

ORDINANCE NO. 130

**AN ORDINANCE ADOPTING CERTAIN EMPLOYMENT POLICIES
REGARDING ANNUAL LEAVE, SICK LEAVE, OVERTIME AND
SICK LEAVE BANK; AND TO DECLARE AN EMERGENCY
AND FOR OTHER PURPOSES**

WHEREAS, state statutes, Ark. Code Ann. §14-52-106 and §14-52-107, set forth certain parameters regarding annual leave for a police chief and sick leave for members of the police department; and

WHEREAS, the City of Goshen does not have in place policies regarding annual leave, sick leave, overtime and sick leave bank; and

WHEREAS, there is a critical need to create certain employment policies to provide fairness and guidance to all employees of the City of Goshen.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. That the City Council hereby adopts the attached "Goshen Policy" to be effective upon the passage, approval, and publication of this Ordinance.

SECTION 2. REPEALER


All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. SEVERABILITY

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

SECTION 4. EMERGENCY CLAUSE: Because the City of Goshen is currently without the critical employment policies it needs to operate effectively and efficiently and because these matters are such pressing business, it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 8th day of November, 2016



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Andy Bethell
Cathy Oliver
Lanny Samuels
Dick Seddon

Absent

Paula Anderson
Brian Buell

Names Of Those Voting NAY

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Andy Bethell
Cathy Oliver
Lanny Samuels
Dick Seddon

Names Of Those Voting NAY

Absent

Paula Anderson
Brian Buell

**POLICY REGARDING ANNUAL LEAVE, SICK LEAVE,
OVERTIME/COMP TIME, AND SICK LEAVE BANK**

Annual Leave for Full-Time Employees

Police: Accrual shall begin on date of employment and employee shall earn 10 hours per month for a total of 120 hours per year

Non-uniform scheduled to work 40 hours per week:

1- 10 years of service – Accrual shall begin on date of employment and employee shall earn 6.6 hours per month for a total of 80 hours per year

11 and over years of service – Accrual shall begin on date of employment and employee shall earn 10 hours per month for a total of 120 hours per year

Non-uniform employees scheduled to work 30-39 hours per week:

1-10 years of service – Accrual shall begin on date of employment and employee shall earn 5 hours annual leave per month for a total of 60 hours per year

11 and over years of service (beginning on 11th anniversary) – Accrual shall begin on date of employment and employee shall earn 7.5 hours of annual leave per month for a total of 90 hours per year.

This policy for non-uniform employees shall become effective January 1, 2017. All full-time employees may carry over a maximum of 40 hours of annual leave until the end of April the following year, at which time it will be deemed used. Annual leave must be requested and approved by supervisor before being used. Accrued annual leave will be paid to the employee upon termination of employment.

Sick Leave for Full-Time Employees

Police: Accrual shall commence on date of employment and employee shall earn 13.3 hours per month for a total of 160 hours per year. May accumulate 480 hours total. Employees will be paid for unused sick leave upon death or retirement.

Non-uniform employees scheduled to work 40 hours per week: Accrual shall begin on date of employment and employee shall earn 6 hours per month for a total of 72 hours per year. May accumulate 80 hours total. Employees will be paid for unused sick leave up to a maximum 40 hours upon retirement only.

Non-uniform employees scheduled to work 30-39 hours per week: Accrual shall commence on date of employment and employee shall earn 5.3 hours per month for a total of 63.6 hours per year. Non-uniform employees will be paid for unused sick leave up to a maximum of 40 hours upon retirement only.

Overtime/ Comp Time

Police: No compensatory or overtime pay is authorized.

Non-uniform employees: Earn at rate of 1.5 hours per hour for hours worked over 40 hours per week. Any time worked over scheduled hours must be approved by Mayor or designee before being worked. Upon termination of employment, unused comp time will be paid at the employees then prevailing rate. Employees may not accumulate over 40 hours of comp time in a calendar year.

Sick Leave Bank

Full-time employees may participate in the sick leave bank program by declaring in writing their intention to join. Initial donation must be a minimum of 8 hours and annual donation of at least 8 hours is required to maintain membership. Employees may donate up to half of their accrued sick leave each year, and each eligible employee may use up to 60 days per year upon approval. The mayor and recorder/treasurer shall govern the use of the sick leave bank. Employees shall request leave from the bank in writing after their accrued leave is used.

Holidays: Policy per ordinance 71