

ORDINANCE NO. 212

AN ORDINANCE AMENDING CODIFIED ORDINANCE TITLE 2, SECTION 2.44 PERSONNEL POLICIES, ADOPTING AND ESTABLISHING A SICK LEAVE BANK.

WHEREAS, It is the desire of the City Council of the City of Bethel Heights to implement and maintain a progressive, fair and legal set of personnel policies to guide and regulate employment with the City of Bethel Heights, and to protect the rights of each employee; and

WHEREAS, from time to time it is necessary to alter and enhance the policies and procedures governing employment with the City of Bethel Heights in order to be current and compliant with state and federal laws governing employment with the city.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Bethel Heights,

1. The policies hereto and incorporated herein by ordinance, are hereby approved and adopted for use by the City of Bethel Heights;
2. A copy of the policies shall be provided to each person currently employed, in any capacity, by the City of Bethel Heights and that the policies shall be incorporated into the Personnel Handbook and Procedures Manual, which is provided to any and all future employees of the City;
3. Upon receipt of these policies, each employee shall be directed to execute a Receipt reflecting that they have received, read and understand the policies, and each such executed Receipt shall be placed in the respective employee's personnel file.

NOW, THEREFORE, Section 2.44 .02 shall be amended to add section K. Sick Leave Bank.

Purpose:

1. The City of Bethel Heights agrees that a Sick Leave Bank (SLB) will be established and may only be used by an employee eligible for membership in the SLB.
2. Use of the SLB days will commence after a member of the SLB exhausted all of his/her accumulated sick leave and any unused compensatory time. SLB days may only be used for catastrophic illness or accident and with the approval of the SLB board.
3. The SLB year will be the same as the City's; January through December. SLB days will accumulate from year to year.

Participation and Eligibility:

1. Participation in the SLB is only available to full time employees of the City who have worked for the city at least thirty (30) days of continuous employment. Participation in the SLB is on a voluntary basis.

2. All employees who are eligible will be given as opportunity to join each November and must donate a minimum of one (1) day of sick leave to the SLB. Existing members of the SLB must renew their membership annually by donating a minimum of one (1) day each year to continue membership. The SLB Membership Form transferring sick leave days to the SLB will be forwarded to the Supervisor. After verification of available sick leave days, the Supervisor will forward the form to the Finance Department.
Existing employees who have donated additional days throughout the year will automatically have their membership renewed. Notification of said contribution will be noted on a SLB membership form and forwarded to the employee.
3. In the event a new employee's eligibility for membership will fall within the year prior to November, he or she may donate and become a member in the SLB. Afterward the regular time for membership will apply.

Sick Leave Bank (SLB) Board:

1. The board will consist of three (3) members. One member will be the Mayor of the City and will serve as the chairman of the board. The other two (2) members will be appointed by the Mayor and may not be classified as a department head with the City. The members will be from separate departments. The Finance Director will be a non-voting member of the board and serve in an advisory capacity only.
2. The SLB Board will administer the bank as follows:
 - a. The SLB days may only be used upon exhaustion of a member's accumulated sick leave and any unused compensatory time and for a member who intends to return to work.
 - b. SLB days will be granted to a member for personal catastrophic illness or catastrophic illness of a member of his/her immediate family only.
 - c. A request for SLB days will be on the SLB form and submitted to the Finance Department. The Finance Department will verify the status of the member's accumulated sick leave and then forward the request to the board within two (2) working days. The board chairman will then call a meeting of the SLB board within (5) working days.
 - d. At any time, except in cases of hospitalization, the board may request the applicant to furnish a physician's statement.
 - e. Sick leave grants made from the SLB will be of no more than twenty (20) consecutive working days nor less than one (1) working day for the individual applicant. No applicant will be eligible for more than three (3) grants per twelve (12) month period. (Next eligibility twelve (12) months from last day used of third grant.)
 - f. The denial of granting of a request will be in writing and forwarded to the applicant and a copy will also be forwarded to the Finance Department for payroll purposes. The grant or denial will be signed by all board members. All denials will state the reason (s) for such decision. Denials or

approvals will never be based upon race, gender, age, creed, familial relationships, friendship, etc.

- g. Any applicant who has had SLB application denied will be eligible for an appeal. Such appeals should be presented, in writing, to the chairman of the SLB board within five (5) working days following notification of denial. Upon receipt of the appeal, the chairman will forward the appeal to the City Attorney for review and ruling. The ruling of the City Attorney will be final.
- h. In the event that the total number of available days in the SLB should drop below twenty-five (25) the SLB board will solicit additional contributions to the SLB from its members.
- i. The SLB board will be responsible for the proper administration, the maintenance of records and their usage, and the promotion or participation in the SLB. As with all public records, the records of the SLB will be available for inspection at any time.

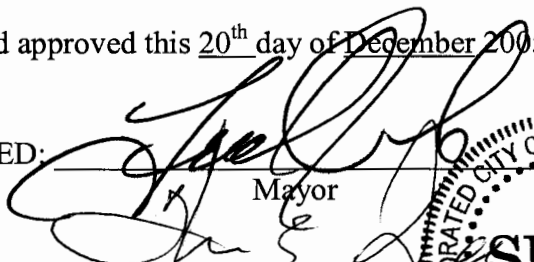
Definitions:

- 1. Employee: The term "Employee" will include any employee of the City who works a minimum of thirty-eight (38) hours per week and is hired for the entire year.
- 2. Sick Leave: The term "Sick Leave" will be defined as absence with full pay from one's duties for the reason of personal illness or illness in the employee's immediate family.
- 3. Immediate Family: The term "Immediate Family" will be defined in the personnel policy under the section entitled "Funeral or Bereavement Leave."
- 4. Accumulated Sick Leave: The term "accumulated sick leave" will be defined in the personnel policy under the section entitled "Sick Leave."
- 5. Catastrophic Illness: The term "catastrophic illness" will be defined as illness or illness recovery which extends, or does not fall within, usual and customary guidelines.

THEREFORE, that the remainder of Title 2, Section 2.44 shall remain in full force and effect and this ordinance shall become in full force and effect after the date of passage and approval.

Passed and approved this 20th day of December 2005.

APPROVED:



Mayor

ATTEST:



Recorder/Treasurer

