Legislation Details (With Text)

File #:	121367 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	2/5/2013	**In control:**	COMMON COUNCIL
On agenda:		**Final action:**	2/27/2013
Effective date:			
Title:	A substitute ordinance relating to vacation benefits for city employees.		
Sponsors:	THE CHAIR		
Indexes:	CITY EMPLOYEES, EMPLOYEE BENEFITS, VACATION BENEFITS		
Attachments:	1. Notice Published on 3-15-13		

Date	Ver.	Action By	Action	Result	Tally
2/5/2013	0	COMMON COUNCIL	ASSIGNED TO		
2/21/2013	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
2/21/2013	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
2/26/2013	1	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/27/2013	1	COMMON COUNCIL	PASSED	Pass	14:0
3/4/2013	1	MAYOR	SIGNED		
3/15/2013	1	CITY CLERK	PUBLISHED		

121367
SUBSTITUTE 1

THE CHAIR
A substitute ordinance relating to vacation benefits for city employees.
350-40-1-c cr
350-40-4 am
350-40-12 am
This ordinance establishes that a city employee may, at the discretion of his or her department head, borrow as much as 80 hours of vacation time provided that the total number of hours of vacation time he or she takes in that pay-period year does not exceed the number of hours the employee would earn in that pay-period year.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 350-40-1-c of the code is created to read:

350-40. Vacations
1. DEFINITIONS.
c. “Pay-period year” means the 26 consecutive pay periods ending within a single calendar year.

Part 2. Section 350-40-4 of the code is amended to read:

4. UNEARNED TIME DEDUCTIBLE. Vacation taken before the full amount has been earned shall be considered time owed the city until it is earned. [[~~An~~]] >>At the discretion of the department head, an << employee may borrow up to 80 hours of vacation before it is earned [[~~at the discretion of the department head~~]] >> provided that the total number of vacation hours he or she takes in that pay period year does not exceed the number of hours that the employee would earn in vacation in that pay-period year under sub. 3 <<. In no case may an employee's vacation account balance [[~~be less than~~]] >>exceed<< 80 negative hours. Any employee who leaves the service of the city due to resignation, retirement, termination, discharge, layoff or death will have the compensation for vacation time owed the city deducted from the final paycheck. [[~~Any employee who leaves the service of the city due to resignation, retirement, layoff or death or who takes military leave will be paid for earned vacation time that has accumulated. Discharged employees are not entitled to pay for accumulated vacation time.~~]]

Part 3. Section 350-40-12 of the code is amended to read:

12. EARNED VACATION UPON SEPARATION. >> Any employee who leaves the service of the city due to resignation, retirement, layoff or death or who takes military leave shall be paid for earned vacation time that has accumulated. Discharged employees shall not be entitled to pay for accumulated vacation time.<< Employees eligible for payment of earned vacation upon separation from city service shall be paid in cash for such earned vacation.

APPROVED AS TO FORM

_____
Legislative Reference Bureau
Date: _____
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

_____
Office of the City Attorney
Date: _____

LRB145038-1
Mary E. Turk
2/13/2013