded or when an employee is reassigned to a job classification due to a management-initiated job audit or reorganization having a lower maximum biweekly or hourly rate of pay, the employee shall be placed into the salary step of the new pay grade which is next lower than and closest to the salary amount received prior to the reassignment. When the employee's salary level, prior to reassignment, is greater than step 9 of the newly assigned pay grade, the employee's biweekly or hourly rate of pay shall be frozen as of the date of the reassignment. The employee's salary rate shall remain frozen until a time as step 9 of the pay grade assigned to the employee's classification is equal to or greater than the employee's frozen salary rate of pay. When that occurs, the employee shall be placed into step 9 of the new pay grade assigned to the employee's classification.

(e) If reassignment occurs, the anniversary date for future step advancement eligibility will not be adjusted, unless the employee is reassigned to a higher pay grade and has not been performing the duties commensurate with the higher pay grade prior to the reassignment as defined in division (b)(1) above, in which case the employee's anniversary date for future step advancement eligibility will be the effective date of the reassignment.

(1957 Rev. Ord., § 2.211; 1992 Code, § 30-99) (Ord. 2669, passed 3-3-1970; Ord. 80-77, passed 11-28-1977; Ord. 58-83, passed 8-29-1983; Ord. 24-91, passed 3-25-1991; Ord. 87-91, passed 11-25-1991; Ord. 97-92, passed 11-9-1992; Ord. 44-93, passed 5-24-1993; Ord. 32-94, passed 4-11-1994)

§ 39.124 STARTING ABOVE MINIMUM STEP.

New employees under the city's classification and pay plan may be placed in a step above step 1. Any placement above step 1 must be approved by the director of human resources. Any placement above step 5 must also be approved by the mayor. Upon recommendation of the director of human resources and approval of the mayor, salary step adjustments may be made for incumbents affected by entrance salary placements.

(1957 Rev. Ords., § 2.212; 1992 Code, § 30-100) (Ord. 2669, passed 3-3-1970; Ord. 99-84, passed 6-25-1984; Ord. 87-91, passed 11-25-1991; Ord. 37-95, passed 3-6-1995; Ord. 87-97, passed 12-2-1997; Ord. 9-99, passed 1-4-1999; Ord. 28-00, passed 4-10-2000; Ord. 4-01, passed 1-8-2001)

§ 39.125 ACTING PAY.

(a) A nonexempt employee not represented by a collective bargaining unit who is assigned duties by the city to a position with a higher maximum rate of pay than that of the nonexempt employee's regular assigned salary scale shall receive an acting pay differential of \$1 per hour in addition to their regular base hourly rate of pay, for all hours actually worked in an acting capacity. The acting pay differential will not be applied to the use of paid time off benefits, or any other type of leave during the acting period. This temporary assignment period and associated salary increase shall not exceed six months when the position is vacant.

(b) Any increase under this section shall be approved by the department head and director of human resources.

(1957 Rev. Ords., § 2.214; 1992 Code, § 30-101) (Ord. 2669, passed 3-3-1970; Ord. 16-84, passed 1-30-1984; Ord. 87-91, passed 11-25-1991; Ord. 32-94, passed 4-11-1994; Ord. 37-95, passed 3-6-1995; Ord. 87-97, passed 12-2-1997; Ord. 131-98, passed 12-7-1998; Ord. 28-00, passed 4-10-2000; Ord. 67-00, passed 8-14-2000; Ord. 4-01, passed 1-8-2001)

§ 39.126 PAY UPON RE-EMPLOYMENT OF A SEPARATED EMPLOYEE.

An employee who voluntarily resigns from city employment and is reemployed under the provisions of § 39.068 shall be placed into the same pay grade and step for the position held as of the date of resignation. If the reemployed employee is placed into a similar position with an equal or lesser pay grade for which he or she is qualified, he or she shall be placed into the pay grade and step for the position which is closest to but not more than the rate of pay received as of the date of his or her resignation. The employee's employment anniversary date for purposes of vacation accrual, sick leave and other benefit eligibility shall be the date of his or her reemployment. The employee shall be credited with seniority accumulated in his or her position prior to the separation for purposes of eligibility for future promotional opportunities.

(1957 Rev. Ords., § 2.215; 1992 Code, § 30-102) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 28-00, passed 4-10-2000)

§ 39.127 EXEMPT/NONEXEMPT CLASSIFICATION.

(a) Any employee employed in a bona fide executive, administrative or professional capacity is exempt from the wage and hour provisions of the Fair Labor Standards Act. An employee employed in a bona fide executive, administrative or professional capacity shall be paid on a salary basis within the meaning of the FLSA regulations. The employees employed in a bona fide executive, administrative or professional capacity shall be defined as EXEMPT employees.

(b) Employees who are within the general coverage of the FLSA and are not specifically exempt from the overtime pay requirements shall be defined as NONEXEMPT employees. The regular hourly rate of pay of a nonexempt employee is determined by dividing his or her total remuneration for employment (except statutory exclusions) in any work week by the total number of hours actually worked by him or her in that work week for which the compensation was paid.

(1957 Rev. Ords., § 2.213; 1992 Code, § 30-103) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 32-94,

passed 4-11-1994)

§ 39.128 HOURS OF WORK.

(a) Each department shall establish the scheduled hours of work for exempt employees within that department. The workweek shall begin at 12:01 a.m. Monday and end at 12:00 midnight Sunday.

(b) The regular workweek of 40 hours in each seven-day period shall remain in effect for purposes of overtime computation for all nonexempt employees.

(c) The exempt employee shall regularly receive each pay period a predetermined amount constituting all of his or her compensation without regard to the number of days or hours worked, subject to the exceptions listed below.

(1) Deductions from accrual banks may be made when the exempt employee absents himself or herself from work for full days of absence for personal reasons, holidays, sickness or disability.

(2) Deductions of less than one week from the exempt employee's salary may be made for disciplinary actions.

(3) The exempt employee shall not be paid for any workweek in which he or she performs no work or is not on paid time-off benefit leave.

(4) Exempt employees working under regular part-time agreements shall be paid one-half or prorated equivalent of the established pay grade for the identified classification.

(5) No deductions in hours for exempt employees will be made for absences occasioned by the city or by the operating requirements of the city, absences caused by jury duty, attendance as a witness and for military leave less than a full week in duration.

(6) Flex-time scheduling may be implemented where feasible upon approval of the department head.

(d) No improper pay deductions shall be made from an exempt employee's salary. Any exempt employee may file a complaint with the human resources department within 30 days of learning of an alleged improper deduction. The human resources department will investigate the complaint to determine if any pay deductions were improper. Exempt employees will be reimbursed for any improper deductions. The human resources department shall communicate the provisions of this section to employees by appropriate means.

(1957 Rev. Ords., § 2.216; 1992 Code, § 30-104) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 32-94, passed 4-11-1994; Ord. 87-97, passed 12-2-1997; Ord. 131-98, passed 12-7-1998; Ord. 04-04, passed 1-12-2004; Ord. 4-05, passed 1-10-2005)

§ 39.129 EXEMPT AND NONEXEMPT EMPLOYEES; OVERTIME AND COMPENSATORY TIME.

(a) Overtime compensation for nonexempt employees who are eligible for representation by a collective bargaining unit shall be accumulated and paid as overtime or compensatory time according to the language of the respective collective bargaining agreements.

(b) Overtime compensation for nonexempt employees not represented by a collective bargaining unit who work a 40-hour workweek shall be paid at the rate of time and one-half for hours actually worked in excess of their regularly scheduled workweek. To earn overtime either as pay or compensatory time, an employee must be on duty for the overtime hours. Employees may not use paid leave benefits to accumulate hours worked in excess of 40 hours in a work week, or in excess of the regularly scheduled number of hours in a work day.

(c) For purposes of computing overtime pay for nonexempt employees not represented by a collective bargaining unit, hours actually worked shall include holiday, vacation, personal leave and sick leave.

