

**AGENDA ITEM**  
November 4, 2014

Subject: Chapter 25, Personnel Code Changes

Department: Human Resources

The Human Resources Department has been working with the Employee Relations Committee in reviewing and updating the Personnel Code. Attached are recommended changes to the following sections:

- Section 25-1.106, update of equal opportunity employment statement.
- Section 25-2.101, extending residency radius to five (5) miles for fire department employees.
- Section 25-2.111, corrected regulation reference for W-4 form withholdings.
- Section 25-4.102, updating authorized holidays, adding ½ day (4 hours) for Christmas Eve.
- Section 25-4.103, updating vacation leave: standardizing accumulation of extra time for continuous service, changing reference of days to hours, and removed restrictions for police and fire department personnel.

The City Manager and City Attorney have reviewed these proposals.

**A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, AMENDING CHAPTER 25 OF THE CITY PERSONNEL CODE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

**Section 1. Section 25-1.106, Equal opportunity employment**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

The city provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, the city complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, demotion, termination, layoff, recall, transfer, leaves of absence, compensation and training. The city council, by Resolution No. 513, on file in the city clerk's office, and incorporated herein by reference, establishes the guidelines relating to hiring and general employment within the city.

**Section 2. Section 25-2.101, Residence**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

It is considered to be desirable that certain employees be residents of the city. The city manager and city clerk are required to reside within the city limits. To provide appropriate emergency callback response, the department heads of the public safety departments shall be required to reside within the city limits, commissioned police officers shall be required to live within the boundaries of the county, and fire fighters shall be required to live within a five (5) mile radius of the city public safety building. The residency requirements for the city clerk may be waived by the unanimous consent of the city council.

**Section 3. Section 25-2.111, W-4 form for federal income taxes**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

All employees are required to fill out and file with human resources a valid W-4, employee withholding allowance certificate, as required by the Internal Revenue Service or the city will be required to withhold as if the employee were single and claiming no dependents as demanded by Reg. 31.3402(f)(2)-1.

**Section 4. Section 25-4.102, Holidays**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

- (a) All regular employees, with the exception of 56-hour personnel, will be entitled to the number of paid holidays listed below. Currently there are nine and one half (1/2) such holidays and they are as follows:

New Year's Day	January 1
Presidents Day	3 <sup>rd</sup> Monday in February
Memorial Day	4 <sup>th</sup> or 5 <sup>th</sup> Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veterans' Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Christmas Eve – ½ Day	December 24
Christmas Day	December 25
Friday after Thanksgiving	

- (b) To provide approximately equal treatment for 56-hour personnel, they will be entitled to three annual 24-hour holiday shifts and these will normally be spread out during the calendar year so that one day is taken every four months. This provision is made to equalize their enjoyment of holidays since they will be, over the long range, off duty at least two of every three days.
- (c) When any regular or commissioned employee, with the exception of 56-hour personnel, is required to work an authorized holiday, he will choose one of the following at the time the holiday is worked:
- (1) Receive payment at the regular rate of pay for one additional eight-hour day of work, with payment to be made on the payroll following the holiday worked.
  - (2) Receive one additional day of vacation for each holiday worked, and such additional vacation will be added to the employee's accumulative total.
- (d) To provide approximately equal treatment for 56-hour personnel required to work on an authorized holiday, they will choose one of the following:
- (1) Receive payment at the regular rate of pay for one additional 24-hour day of work, with payment to be made on the first payroll of January, May, and September.
  - (2) Receive one additional 24-hour vacation day, and such additional vacation will be added to the employee's accumulative total during the first payroll of January, May, and September.

To compensate for the half day on Christmas Eve, 56-hour personnel will be given the option of an additional 4-hours pay or vacation hours to be received with the last holiday option in September.

- (e) When an authorized holiday falls on an employee's regularly scheduled day off, the holiday will be carried forward to the next regular work day (not applicable to commissioned officers and 56-hour personnel).
- (f) When an authorized holiday falls on a Saturday, the preceding Friday will be observed as the official holiday (not applicable to commissioned officers and 56-hour personnel).
- (g) When an authorized holiday falls on a Sunday, the following Monday will be observed as the official holiday (not applicable to commissioned officers and 56-hour personnel).

**Section 5.** **Section 25-4.103, Vacation**, of the Code of the City of Nevada, Missouri, is hereby amended to read as follows:

- (a) Regular employees will earn vacation leave from the beginning of employment. Vacation leave will be credited to regular employees at January 1 of each year including the extra vacation days shown in subsection (a)(1) of this section. If employment terminates before the end of the calendar year, the vacation leave will be prorated. New employees may not take vacation leave during the first six months of service.
  - (1) In addition to the basic vacation, regular employees will earn eight extra hours and 56-hour personnel will earn twelve extra hours upon completion of the fifth, eighth, 11<sup>th</sup>, 14<sup>th</sup>, 17<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, and 26<sup>th</sup> years of continuous service.
- (b) Regular employees, with the exception of 56-hour personnel, will earn vacation leave at the rate of five-sixths of one eight-hour day for each month of employment (ten days per full year; allows two weeks off).
- (c) Fifty-six hour personnel will earn vacation leave at the rate of five-twelfths, of one 24-hour day for each month of employment (five 24-hour shifts per full year; allows two weeks off).
- (d) Employees will use vacation leave in accordance with the work schedule and convenience of the appropriate department.
- (e) Vacation leave may be taken as earned after the initial six-month period, but under no circumstances may vacation leave be taken before it is earned or without supervisor approval.
- (f) Twenty calendar days or more of employment, for employees entering or leaving the city service, in the beginning or ending month, will be considered as one full month for vacation leave purposes, and less than 20 calendar days will be disregarded.
- (g) The maximum number of vacation days that should be accumulated by employees is based on the following periods of full-time service:

Full-time service-Maximum Accumulation	Regular employees	56-hour employees
Six months through Four years	160 hours	240 hours
Five years through Nine years	200 hours	300 hours
10 years through 14 years	240 hours	360 hours
15 years through 19 years	280 hours	420 hours
20 years or more	320 hours	480 hours

- (h) Upon separation, employees with at least six months service, giving at least two weeks' notice, will be paid for unused vacation leave, up to the maximum as specified in subsection (g) of this section.
- (i) The allowance of vacation leave and the allowance of accrued vacation leave are gratuities and not entitlements of employment with the City of Nevada, Missouri. The city, as a further gratuity, allows the payment for unused vacation pay in the limited instance in which at least two weeks' notice prior to separation is given by employee before voluntary termination of employment. Unused vacation leave will not be paid to any employee who voluntarily separates from service without giving two weeks advance notice. Such payments are also considered on the availability of budgeted funds therefore.

**Section 6.** This ordinance shall be effective upon its passage and approval.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Nevada, Missouri, this 18<sup>th</sup> day of November, 2014.

CITY OF NEVADA, MISSOURI

(SEAL)

By: \_\_\_\_\_  
Seth Barrett, Mayor

Attest:

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Bev Baker, City Clerk