

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER _____; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____; MOVED FOR ADOPTION BY COUNCIL MEMBER _____; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

ORDINANCE NO. 22-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AMENDING AND ADOPTING THE PERSONNEL POLICIES RULE 4.0, SECTION 4.10(A)(1), SECTION 4.10(D) AND SECTION 4.20 FOR THE MUNICIPAL EMPLOYEES' CIVIL SERVICE SYSTEM, AND ITS EMPLOYEE RULES AND REGULATIONS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Section 4-05 of the Mandeville City Charter, entitled Personnel Systems, mandates the City Council shall adopt personnel rules, policies, procedures and practices for all non-police employees by ordinance; and

WHEREAS, It is necessary that personnel policies be reviewed from time to time to adequately reflect policies as revised to meet current conditions; and

WHEREAS, as a part of that review process, the Council deemed that the Personnel Policies of the Municipal Employees Civil Service System be amended to reflect current standards and practices;

WHEREAS the City of Mandeville's Municipal Employees' Civil Service Board recommends approval of the personnel policy changes and addition of the Emergency Conditions Compensation Policy; and

NOW, THEREFORE BE IT ORDAINED that the following section be amended under Rule 4.0. Compensation Plan to remove Section 4.10(A)(1) and Section 2.10(D) and add Section 4.20 of the Personnel Policies of the Municipal Employees Civil Service System to read as follows:

Section 4.10 COMPENSATION FOR OVERTIME

A. Employees who work in excess of their normal work week will be paid on a time and a half basis for the excess hours. Compensatory time off cannot be credited to employees for overtime hours worked.

~~1. Employee's required to work during an unpredictable major emergency situation declared by the Mayor shall be paid on a double time and a half basis.~~

~~Example: An employee earning \$9.02 per hour works a 40 hour work week, one day falling on a day designated as a major emergency situation. The employee will be~~

~~paid 32 hours at \$9.02 per hour and will be paid for 8 hours at \$22.55 per hour (\$9.02 x 2.5).~~

- ~~B. All employees, whether paid for part-time work or on an hourly basis, shall be compensated in accordance with the pay plan.~~
- ~~C. Accrued vacation hours used will count toward hours worked, and legal holiday hours scheduled will count as hours worked for the purpose of determining overtime pay.~~
- ~~D. Employees exempt from overtime based on the Fair Labor Standards Act Reg. 541 will be eligible for overtime pay in accordance with the pay plan for unpredictable major emergency situations only with the approval of the Mayor.~~

Section 4.20 EMERGENCY CONDITIONS COMPENSATION POLICY This policy is effective upon the Mayor convening part or all of the Mandeville Emergency Response Team (MERT) in the event and/or anticipation of inclement weather or other emergency conditions that might arise, except for public health emergencies, which shall follow the Public Health Emergency Compensation Policy (Section 4.19). Inclement weather is defined as any severe or hazardous weather conditions, which cause disruption to the normal operations of businesses and schools in our region. This may include snow, sleet, frigid temperatures, ice storms, earthquakes, flooding, hurricanes, tropical storms, tornadoes, and wildfires. Examples of emergency conditions may include release of hazardous or toxic chemicals, riots, terrorism, and threats of war. During this time, the City may suspend normal operations in order to meet extraordinary needs.

- A. In order to meet the needs of the citizens and continue the operations of the organization, some or all personnel, as required by the circumstances and determined by their department director, may be required to work before, during, and after an inclement weather event or other emergency conditions.
- B. Full-time, hourly employees who are required to work or be onsite in the event of inclement weather or other emergency conditions shall be paid 2.5 times their regular rate of pay for all hours worked or hours where the employee is required to be there.
 - 1. With the approval of the Mayor, employees exempt from overtime based on FLSA may also receive the abovementioned pay in the event of inclement weather or other emergency conditions.
- C. All City employees will be paid straight time for hours not worked in the event of inclement weather or other emergency conditions.
- D. Whether or not an employee is required to work before, during, and/or after an inclement weather event or other emergency conditions may vary or change due to the situation. The employee must be contacted by his/her supervisor or designated representative and clearly informed as to whether he or she is expected to be at work. Employees must make contact numbers available.
- E. Department Directors, or designees, will document all hours worked on emergency

- activities, if any, by hourly and exempt personnel, including their assignments.
- F. Emergency conditions compensation as defined in this policy ends when the Mayor determines that the threat or danger has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist and deactivates the MERT.

BE IT FURTHER ORDAINED that the City Council of the City of Mandeville hereby adopts and amends the provisions of this ordinance to be effective upon the signature of the Mayor.

BE IT FURTHER ORDAINED that the Clerk of this Council be and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:
NAY:
ABSTENTIONS:
ABSENT:

and the ordinance was declared adopted this ____ Day of _____, 2022.

Kristine Scherer
Clerk of Council

Jason Zuckerman
Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this ____ day of _____, 2022 at ____ o'clock __.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this ____ day of _____, 2022 at ____ o'clock __.m.

CLAY MADDEN, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this ____ day of _____, 2022, at ____ o'clock ____m.

CLAY MADDEN, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this ____ day of _____, 2022 at ____ o'clock ____m.

CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the ____ day of _____, 2022 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this ____ day of _____, 20____.

CLERK OF COUNCIL