

09-101

MOTION TO AMEND NO. 2

I hereby move to amend Bill No. 09-101 by accepting the Substitute Ordinance No. 2 attached hereto to replace the previously introduced ordinance and the Substitute Ordinance of Motion to Amend No. 1.

Introduced by:

Approved as to Form & Legality:

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; to provide for annual leave carry over; and to add longevity pay.

SUBSTITUTE NO. 2
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 to amend provisions for carry over of annual leave; adding a new Section 2.78.027 relating to
5 longevity pay for employees in a pay range prefixed by M; and repealing Section 2.78.020 of the Lincoln
6 Municipal Code as hitherto existing.

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

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

10 **2.78.020 Management Compensation Plan; Annual Leave.**

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

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

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

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

29 Employees with a pay range prefixed by the letter "M" may carry over unused annual
30 leave to a maximum of ~~sixty~~ 80 hours, or ~~eighty~~ 100

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

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

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

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

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

19 **2.78.027 Management Compensation Plan; Longevity Pay.**

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

<u>Completed Years of Service</u>	<u>Annual Pay</u>
<u>10 Years</u>	<u>\$ 850.00</u>
<u>15 Years</u>	<u>\$1,150.00</u>

1 20 Years \$1,450.00

2 25 Years \$1,750.00

3 30 Years \$2,050.00

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor