

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 2.76 of the Lincoln Municipal Code
 2 relating to the Personnel System by amending Section 2.76.410 to bring the City's pregnancy
 3 leave provisions into compliance with federal regulations; amending Section 2.76.450 to
 4 include employees not covered by a Union agreement in the pay ranges subject to the City's
 5 reprimand provisions; and repealing Sections 2.76.410 and 2.76.450 of the Lincoln Municipal
 6 Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 2.76.410 of the Lincoln Municipal Code be amended
 9 to read as follows:

10 **2.76.410 Pregnancy Leave.**

11 Pregnancy leave shall be subject to the same rules and handled in the same manner
 12 as personal illness. An employee shall expend accrued sick leave while such employee is
 13 unable to perform her duties because of such pregnancy, as verified by a physician's
 14 statement. Prior to the seventh month of pregnancy, the employee shall provide her division
 15 supervisor with a statement from her physician indicating a date when she should discontinue
 16 working. ~~When the employee again is able to perform her duties, she shall promptly obtain~~
 17 ~~a physician's certification of her fitness to return to work.~~

18 ~~Failure on the part of the employee to report promptly to work without good cause~~
 19 ~~shall be considered as a resignation. The City shall conform to all requirements of the Family~~
 20 ~~and Medical Leave Act (FMLA). If the employee does not qualify for approved leave under~~
 21 ~~FMLA, she shall obtain a physician's certification of her fitness to return to work.~~ The use of
 22 vacation leave with pay, as set forth in Section 2.76.395, and leave of absence without pay,

1 as set forth in Section 2.76.400, may be approved in conjunction with the above use of sick
2 leave.

3 Section 2. That Section 2.76.450 of the Lincoln Municipal Code be amended
4 to read as follows:

5 **2.76.450 Reprimand.**

6 A department head may reprimand any employee for cause. Such reprimand shall be
7 in writing and addressed and presented to the employee who will initial receipt. A signed
8 copy shall be delivered to the Personnel Department for inclusion in the employee's personnel
9 file. The employee may submit an explanation or rebuttal. Reprimands may not be appealed
10 to the Personnel Board.

11 Written reprimands and rebuttals or explanations thereof shall be removed from an
12 employee's personnel file, including such files within a department, one year after the filing
13 thereof, provided there is a written request for removal from the affected employee. This
14 section shall apply only to ranges prefixed by "E", "M", "N", "C", "A", or "X".

15 Section 3. That Sections 2.76.410 and 2.76.450 of the Lincoln Municipal Code
16 as hitherto existing be and the same are hereby repealed.

17 Section 4. That this ordinance shall take effect and be in force from and after
18 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor