

SALT LAKE CITY ORDINANCE

No. _____ of 2007

(Approving the Compensation Plan for
"600 Series and 300 Series" Employees
of Salt Lake City)

AN ORDINANCE APPROVING A COMPENSATION PLAN FOR "600
SERIES AND 300 SERIES" EMPLOYEES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the
attached Compensation Plan for "600 Series and 300 Series" Employees. Three copies of
said Compensation Plan shall be maintained in the City Recorder's Office for public
inspection.

SECTION 2. APPLICATION. The Compensation Plan shall not apply to
employees whose employment terminated prior to the effective date of this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be deemed effective on
July 1, 2007.

Passed by the City Council of Salt Lake City, Utah, this _____ day of
_____, 2007.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

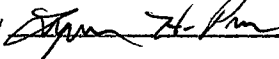
ATTEST:

CHIEF DEPUTY CITY RECORDER

(SEAL)

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date 4-23-07

By 

Bill No. _____ of 2007.

Published: _____.

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COMPENSATION PLAN FOR SALT LAKE CITY CORPORATION "600 SERIES" AND "300 SERIES" EXEMPT AND NON-EXEMPT PROFESSIONAL EMPLOYEES.

I. EFFECTIVE DATE

The provisions of this plan shall be effective commencing July 1, 2007.

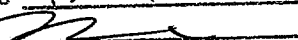
II. EMPLOYEES COVERED BY THIS PLAN

Employees subject to this plan shall be Full-Time, Regular Part-Time and Job Sharing City employees, classified as "600 Series" and "300 Series" "Exempt and Non-Exempt Professional" employees. Employees are not covered by the paid leave and longevity payment provisions of this plan while they are on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of certain leave benefits as provided by city ordinance.

III. WAGES AND SALARIES

A. Determination.

1. To the degree that funds permit, employees classified as "600 Series" and "300 Series" "Exempt Professional" or "Non-Exempt Professional" employees shall be paid compensation that:
 - a. Is commensurate with the skills and abilities required of the position.
 - b. Is competitive with the compensation paid by other public and private employers with whom the City competes for personnel recruitment and retention.
2. Compensation surveys, which are used to determine comparability, shall include a reasonable cross section of comparable benchmark positions in organizations with whom the City competes for personnel recruitment and retention.
3. Compensation surveys shall measure total compensation including salaries and wages, paid leave, group insurance plans, retirement, and all other benefits.
4. The compensation plans may provide salary range widths that reflect the normal growth and productivity potential of employees within a job classification.
5. The Mayor shall develop policies and guidelines for the administration of the pay plans.
6. The pay administration policies may provide for annual salary adjustments which, subject to availability of funds, generally reflect the practices of private enterprisethe identified market to allow for faster salary growth in the bottom half of pay ranges, and slower growth in the upper half, as

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 6-20-07
By 

warranted by maturity of job skills within a job classification and satisfactory performance of job duties and responsibilities.

B. Schedules.

1. Employees shall, for purposes of this compensation plan and its wage schedules, be referred to as either "Exempt Professional" (600 Series) employees or "Non-Exempt Professional" (300 Series) employees.
 - a. As used in this Compensation Plan, "Exempt Professional" employees shall mean Professional employees who are defined by §213 of the Fair Labor Standards Act (the "Act") as exempt from the Act's overtime provisions.
 - b. As used in this Compensation Plan, "Non-Exempt Professional" employees shall mean Professional employees who are covered by the overtime provisions of the Act.
2. Effective July 1, ~~2006~~2007, Full-Time "600 Series" Exempt Professional employees shall be paid compensation according to the wage schedule attached as Appendix "A"
3. Effective July 1, ~~2006~~2007, Full-Time "300 Series" Non-Exempt Professional employees shall be paid compensation according to the salary schedule attached as Appendix "B"

- C. Other Compensation. The foregoing shall not restrict the Mayor from distributing appropriated monies to employees of the City in the form of retention incentives or retirement contributions; or special lump sum supplemental payments in recognition of weather-related emergencies, special projects or other extraordinary circumstances. Retention incentives or special lump sum payments are recommended by the department directors and are subject to the Mayor's approval. Additionally, nothing in the foregoing shall restrict the Mayor from classifying or advancing employees under rules established by the Mayor.

IV. LONGEVITY PAY

- A. Eligibility. Full-Time employees who have completed 6 full years of employment with the City, shall receive a monthly longevity benefit in the sum of \$50.00. Said benefit shall be \$75.00 per month for employees who have completed 10 full years of employment with the City. Said benefit shall be \$100.00 per month for employees who have completed 16 full years of employment with the City. Said benefit shall be \$125.00 per month for employees who have completed 20 full years of employment with the City. The computation of longevity pay shall be based on the most recent date the person became a Full-Time salaried employee.
- B. Pension Base Pay. Longevity paid to Full-Time employees pursuant to paragraph IV.A shall be deemed included within base pay for purposes of pension contributions.
- C. The benefit under this Article IV is paid pro-rata each bi-weekly pay period, based on the most recent date the person became a full-time salaried employee. Employees do not earn or receive longevity payments while on unpaid leave of absence. Upon return from an approved, unpaid leave of absence, longevity

payments will resume on the same basis as if the employee had not been on such leave of absence.

V. OVERTIME COMPENSATION

Payment of Overtime Compensation. Non-exempt "300 Series" employees who are authorized and required by their supervisors to perform City work on an overtime basis as defined by the Fair Labor Standards Act shall be compensated by pay or compensatory time off. Only hours actually worked shall be used in the calculation of overtime. It shall be at the discretion of the Department Director, subject to the limitations of the Fair Labor Standards Act and City policy, to determine whether an employee receives cash payment or compensatory time off. All overtime work must be pre-authorized. In no case shall overtime compensation exceed the rate of 1-1/2 times an employee's regular hourly rate of pay.

VI. EDUCATION AND TRAINING PAY

Education Incentives. The Mayor may adopt programs to promote employee education and training, provided that all compensation incentives under such programs are authorized within appropriate budget limitations established by the City Council.

VII. WAGE DIFFERENTIALS

A. Call-back and Standby. Full-Time "300 Series" employees may receive call-back and standby compensation based on Department Director approval and the following guidelines:

1. Employees who have been released from normally scheduled work and standby periods, and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall receive a minimum of three (3) hours straight-time pay and in addition shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
2. Employees who have been released from normally scheduled work but have not been released from standby status and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
3. Full-Time "300 Series" employees may be eligible for: (1) 2 hours of straight time pay for each 24 hour period of limited standby status; or (2) 2 hours straight time pay for each 12 hour period of limited standby status if they are Department of Airports and or Public Utilities Department employees.

Any employee on standby as a member of the Snow Fighter Corps shall not receive standby/on-call pay or shift differential when on standby or called back to fight snow.

- B. Shift Allowance. Full-Time "600 Series" employees who work a regularly scheduled swing shift or night shift during a month will receive a monthly allowance of ~~\$120.00~~150.00. See paragraph D. below.
- C. Shift Differential. Full-Time "300 Series" employees who work a regularly scheduled swing shift or night shift will receive a differential of ~~\$.68~~85 an hour. See paragraph D below.
- D. For purposes of paragraphs B. and C. above, a regularly scheduled swing shift or night shift means a regularly scheduled shift that starts between 12:00 noon and 5:59 a.m. However, if an employee requests a start time falling within this period that is not the regular start time otherwise designated by the City, and the granting of such request will not compromise the City's needs, then the request may be granted without shift differential. The request must be in writing and signed by the employee.
- E. Acting/Working out of Classification. From time to time, employees may be asked to temporarily assume some or all of the duties of a supervisor or other team member in that person's absence. Employees who feel that they are asked to perform the duties of a position in a higher classification, should discuss the matter with the person to whom they report during the temporary assignment. With guidance from the department head, said person will decide—on the basis of how much responsibility is assumed and the length of the temporary assignment—whether additional compensation is warranted. Where the department and the employee disagree on the decision, and provided the temporary assignment lasts for at least 20 working days, the employee may request a review by the Division of Human Resource Management. Compensation adjustments made under this paragraph VII.D. may be retroactive.
- F. Snowfighter Pay for Full-Time "300 Series" Employees Designated by the City. Full-Time "300 Series" employees designated by the City as members of the Snow Fighter Corps shall receive a pay differential equal to \$150 per pay period for the snowfighter season (November 5~~4~~, 2006 to February 24~~23~~, 2007), not to exceed \$1,200 during each fiscal year of this compensation plan. Such pay differential shall be for work related to snow removal and shall be separate from regular earnings on each employee's wage statement. Employees who are qualified to operate snow-removal equipment shall be assigned to the Snowfighter Corps by department seniority on a volunteer basis. If the City does not have enough volunteers to staff a snowfighter crew, as determined by the supervisor or department head, employees shall be assigned on a department seniority basis with the junior employees assigned first.

