

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 2.76.380 of the Lincoln Municipal Code
 2 relating to Sick Leave with Pay to revise the amount of accumulated sick leave to be paid upon
 3 retirement, death or reduction in force for an employee with a pay range prefixed by “N” or “X”
 4 from one-fourth to one-third; and repealing Section 2.76.380 of the Lincoln Municipal Code as
 5 hitherto existing.

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

7 Section 1. That Section 2.76.380 of the Lincoln Municipal Code be amended to read
 8 as follows:

9 **2.76.380 Sick Leave with Pay.**

10 Subsections (a) through (g) shall apply to employees not represented by a bargaining unit.

11 (a) Amount. Sick leave shall be earned by each employee at the factored hourly equiva-
 12 lent of eight hours for each full month of service or twelve hours for each full month of service for
 13 an employee with a pay range prefixed by “M” who works a fifty-six hour work week. Earnings
 14 shall be computed only for those hours when an eligible employee is in a pay status, excluding
 15 overtime.

16 (b) When taken. Sick leave will be paid only when an employee is unable to perform
 17 work duties due to actual personal illness, noncompensable bodily injury, pregnancy, or disease,
 18 exposure to contagious disease under circumstances in which the health of other employees or the
 19 public would be endangered by attendance on duty, or to keep a medical or dental appointment and
 20 for no other reason. A sick leave pay account will be established and funds appropriated for that
 21 reason only. Sick leave with pay is intended to be paid on account of sickness rather than a
 22 continuation of salary.

1 Sick leave must be earned before it can be granted, and advancing sick leave is prohibited.
2 An employee may utilize no more than his accrued balance of sick leave. When an employee finds
3 it necessary to be absent for any of the reasons specified herein, the employee shall cause the facts
4 to be reported to his department head in accordance with departmental rules and regulations.

5 Sick leave shall be earned, but not be granted, during the probationary period occurring after
6 original appointment. An employee must keep his department head informed of his condition. This
7 shall be on a daily basis unless waived by the department head or designated representative. An em-
8 ployee may be required by the Personnel Director to submit a medical certificate for any absence.
9 Failure to fulfill these requirements may result in denial of sick leave. No refund of vacation time
10 shall be allowed due to illness incurred while on vacation leave. Sick leave shall not accrue during
11 any period of leave of absence without pay.

12 (c) Accumulated sick leave. The accumulation of unused sick leave is unlimited.

13 (d) Unused sick leave. Upon retirement, death or reduction in force, an employee with
14 a pay range prefixed by "E" or "M", or the employee's beneficiary, shall be paid one-half of his
15 accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate
16 of pay at the time the employee retires, is laid off, or at the time of the employee's death.

17 Upon retirement, death or reduction in force, an employee with a pay range prefixed
18 by "N" or "X", or the employee's beneficiary, shall be paid ~~one-fourth~~ one-third of his accumulated
19 sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the
20 time the employee retires, is laid off, or at the time of the employee's death.

21 Upon retirement, death or reduction in force, an employee with a pay range prefixed
22 by "A" or "C", or the employee's beneficiary, shall be paid one-half of his accumulated sick leave.
23 The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the
24 employee retires, is laid off, or at the time of the employee's death.

25 (e) An employee with a pay range prefixed by "A" or "C" may be granted time off for
26 a maximum of sixty hours in each calendar year for illness in the employee's immediate family.
27 Immediate family will also include any other family member, whether it be by blood, marriage, legal

1 adoption, or foster children, residing in the household. Family sick leave may also be granted to an
2 employee who has been appointed by a court of competent jurisdiction as legal guardian of any
3 person, with proper documentation. Such time off will be deducted from the employee's
4 accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges,
5 the Personnel Director may waive the sixty hour limit after reviewing the individual circumstances
6 in support of the request.

7 (f) An employee with a pay range prefixed by "N" or "X" may be granted time off for
8 a maximum of forty hours in each calendar year for illness in the employee's immediate family. For
9 purposes of this subsection (f), the term immediate family shall include the employee's mother,
10 father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-
11 law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent, grandchild, and the
12 grandparent of the employee's spouse, or any other relative residing in the household. Family sick
13 leave may also be granted to an employee who has been appointed by a court of competent
14 jurisdiction as legal guardian of any person, with proper documentation. Such time off will be
15 deducted from the employee's accumulated sick leave. Upon written request from an employee in
16 the above-referenced pay ranges, the Personnel Director may waive the forty hour limit after
17 reviewing the individual circumstances in support of the request.

18 (g) An employee with a pay range prefixed by "E" or "M" may be granted time off for
19 a maximum of sixty hours in each calendar year for illness in the employee's immediate family. For
20 purposes of this subsection (g), the term immediate family shall include the employee's mother,
21 father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law,
22 daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent,
23 grandchild, and the grandparent of the employee's spouse. Immediate family will also include any
24 other family member, whether it be by blood, marriage, legal adoption, or foster children, residing
25 in the household. Family sick leave may also be granted to an employee who has been appointed
26 by a court of competent jurisdiction as legal guardian of any person, with proper documentation.
27 Such time off will be deducted from the employee's accumulated sick leave. Upon written request

1 from an employee in the above-referenced pay ranges, the Personnel Director may waive the sixty
2 hour limit after reviewing the individual circumstances in support of the request.

3 Section 2. That Section 2.76.380 of the Lincoln Municipal Code as hitherto existing
4 be and the same is hereby repealed.

5 Section 3. That this ordinance shall take effect and be in force from and after its
6 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2007:

Mayor