

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 2.76.153 of the Lincoln Municipal Code
2 relating to Shift Differential to provide that part-time employees coincide with the CIR order for “N”
3 or “X” pay range employees and making the changes retroactively effective as of August 19, 2010;
4 and repealing Section 2.76.153 of the Lincoln Municipal Code as hitherto existing.

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

6 Section 1. That Section 2.76.153 of the Lincoln Municipal Code be amended to read
7 as follows:

8 **2.76.153 Compensation Plan; Merit Pay Plan; Shift Differential.**

9 Probationary and regular employees in pay ranges prefixed by “N” or “X” who are regularly
10 assigned to second and third shifts shall be paid an additional ~~twenty~~ fifty-two cents per hour for
11 second shift and ~~thirty~~ seventy cents per hour for third shift. The differential pay per hour shall be
12 included as an addition to their current hourly rate. To be entitled to second shift differential pay,
13 an employee must work a majority of his regularly scheduled shift hours between 5:00 p.m. and
14 11:59 p.m. To be entitled to third shift differential pay, an employee must work a majority of his
15 regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m. Current hourly rate shall mean
16 the hourly rate of pay which is applicable to the employee’s regularly assigned job classification;
17 provided, however, that if an employee is entitled to out-of-class pay, the employee’s current hourly
18 rate shall be the applicable out-of-class hourly rate of pay.

19 Probationary and regular employees in pay ranges prefixed by “C” who are regularly
20 assigned to second and third shifts shall be paid an additional seventy cents per hour. The
21 differential pay per hour shall be included as an addition to their current hourly rate. To be entitled
22 to second shift differential pay, an employee must work a majority of his regularly scheduled shift

1 hours between 5:00 p.m. and 11:59 p.m. To be entitled to third shift differential pay, an employee
2 must work a majority of his regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m.

3 Employees who are entitled to shift differential pay shall also receive the shift differential
4 pay in addition to their current hourly rate for paid leaves of absence such as vacation, sick leave,
5 holiday pay, and funeral leave. For the purpose of computing overtime pay, an employee’s “regular
6 hourly rate”, as defined by the Fair Labor Standards Act, shall include the additional ~~twenty, thirty,~~
7 fifty-two or seventy cents per hour shift differential.

8 Section 2. That Section 2.76.153 of the Lincoln Municipal Code as hitherto existing
9 be and the same is hereby repealed.

10 Section 3. That this ordinance shall be retroactively effective and in full force and
11 effect as of August 19, 2010.

12 Section 4. That this ordinance shall be published in one issue of a daily or weekly
13 newspaper of general circulation in the City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2011:

Mayor