(d) Nonexempt employees not represented by a collective bargaining unit shall have the option of accruing compensatory time off or receiving monetary compensation for all authorized overtime hours worked in excess of 40 hours per seven-day workweek. Compensatory time shall be awarded at one and one-half times the overtime hours actually worked.

(e) Nonexempt employees not represented by a collective bargaining unit are not required to accrue and maintain a minimum level of compensatory time off before being eligible for overtime pay. Accrued compensatory time may be carried forward from year to year. Nonexempt employees may accrue no more than 160 hours of compensatory time. The 160 hours represents not more than 106.50 hours of actual overtime worked. In case of discharge, resignation in good standing, or retirement or death, the date of employment may not extend beyond the actual working day by designating compensatory paid hours. Compensatory hours unused and remaining in the nonexempt employee's bank at the time of separation from employment shall be compensated for in cash to the nonexempt employee or to the surviving spouse or, if no spouse survives, to the nonexempt employee's estate up to a maximum of 160 hours.

(f) Appointive officials and exempt employees not eligible for additional monetary compensation or compensatory time who carry a balance of accrued compensatory time as of May 9, 1994, may carry that balance forward from year to year or may use the compensatory time off in increments of not less than eight hours. Compensatory hours not exceeding 160 hours which are unused and remaining in the mayor, appointed official and exempt employee's bank at the time of separation from employment with the city shall be compensated for in cash to the exempt employee or to the surviving spouse or, if no spouse survives, the exempt employee's estate. In case of discharge, resignation in good standing, or retirement or death, the date of employment may not extend beyond the last actual working day by designating compensatory paid hours.

(g) The mayor and appointive officials and all exempt employees must report absences of full days that require the use of a paid time off benefit for record keeping and payroll purposes.

(h) All nonexempt employees must complete a weekly time sheet for reporting, recordkeeping and payroll purposes.

(1957 Rev. Ords., § 2.217; 1992 Code, § 30-105) (Ord. 2669, passed 3-3-1970; Ord. 108-73, passed 12-3-1973; Ord. 64-74, passed 12-2-1974; Ord. 12-82, passed 2-1-1982; Ord. 15-84, passed 1-30-1984; Ord. 32-84, passed 2-21-1984; Ord. 95-84, passed 6-4-1984; Ord. 87-91, passed 11-25-1991; Ord. 32-94, passed 4-11-1994; Ord. 37-95, passed 3-6-1995; Ord. 131-98, passed 12-7-1998)

§ 39.130 RIGHT TO SET HOURS AND PAY.

The mayor shall at all times have the final right to set hours and wages in accordance with FLSA requirements and amend the rules and regulations as deemed necessary in the best interest of the public and for the efficient operation of any city department.

(1957 Rev. Ords., § 2.226; 1992 Code, § 30-106) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 37-95,

passed 3-6-1995)

§ 39.131 TEMPORARY EMPLOYEES.

Temporary employees are necessary to meet the staffing needs of various city departments. Employment as a temporary employee is at-will and can be terminated at any time with or without notice for any reason. Hours in excess of 40 hours in a workweek shall be paid in accordance with FLSA. Temporary city employees include employees classified as follows: part-time employee, seasonal employee, recreation seasonal employee, and interim employee. A change from one temporary employee classification to another temporary employee classification shall require a 13-week break in service, unless total hours worked does not exceed the identified limitations.

A former civil service and/or appointed employee is not eligible for reemployment as a temporary employee until there has been a 13-week break in city service.

(1957 Rev. Ords., § 2.218; 1992 Code, § 30-107) (Ord. 2669, passed 3-3-1970; Ord. 8-89, passed 1-23-1989; Ord. 59-89, passed 6-19-1989; Ord. 87-91, passed 11-25-1991; Ord. 66-95, passed 5-1-1995; Ord. 86-14, passed 11-12-2014)

§ 39.132 STANDBY PAY AND EMERGENCY CALL-IN PAY.

(a) When an exempt midmanagement employee not represented by a collective bargaining agreement is designated to be on call or standby, the employee shall be eligible for standby pay.

(b) If an employee is represented by a collective bargaining unit which has entered into an agreement with the city concerning standby pay and emergency call in pay, the terms of that agreement will govern the method and amount of compensation.

(1957 Rev. Ords., § 2.219; 1992 Code, § 30-108) (Ord. 2747, passed 4-12-1971; Ord. 108-73, passed 12-3-1973; Ord. 80-77, passed 11-28-1977; Ord. 128-81, passed 12-28-1981; Ord. 110-83, passed 12-19-1983; Ord. 14-84, passed 1-30-1984; Ord. 87-91, passed 11-25-1991; Ord. 32-94, passed 4-11-1994; Ord. 37-95, passed 3-6-1995; Ord. 4-01, passed 1-8-2001)

§ 39.133 REGULAR PART-TIME EMPLOYEES.

(a) Employees hired for regular part-time work shall be paid the hourly equivalent of the assigned scale. A regular part-time employee must serve hours equal to a regular full-time position in order to advance through the pay steps.

(b) Persons hired as regular part-time employees must meet the minimum qualifications for the position as established in the classification plan; and qualify for employment through examination.

(1958 Rev. Ords., § 2.220; 1992 Code, § 30-109) (Ord. 2669, passed 3-3-1970; Ord. 41-83, passed 6-27-1983; Ord. 8-89, passed 1-23-1989; Ord. 87-91, passed 11-25-1991)

§ 39.134 PAY OF TEMPORARY EMPLOYEES.

Temporary employees employed as part-time or seasonal employees shall be paid at the hourly rate of pay established by the appointing authority. Part-time and seasonal employees are not civil service or eligible to receive employee benefits.

Temporary employees employed as recreation seasonal employees are exempt from the FLSA and shall be paid at a rate determined by the appointive official or his or her designee. Recreation seasonal employees are not civil service or eligible to receive employee benefits.

Temporary employees employed as interim employees shall be paid at an hourly rate of pay if classified as a nonexempt employee or at a biweekly rate of pay if classified as an exempt employee. The rate of pay shall be established by the hiring authority and approved by the director. Interim employees are not civil service or eligible to receive employee benefits other than access to the city's health plan.

(1957 Rev. Ords., § 2.221; 1992 Code, § 30-110) (Ord. 2669, passed 3-3-1970; Ord. 8-89, passed 1-23-1989; Ord. 87-91, passed 11-25-1991; Ord. 86-14, passed 11-12-2014)

§ 39.135 CERTIFICATION OF PAYROLLS.

(a) The director of human resources shall compare the payroll with the official roster or other record to determine the accuracy of employee job information.

(b) It shall be unlawful for any auditing, disbursing or other officer of the city to pay or cause to be paid, directly or indirectly, any salary, wage or other compensation to any person whose name appears on the payroll whose appointment and employment has not been in accordance with the rules established by the civil service board or appropriate state statutes.

(c) No payroll proposing the payment of wages or salary to any person in the city service whose name does not appear on the office roster or whose name has been ordered removed therefrom shall be certified or approved for payment for the period between the end of the last payroll period and date when the employee's name is removed or ordered removed from the official roster.

(1957 Rev. Ords., § 2.228; 1972 Code, § 30-112; 1992 Code, § 30-111) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 87-97, passed 12-2-1997; Ord. 4-01, passed 1-8-2001)

§ 39.136 INCENTIVE PLAN.

(a) A lump sum payment may be made in addition to the midmanagement employee's normal salary for a fiscal calendar year in order to recognize the extraordinary demands of the business and/or completion of a key project that requires extraordinary effort.

(b) The incentive payment is determined at the sole discretion of the mayor and not pursuant to any prior contract agreement or promise causing the employee to expect the payment regularly.

(c) The midmanagement employee shall have no contract right expressed or implied to any amount. In no case shall the incentive payment exceed 5% of the midmanagement employee's annual salary as of January 1 of a calendar year.

(d) Any recommendation for incentive pay shall be prepared by the department head, reviewed by the director and approved by the mayor. The recommendation shall contain statements and facts supporting the extraordinary demands and/or key project requiring extraordinary effort.

(1992 Code, § 30-112) (Ord. 37-95, passed 3-6-1995)

LEAVE PROGRAM; GENERALLY

§ 39.155 ABSENCE WITHOUT LEAVE.

Absence from duty without leave or failure to report after leave has expired or has been disapproved, revoked or cancelled shall be grounds for suspension, reduction or discharge as provided by the civil service rules.

(1957 Rev. Ords., § 3.207; 1992 Code, § 30-123) (Ord. 87-91, passed 11-25-1991)

§ 39.156 HOLIDAYS ENUMERATED.

(a) (1) Holidays shall mean days in which the mayor, appointive officers and regular employees not represented by a collective bargaining unit, excluding uniformed nonmanagement fire department employees, of the city, whose services are not essential on holidays, are permitted to absent themselves from work with pay. The following are official holidays of the city:

New Year's Day
January 1
Martin Luther King Jr. Day
3rd Monday in January
President's Day
3rd Monday in February
Memorial Day
Last Monday in May
Independence Day
July Fourth
Labor Day
1st Monday in September
Native American's Day
2nd Monday in October
Veterans' Day
November 11
Thanksgiving Day
4th Thursday in November
Christmas Day
December 25

(2) When an official holiday falls on Sunday, the following Monday shall be designated as a substitute holiday and observed as an official holiday. When an official holiday falls on Saturday, the preceding Friday shall be designated as a substitute holiday and observed as an official holiday.

(b) Employees are eligible for holiday pay from their first day of employment. Unless otherwise provided, employees shall receive eight hours pay for the day on which a designated holiday is observed.

(c) Shift fire management employees and shift police lieutenant employees shall be granted annually an equal number of additional shifts off as there are legal holidays recognized by the city. Holiday leave for terminating employees and employees on an approved unpaid leave of absence shall be prorated according to the number of official holidays having occurred as of the employees' separation date.

(d) Classified employees shall be paid at guaranteed overtime rate of two times the employee's regular base hourly rate for all hours worked on Thanksgiving and Christmas.

(e) Upon discharge, resignation in good standing, retirement or death, holiday leave not used shall not be compensated for in cash nor shall the date of separation be extended through the use of unused holiday leave.

(1957 Rev. Ords., § 2.222; 1992 Code, § 30-124) (Ord. 2669, passed 3-3-1970; Ord. 108-73, passed 12-3-1973; Ord. 64-74, passed 12-2-1974; Ord. 100-76, passed 11-29-1976; Ord. 117-78, passed 11-27-1978; Ord. 126-81, passed 12-28-1981; Ord. 42-82, passed 4-19-1982; Ord. 4-83, passed 1-31-1983; Ord. 96-83, passed 11-21-1983; Ord. 13-84, passed 1-30-1984; Ord. 24-85, passed 4-1-1985; Ord. 124-90, passed 12-24-1990; Ord. 87-91, passed 11-25-1991; Ord. 37-95, passed 3-6-1995; Ord. 87-97, passed 12-2-1997; Ord. 4-01, passed 1-8-2001)

§ 39.157 EMPLOYEES ELIGIBLE FOR HOLIDAY LEAVE.

(a) The mayor and every officer and civil service employee is eligible for holiday leave. An employee shall not be paid holiday pay for holidays which occur during an approved, unpaid leave of absence. If a holiday immediately precedes or follows the approved unpaid leave of absence, the employee must work or be on authorized paid leave the regularly scheduled work day preceding or following the holiday to be paid for that holiday.

(b) Regular part-time employees shall earn holiday pay prorated according to paid regular hours in the preceding year in comparison to holidays granted to regular full-time employees. In the first year of part-time status, an employee's holiday pay will be prorated based on their regular work schedule.

(1957 Rev. Ords., § 2.223; 1992 Code, § 30-125) (Ord. 2669, passed 3-3-1970; Ord. 87-91, passed 11-25-1991; Ord. 37-95, passed 3-6-1995)