

## **ORDINANCE NO. 1744**

**AN ORDINANCE CHANGING THE PAY PERIODS OF THE CITY OF BURLINGAME, DESIGNATING ALL EMPLOYEES TO BE PAID AT AN HOURLY RATE, SETTING FORTH BENEFITS AND REPEALING ORDINANCE NOS. 795, 813 AND 1435.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME:**

### **SECTION 1.**

Beginning January 1, 1996, pay periods will change from semi-monthly salaried to bi-weekly hourly for all full-time employees with the first pay period ending at 12:00 Midnight, Saturday, January 13, 1996. The rate of pay for employees will remain unchanged until such time as reviewed by City Council. All wages remain under the control of the City Council and subject to the approval thereof.

Paychecks will be issued to the employees on Wednesday following the close of each bi-weekly period.

Although pay periods are bi-weekly, the standard work week is still 40 hours per week. Overtime will be considered as those hours worked in excess of the regular 40 hours per work week period.

In the event an employee works over 40 hours per week, the employee will receive overtime compensation at the rate of 1 1/2 times the employee's regular rate of pay. Overtime compensation will be paid no later than the first payday following the pay period in which it was earned. An employee may elect to receive compensatory time off for overtime worked. Any compensatory time off will be at the rate of 1 1/2 times the hours of overtime worked. Compensatory time off must be approved in advance by the Department Head and City Council, however applicable. Compensatory time must be taken no later than two pay periods from the last pay period in which the overtime was earned. If not used within the two pay periods allotted, the compensatory time will be paid as regular overtime compensation.

### **SECTION 2.**

Employees shall receive eight paid holidays per year, to-wit: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

In the event an employee, because of necessity is required to work during holidays listed in Section 2, the employee will receive overtime compensation at the rate of 2 times the employee's regular rate of pay. Overtime compensation will be paid no later than the first payday following the pay period in which it was earned. An employee may elect to receive compensatory time off for overtime worked. Any compensatory time off will be at the rate of 2 times the hours of overtime worked during holidays listed in

**Section 2.**

Compensatory time off must be approved in advance by the Department Head or City Council, however applicable. Compensatory time must be taken no later than two pay periods from the last pay period in which the overtime was earned. If not used within the two pay periods allotted, the compensatory time will be paid as regular overtime compensation.

**SECTION 3.**

Vacation time may be earned by full-time employees. The date of an employee's initial employment shall determine eligibility. Full-time employees shall receive paid vacation annually upon completion of continuous service as follows:

- After completing one year - 40 hours;
- After completing two years - 80 hours;
- After completing fifteen years - 120 hours.

Vacation time, unless upon emergency basis, shall be approved in advance by the Department Head or City Council. Vacation time shall be noncumulative from year to year of an employee's employment. Vacation time may be used by an employee as such or may be paid in the form of compensation at the rate of the employee's regular pay rate. Monetary compensation will not be given for more than 40 hours of vacation.

**SECTION 4.**

Sick leave and funeral leave policy, as adopted by the City Council and approved by the Mayor on September 5, 1995 to be effective on October 1, 1995, is hereby incorporated by reference, except for Sub-sections (f) and (g) of the sick leave policy. Sub-sections (f) and (g) of the sick leave policy are hereby removed from the policy as adopted by the City of Burlingame.

**SECTION 5.**

That Ordinance Nos. 795, 813 and 1435 are hereby repealed.

**SECTION 6.**

That this ordinance shall take effect and be in force from and after its passage, approval and publication in the Osage County Chronicle, the official City newspaper.

PASSED AND APPROVED this 2nd day of January, 1996.

/s/ Donald Parker, Mayor

ATTEST: /s/ Cheryl Holloway, City Clerk

(SEAL)

## CITY OF BURLINGAME, KANSAS

### SICK LEAVE

Full time employees shall be entitled to sick leave with pay for absences resulting from illness, injuries, accidents or other physical incapacity, occurring either on or off the job. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. Full time employees are entitled to sick leave with pay for physical examinations and dental work if they have provided at least one day's notice to their immediate supervisor. (No employee shall be allowed to receive any pay for sick leave until having received a full time status and served six months of continuous employment.)

(a) Each full time employee is credited with four (4) hours of sick leave for each full month of employment. New employees shall accumulated four (4) hours of sick leave for each full month of employment but shall not be allowed to receive any pay for sick leave until the six month probationary period is over and the employee has receive full time status. All visits to a physician or dentist shall be charged against sick leave.

(b) A maximum of sixty (60) days of sick leave may be accumulated and credited to an employee.

(c) To accumulate or be credited with days of sick leave shall require continuous months of employment. An employee that terminated employment or has been terminated and subsequently rehired shall not be credited with any days of employment prior to the rehiring in calculating the accumulation of credited sick leave.

(d) After the accumulation of 60 days of unused credited sick leave, an employee may waive, release or exchange back to the City five (5) days of accumulated unused sick leave for compensation at that employee's normal wage rate, equal to one eight (8) hour day, provided, that this exchange shall not result in a reduction of accumulated unused sick leave below 45 days.

(e) Each full time employee will be credited with three (3) days noncumulative personal time at January 1. At least one day's notice must be given to an immediate supervisor in order for wages to be paid for that day.

(f) When an employee retires or terminates his employment with the City in good standing, the employee shall be compensated for unused sick leave upon leaving employment.

(g) An employee shall not be paid for any unused sick leave upon termination of his or her employment with the City except as hereabove provided in Section (f).

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(h) Sick leave policies are intended for the benefit of employees that become ill or injured and are unable to be at work. Authorized absences from work on sick leave shall include absences for the care of sick or hospitalized family members which for these purposes are defined as spouse, child, father or mother.

(i) Illness or injury requiring absences of more than three (3) days or instances of reoccurring illness may be cause for a statement from the attending physician upon request of the Governing Body or the Department Head.

(j) Any absence for a fraction or part of a day which is chargeable to sick leave shall be charged in increments of not less than four (4) hours.

FUNERAL LEAVE

Full time employees on the active payroll will be permitted three (3) days pay at straight time rates for attendance at the funeral of a member of his immediate family. The three (3) days shall be reduced by any intervening days between date of death and the funeral that the employee would not have worked by reasons of weekends, vacation, holidays or similar non-wage producing days, but, in no event, will the reduction cause an employee to lose pay for the actual days necessary to attend the funeral and return.

"Immediate Family" shall be interpreted as meaning spouse, child (including a child by blood, adoption or stepchild), and employee's mother, father, brother, sister, grandparent or grandchild or spouse's mother, father, brother or sister. Leave will be granted without pay to employees for the attendance at the funeral of any other relative.

Attendance at the funeral is, in all instances, required as a condition to any payment hereunder.

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THE ABOVE POLICY WAS ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON SEPTEMBER 5, 1995 WITH THE FOLLOWING MOTION: A motion was offered by Councilmember Hovestadt that the Policy be adopted effective October 1, 1995 and each full-time employee begin with 5 days sick leave at that date. Seconded by Councilmember Barlow and the motion carried with Councilmembers Barlow, Hovestadt and Middleton voting Aye; Councilmembers Dorr and Moon voting Nay.