



Chandler • Arizona
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#19
JUN 26 2008

MEMORANDUM

DATE: June 26, 2008

TO: Mayor and City Council

THRU: W. Mark Pentz, City Manager
Rich Dlugas, Assistant City Manager

FROM: Debra Stapleton, Director, Human Resources Division *DS*

SUBJECT: Resolution 4203 – Amending Personnel Rule 15 – Leaves of Absences; Personnel Rule 16, Work Period, Overtime, Compensatory Time and Holiday Pay and Personnel Rule 3, Salaries.

RECOMMENDATION:

Request approval to adopt Resolution No. 4203 which amends Personnel Rule 15, Section 4; Personnel Rule 16, Section 5, 9, and 10 and Personnel Rule 3, Sections 1, 3 and 5.

BACKGROUND/DISCUSSION:

All Personnel Rule changes require the approval of City Council through the adoption of a Resolution. The majority of changes include updates to the Rules for clarification purposes and/or to reflect current practice. The substantive changes are outlined as follows:

Personnel Rule 15, Section 4; Vacation Accrual: An increase in the vacation accrual leave was negotiated between the City and S.E.I.U. which will go into effect on July 6, 2008. This new vacation accrual applies only to the nonexempt positions that are covered by S.E.I.U. The remaining 76 nonexempt positions in the City that are not otherwise covered under a Meet and Confer agreement are confidential employees and nonexempt supervisors. Staff believes that these employees should be granted the same accrual schedule as negotiated by S.E.I.U. in order to maintain equity and employee morale. In addition, this will bring the City's nonexempt vacation accrual close to the average of our other cities.

Personnel Rule 16, Section 9A and Section 10G; Compensatory Time and Holiday Pay: Additional verbiage was added to Section 9A, Compensatory Time, in order to clarify that nonexempt employees cannot bank more than 55 hours of compensatory time *unless otherwise*

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negotiated as part of a Memorandum of Understanding. Section 10G adds language to clarify that the Personal Holiday must be used during the *tax* calendar year which is consistent with the City's procedure. Other changes are minor housekeeping changes.

Personnel Rule 3, Section 5; Temporary Detail: S.E.I.U. negotiated a change in when an employee would become eligible for temporary detail pay in their 2002/2003 contract. This change provided that an employee assigned to temporary detail would be eligible for temporary detail pay after *one* pay period as opposed to two pay periods. This provision was adopted Citywide and this Rule change is to reflect the current practice.

The balance of the changes are minor housekeeping changes.

These proposed changes have been reviewed with the City Manager, Presidents of the Meet and Confer Groups, the Employee Council, the Directors, and the City Attorney.

PROPOSED MOTION:

Move to adopt Resolution No. 4203.



Debra Stapleton, Human Resources Director

RESOLUTION 4203

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER,
AMENDING PERSONNEL RULE 15, SECTIONS 4; PERSONNEL RULE 16,
SECTIONS 5, 9 AND 10; PERSONNEL RULE 3, SECTIONS 1, 3 AND 5.**

BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 4 of Personnel Rule 15 (Vacation Leave Accrual) is amended to read in its entirety as follows:

- A. A full-time work schedule consists of 52 weeks a year and 80 hours of work during the pay period except for employees of the Fire Department who are assigned to work shifts, which require more than 40 hours per week.
- B. Employees that are represented by a recognized employee organization pursuant to the requirements of the City of Chandler's City Code Section 2-13 shall be eligible for the vacation leave accrual schedule as agreed upon in the organization's current Memorandum of Understanding.
- C. Every full-time, non-exempt employee, who is not represented by a recognized employee organization as stated in the City of Chandler's Meet and Confer Ordinance No. 3619 and who works a full-time schedule 52 weeks a year, shall be credited vacation leave as follows for every completed pay period starting with the pay period that begins on July 6, 2008.
 - 4.0 hours per pay period for the first 5 years of service.
 - 4.9 hours per pay period for employees with 5 or more years service but less than 10 years service.
 - 5.7 hours per pay period for employees with 10 or more years service but less than 15 years service.
 - 6.6 hours per pay period for employees with 15 or more years of service, but less than 20 years of service.
 - 7.4 hours per pay period for employees with 20 or more years of service.
- D. Every full-time regular exempt employee, who does not report directly to the Department Director, and who works a full-time schedule 52 weeks a

year, shall be credited vacation leave as follows for every completed pay period.

- 4.7 hours per pay period for the first 5 years of service.
- 5.6 hours per pay period for employees with 5 or more years service but less than 10 years service.
- 6.5 hours per pay period for employees with 10 or more years service but less than 15 years service.
- 7.4 hours per pay period for employees with 15 or more years of service, but less than 20 years of service.
- 8.3 hours per pay period for employees with 20 or more years of service.

E. Every Department Director, Assistant Director, Deputy Director, full-time Division Manager, regular exempt employee who reports directly to a Department Director, and works a full-time schedule 52 weeks a year shall be credited vacation leave as follows for every completed pay period.

