

09-101

MOTION TO AMEND NO. 1

I hereby move to amend Bill No. 09-101 by accepting the Substitute Ordinance attached hereto to replace the previously introduced ordinance.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Requested by: Personnel Department

Reason for Request: To delete proposed amendments to Chapter 2.78 that would have removed employees in the pay ranges prefixed by the letter "M" from the variable merit plan; to clarify provisions related to annual leave; and to add longevity pay.

**SUBSTITUTE**  
ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE Amending Chapter 2.78 of the Lincoln Municipal Code relating to the  
2 City’s Personnel System by amending Section 2.78.020, Management Compensation Plan; Annual Leave,  
3 relating to employees in a pay range prefixed by M, to delete the provision regarding forfeiture of unused  
4 leave; and adding a new section 2.78.027 relating to longevity pay for employees in a pay range prefixed  
5 by M; and repealing Section 2.78.020 of the Lincoln Municipal Code as hitherto existing.

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

7           Section 1. That Section 2.78.020 of the Lincoln Municipal Code be amended to read as  
8 follows:

9           **2.78.020       Management Compensation Plan; Annual Leave.**

10           (a)       Effective on the first day of the second complete pay period in January of each year, each  
11 department head and each administrative assistant to an elected official shall be entitled to annual leave  
12 equivalent to 160 hours per year. Department heads and administrative assistants to elected officials may  
13 carry over unused annual leave to a maximum of forty hours, but any leave, over the maximum of forty  
14 hours, unused by the last day of the first complete pay period in January of the following year shall be  
15 forfeited. Any accumulated leave earned by a department head and unused as of January 15, 1982, shall  
16 be retained by the department head and may be used at any future time, and for any remaining upon  
17 termination of employment with the city, shall be compensated for such unused accumulated vacation  
18 leave.

19                   Any department head or administrative assistant to an elected official entering the  
20 management compensation plan at any time after the first day of the second complete pay period in  
21 January of any year shall be entitled to and shall receive only a pro-rated portion of the otherwise  
22 authorized management leave for that year.

23           (b)       Effective on the first day of the second complete pay period in January of each year, each  
24 employee with a pay range prefixed by the letter "M" shall be entitled to annual leave equivalent to 160  
25 hours per year, or 240 hours for those employees who work a fifty-six hour work week.

26                   After twenty years of service -- annual leave equivalent of 200 hours per year, or 300  
27 hours for those employees who work a fifty-six hour work week.

28                   Employees with a pay range prefixed by the letter "M" may carry over unused annual  
29 leave to a maximum of sixty hours, or eighty hours for employees with a fifty-six hour work week, ~~but~~

1 ~~any leave, over the maximum of sixty/eighty hours, unused by the last day of the first complete pay~~  
2 ~~period in January of the following year shall be forfeited.~~ Any accumulated leave earned by an employee  
3 with a pay range prefixed by the letter "M" and unused as of January 12, 2005, shall be retained by the  
4 employee and may be used at any future time, and for any remaining upon termination of employment  
5 with the city, shall be compensated for such unused accumulated vacation leave.

6 Any employee with a pay range prefixed by the letter "M" and hired at any time after  
7 the first day of the second complete pay period in January of any year shall be entitled to and shall  
8 receive only a pro-rated portion of the otherwise authorized annual leave for that year.

9 Any employee with a pay range prefixed by the letter "M" may use vacation during  
10 their probationary period upon approval by their supervisor.

11 (c) Vacation payout. Any employee who separates from the city service shall be  
12 compensated for vacation leave accrued and accumulated to the date of separation. The vacation  
13 payout shall occur with the paycheck immediately following separation. In the event the separation  
14 is the result of retirement, as defined by the applicable retirement plan, an employee may elect to  
15 utilize vacation until all accrued vacation has been exhausted.

16 Section 2. That Chapter 2.78 of the Lincoln Municipal Code be amended by adding  
17 a new section numbered 2.78.027 to read as follows:

18 **2.78.027 Management Compensation Plan; Longevity Pay.**

19 Employees with a pay range prefixed by the letter "M" shall annually receive longevity pay  
20 based upon the total length of continuous service with the city. Such pay shall be effective  
21 beginning with the first full pay period following completion of the specified years of service.  
22 Payment shall be made on a prorated basis on each regular pay day. Employees with a pay range  
23 prefixed by "M" who are scheduled to work less than forty but at least twenty hours per week shall  
24 receive longevity pay based on the number of hours worked each pay period. The longevity  
25 schedule shall be as follows:

1	<u>Completed Years of Service</u>	<u>Annual Pay</u>
2	<u>10 Years</u>	<u>\$ 850.00</u>
3	<u>15 Years</u>	<u>\$1,150.00</u>
4	<u>20 Years</u>	<u>\$1,450.00</u>
5	<u>25 Years</u>	<u>\$1,750.00</u>
6	<u>30 Years</u>	<u>\$2,050.00</u>

7           For the purpose of longevity pay, any employee who terminates employment and who is later  
8 reemployed shall be treated as a new employee.

9           Section 3. That Section 2.78.020 of the Lincoln Municipal Code as hitherto existing  
10 be and the same is hereby repealed.

11           Section 4. That this ordinance shall take effect and be in force from and after its  
12 passage and publication in one issue of a daily or weekly newspaper of general circulation in the  
13 City, according to law.

Introduced by:  
  
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Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2009:  
  
\_\_\_\_\_  
Mayor