- 5.6 hours per pay period for the first 5 years of service.
- 6.5 hours per pay period for employees with 5 or more years service but less than 10 years service.
- 7.4 hours per pay period for employees with 10 or more years service but less than 15 years service.
- 8.4 hours per pay period for employees with 15 or more years of service, but less than 20 years of service.
- 9.3 hours per pay period for employees with 20 or more years of service.

F. Regular employees who work less than full-time but 1040 hours or more a year in a budgetarily approved position shall be credited vacation leave on a prorated basis. The prorated basis shall be established by dividing the number of hours scheduled per week by 40 and multiplying by the accrual rate for a full-time employee with the same length of service.

G. The accrual rate for employees of the Fire Department assigned to work shifts, which require more than 40 hours per week, shall be on a prorated basis. The prorated basis shall be established by dividing the number of hours scheduled per week by 40 and multiplying by the accrual rate for a full-time employee with the same length of service.

- H. Leaves of absence compensated under the Worker's Compensation statutes shall be considered as paid service for absences no longer than one year and the employee shall continue to accrue vacation leave.
- I. Temporary, full-time employees, who become or already have become regular employees, shall be allowed to credit toward their vacation accrual rate the time worked in a temporary position if the employee served in a temporary, full-time position for at least one year prior to becoming a probationary employee.

Sections 5, 9, and 10 of Personnel Rule 16 (On-Call Duty and Standby Duty, Compensatory Time, and Holidays) are amended to read as follows:

Section 5. On-Call Duty and Standby Duty

On-call procedures shall be established by the appropriate Department Director after coordination with the Human Resources Director, for the purpose of providing emergency service after hours, on weekends and on holidays. Pay shall be established for on-call duty by the Department Director and the Human Resources Director with the City Manager's approval. When the on-call responsibilities result in a stringent restriction of an employee's activities as recognized by the Fair Labor Standards Act, the employee shall be considered on standby duty and shall be compensated in accordance with the Fair Labor Standards Act.

Section 9. Compensatory Time

- A. Compensatory time shall not accrue beyond 72 hours maximum for Fire Department personnel working more than a 40-hour week. All other non-exempt employees shall not accrue beyond 55 hours maximum unless otherwise negotiated as part of a Memorandum of Understanding.

Section 10. Holidays

- G. Except as noted in Sections 10.C.8 and Sections 10.D.5, the personal holiday must be used no later than the last day of the last pay period with a pay date in December and cannot be accrued or paid in lieu of time off.

Sections 1, 3, and 5 of Personnel Rule 3 (Salaries) are amended to read as follows:

Section 1. Salary Schedule

The Human Resources Director or the person or agency employed for that purpose shall develop and maintain a salary schedule covering all classes in the classified service listing the salary grade for each classification.

Section 3. Application of Rates

Except as otherwise provided, employees occupying a position in the City service shall be paid within the salary grade for the class under the salary schedule. A new employee shall start at the minimum of the appropriate salary grade unless it is determined that qualified applicants are not available at the minimum of the salary grade, or that an applicant has special qualifications and/or a salary history that justify a higher starting rate than the minimum. The Department Directors may authorize an entrance salary up to 10% higher than the minimum of the salary grade. Any request to exceed 10% must be coordinated through the Human Resources Director and be approved by the City Manager. In no case, may the new employee's base rate of pay exceed the maximum of the salary grade.

An employee shall not receive a salary increase, which would cause the employee's salary to exceed the maximum of the assigned salary grade. If approved by the City Manager, an employee may be permitted to retain a base rate of pay which is above the maximum of the salary grade in the case of a comprehensive salary study, an assignment to a temporary detail, or reclassification to a lower grade.

Section 5. Temporary Detail

Upon recommendation of the Department Director and upon approval of the Human Resources Director and the City Manager, an employee may be detailed, on a temporary basis, to another class and/or position. Assignment to temporary detail shall begin on the first day of a pay period. Such detail normally shall be limited to a period of six months. However, with the approval of the Human Resources Director and the City Manager, the detail may be extended if in the best interests of the City. If the detail is to a higher graded class and is anticipated to last longer than one pay period, the employee shall be paid at the rate of the higher-class beginning with the first day of the detail. If one serves less than one pay period, no such payment shall be made. If the employee is to be paid at the rate of the higher class, the salary shall be set at least 5% higher than the employee's existing salary, however, the employee's salary may not be increased above the maximum of the salary grade of the higher class. All benefits, including vacation accrual, shall be temporarily adjusted accordingly during the temporary assignment. If the detail is to a class or position at the same or lower salary grade, the employee's salary shall not change.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2008.

Mayor

ATTEST:

City Clerk

CERTIFICATION

I, HEREBY CERTIFY that the above and foregoing Resolution No. 4203 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

City Clerk

APPROVED AS TO FORM:

City Attorney *mm*