Provided, however, that any employee otherwise qualified for the allowance, who is absent from normal scheduled work more than 5 working days in a pay period, shall be ineligible to receive the allowance for that pay period. Vacation and compensatory time shall not be considered as absent work days for purposes of determining eligibility for the allowance described in this article VII. F.

VIII. ALLOWANCES

- A. Meal Allowance. Employees shall be eligible for meal allowances in the amount of \$8.00 when said employees work 2 or more hours consecutive to their normally scheduled shift, as pre-approved by their supervisor. Said employees may also

receive \$8.00 for each additional 4 hour consecutive period of work which is in addition to the normally scheduled work shift, as preapproved by their supervisor.

B. Business Expenses. City policy shall govern the authorization of employee advancement or reimbursement for actual expenses reasonably incurred in the performance of City business. Advancement or reimbursement shall be approved only for expenses documented and authorized in advance within budget limitations established by the City Council.

C. Automobiles.

1. The Mayor may authorize, subject to the conditions provided in City policy, an employee to utilize a City vehicle on a take-home basis, and may require said employee to reimburse the City for a portion of the take-home vehicle cost as provided in City ordinance.
2. Employees who are authorized to use, and who do use, privately owned automobiles for official City business shall be reimbursed for the operation expenses of said automobiles at the rate specified in City policy.

D. Uniform Allowance. Employees shall be provided the following monthly uniform allowances when required to wear uniforms in the performance of their duties:

1. Airport Police supervisory employees: \$75.00
2. Field Supervisor (Parking Enforcement) -- \$5065.00
3. Non-sworn Police and Fire Department employees -- \$5065.00.
4. Watershed Management Division Personnel -- \$5065.00
5. Uniform allowances are provided if the employees maintain their uniforms in reasonably good, clean, neat and pressed condition. Uniforms shall have proper identification and insignias and shall not be frayed or unsightly. Uniforms shall be in compliance with applicable department regulations. Failure to maintain the uniform in accordance with the above shall be grounds for forfeiture of uniform allowances provided in this paragraph VIII.D.

E. Allowances for Certified Golf Teaching Professionals. The Mayor may, within budgeted appropriations and as business needs and market surveys indicate, authorize golf lesson revenue sharing between the City and employees classified recognized as Certified golf Golf Teaching professionals-Professionals and assistant golf professionals as business needs and market surveys dictate as defined in the Golf Division's Golf Lesson Revenue Policy. Such individuals may be salaried or seasonal employees. Payment to an employee for lesson revenue generated shall be reduced by 1) a 10 percent administrative fee to be retained by the Golf Division, and 2) the employee's payroll tax withholding requirements in accordance with federal and state law.

IX. HOURS OF SERVICE – 300 SERIES EMPLOYEES

A. Hours Worked. For Full-Time "300 Series" employees, 7 days shall constitute a workweek and 40 hours shall constitute a normal work schedule. Exceptions may be permitted with approval of the Director of Human Resource Management.

Overtime work is to be discouraged. In case of unforeseen circumstances or whenever public interest demands, an employee may be required by a Department Director to perform overtime work.

This paragraph shall not be construed to limit or prevent the City from changing or establishing work schedules and shifts as the need arises or to guarantee employees 40 hours work per week. The City may adopt variable work week schedules including 8 hour, 10 hour, 12 hour or other approved shifts. It is the City's intent to give reasonable notice of any work schedule and shift changes to all affected employees. A shift change shall mean a change from one permanent shift (day shift, swing shift, graveyard shift) to another permanent shift.

- B. Rest Periods. Employees shall be entitled to a 15 minute rest period during each 4-hour working period, which time shall be included within the work shift, except where extraordinary circumstances render such break impracticable. A reasonable effort shall be made to provide such breaks near the middle of each 4-hour work period; provided, however, there shall be no additional compensation paid to employees electing or required to forego such rest period. Rest periods provided herein shall be counted as time worked for purposes of computing overtime compensation.
- C. Meal Period. Employees shall be granted a lunch period not to exceed sixty (60) minutes during each work shift; provided, however, said lunch period shall be scheduled in accordance with the operational needs of the department as determined by the shift supervisor. An employee shall not be compensated for such periods unless the employee is required by the supervisor to be on the work site, or perform any work during such time. In lieu of payment, the employee may, with the consent of the supervisor, end the work shift early by the same number of minutes worked into the lunch break. A lunch period where the employee performs no work shall not be counted as time worked for purposes of computing overtime compensation.

X. HOLIDAYS AND VACATION

Full-Time employees shall receive holidays and vacation as provided in this paragraph X. Employees do not earn or receive holiday and vacation benefits while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.

A. Holidays.

- 1. The following days shall be recognized and observed as holidays for Full-Time employees covered by this plan. Such Full-Time employees shall receive their regular rate of pay for each of the unworked holidays:
 - a. New Year's Day, the first day of January.
 - b. Martin Luther King, Jr. Day, the third Monday of January.
 - c. President's Day, the third Monday in February.
 - d. Memorial Day, the last Monday of May.
 - e. Independence Day, the fourth day of July.

- f. Pioneer Day, the twenty-fourth day of July.
 - g. Labor Day, the first Monday in September.
 - h. Veteran's Day, the eleventh day of November.
 - i. Thanksgiving Day, the fourth Thursday in November.
 - j. The Friday after Thanksgiving Day. (floating holiday, see explanation below.)
 - k. Christmas Day, the twenty-fifth day of December.
 - l. One personal holiday, taken upon request of the employee and at the discretion of the supervisor.
- 2. When any holiday listed above falls on a Sunday, the following business day shall be considered a holiday. When any holiday listed above falls on a Saturday, the preceding business day shall be considered a holiday. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor and/or the City Council.
 - 3. No employee shall receive in excess of one day of holiday pay for a single holiday. Employees must work or be on authorized leave their last scheduled working day before and the next working day following the holiday to qualify for holiday pay.
 - 4. Holiday Exception. In lieu of taking the Friday after Thanksgiving Day as a holiday, employees may observe this holiday up to 50 days prior to Thanksgiving Day, provided that the date chosen is approved by the supervisor.

B. Vacations.

- 1. Full-Time employees shall be entitled to receive their regular salaries during vacation periods earned and taken in accordance with the provisions in this paragraph; provided, that no employee shall be entitled to use any vacation unless the employee has successfully completed his or her initial probationary period.
- 2. For Full-Time employees, the following schedule shall apply:

<u>Years of City Service</u>	<u>Hours of Vacation Accrued Per Biweekly Pay Period</u>
0 to end of year 3	3.08
4 to 6	3.69
7 to 9	4.62
10 to 12	5.54

13 to 15	6.15
16 to 19	6.77
20 or more	7.69

For any plan year in which there are 27 pay periods, no vacation leave hours will be awarded on the 27th pay period.

Years of City Service shall be based on the most recent date the person became a Full-Time salaried employee.

3. Full-Time employees may accumulate vacations, according to the length of their full-time years of City Service up to the following maximum limits:

Up to and including 9 years	Up to 30 days (240 hours)
After 9 years	Up to 35 days (280 hours)
After 14 years	Up to 40 days (320 hours)

"Days," herein, means "8-hour" days.

Any vacation accrued beyond said maximums shall be deemed forfeited unless utilized prior to the end of the calendar year in which the maximum has been accrued. However, in the case of an employee returning from an unpaid military leave of absence, related provisions under city ordinance shall apply.

4. Vacation Buy Back. The City may purchase within any calendar year up to, but not exceeding, 80 hours of accrued vacation time, to which an employee is entitled, with the consent of said employee and upon favorable written recommendation of the employee's Department -Director and approval of the Chief Administrative Officer.

Said purchase of accrued vacation time may be authorized, in the discretion of the City, when, in its judgment, it is demonstrated that:

- a. The cash payment in lieu of vacation time use shall not interfere with an employee's performance or create an unreasonable hardship on said employee;
- b. There is a demonstrated need for the City to retain the services of the employee for said vacation time;
- c. There are sufficient funds in the Department budget to pay for the vacation time as certified by the Chief Administrative Officer or designee, without disturbing or interfering with the delivery of City services; and

- d. The amount to be paid for any such purchase of vacation time as provided herein shall be based on the wage or salary rate of the said employee at the date of approval by the City.

The City shall make a diligent effort to provide employees their earned annual vacation, and shall, through appropriate management efforts, seek to minimize the recommendations for cash payments in lieu of vacation use. Any vacation purchased by the City shall be considered to be an extraordinary circumstance and not a fringe benefit of the employee.

XI. SICK AND OTHER RELATED LEAVE OR PERSONAL LEAVE.

- A. Benefits in this section are for the purpose of continuing income to employees during absence due to illness, accident or personal reasons. Some of these absences may qualify under the Family and Medical Leave Act (FMLA). This is a federal law that provides up to 12 weeks of unpaid leave each year and protects jobs and health care benefits for eligible employees who need to be off work for certain "family and medical" reasons. APPENDIX D outlines the FMLA rights and obligations of the employee and the City. The City requires all employees using FMLA leave to exhaust their paid leave allotments for FMLA-qualifying events prior to taking FMLA leave unpaid. The paid leave parameters are defined in this Compensation Plan. Employees do not earn or receive leave benefits under this Section XI. while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.
- B. Full-Time employees shall receive benefits in this section either under a plan as provided in paragraph XI.D.E., (Plan "A"), or as provided in paragraph XI.E.F. (Plan "B").
- C. Employees hired on or after November 16, 1997 shall participate in Plan B. All other employees shall participate in the plan they participated in on November 15, 1998, except as provided in paragraph XI.D.
- D. Employees participating in Plan A, who were hired on or before November 16, 1997, may, during an election period beginning July 1, 2007 and ending September 30, 2007, choose to participate in Plan B effective November 4, 2007.

D.E. Plan "A."

1. Sick Leave.

- a. Sick leave shall be provided for Full-Time employees under this Plan "A" as insurance against loss of income when an employee is unable to perform assigned duties because of illness or injury. The Mayor may establish rules governing the interfacing of sick leave and Workers' Compensation benefits and avoiding, to the extent allowable by law, duplicative payments.
- b. Each Full-Time employee shall accrue sick leave at a rate of 4.62 hours per pay period. For any plan year in which there are 27 pay periods, no sick leave hours will be awarded on the 27th pay period.

Authorized and unused sick leave may be accumulated from year to year, subject to the limitations of this plan.

- c. Under this Plan "A," Full-Time employees who have accumulated 240 hours of sick leave may choose to convert up to 64 hours of the sick leave earned and unused during any given year to vacation. Any sick leave used during the calendar year reduces the allowable conversion by an equal amount.
- d. Conversion at the maximum allowable hours will be made unless the employee elects otherwise. Any election by an employee for no conversion, or to convert less than the maximum allowable sick leave hours to vacation time, must be made by notifying his or her Personnel/Payroll Administrator, in writing, not later than the second payperiod of the new calendar year. Otherwise, the opportunity to waive conversion or elect conversion other than the maximum allowable amount shall be deemed waived for that calendar year. In no event shall sick leave days be converted from other than the current year's sick leave allocation.
- e. Any sick leave hours, properly converted to vacation benefits as above described, shall be taken prior to any other vacation hours to which the employee is entitled; provided, however, that in no event shall an employee be entitled to any pay or compensation upon an employee's separation for any sick leave converted to vacation. Any sick leave converted to vacation remaining unused at the date of separation shall be forfeited by the employee.

2. Hospitalization Leave

- a. Hospitalization leave shall be provided for Full-Time employees under this Plan "A," in addition to sick leave authorized hereunder, as insurance against loss of income when employees are unable to perform assigned duties because of scheduled surgical procedures, urgent medical treatment, or hospital inpatient admission.
- b. Employees shall be entitled to 30 days of hospitalization leave each calendar year. Hospitalization leave shall not accumulate from year to year. Employees may not convert hospitalization leave to vacation or any other leave, nor may they convert hospitalization leave to any additional benefit at time of retirement.
- c. Employees who are unable to perform their duties during a shift due to preparations (such as fasting, rest, or ingestion of medicine), for a scheduled surgical procedure, may report the absence from the affected shift as hospitalization leave, with the prior approval of their division head or supervisor.
- d. Employees who must receive urgent medical treatment at a hospital, emergency room, or acute care facility, and who are unable to perform their duties during a shift due to urgent medical treatment, may report the absence from the affected shift as

hospitalization leave. The employee is responsible to report the receipt of urgent medical treatment to the employee's Division head or supervisor as soon as practical. For purposes of use of hospitalization Leave, urgent medical treatment includes at-home care directed by a physician immediately after the urgent medical treatment and within the affected shift.

- e. Employees who are admitted as an inpatient to a hospital for medical treatment, so they are unable to perform their duties, may report the absence from duty while in the hospital as hospitalization leave.
- f. Medical treatment consisting exclusively or primarily of post-injury rehabilitation or therapy treatment, whether conducted in a hospital or other medical facility, shall not be counted as hospitalization leave.
- g. An employee requesting hospitalization leave under this section may be required to provide verification of treatment or care from a competent medical practitioner.

3. Bereavement Leave

- a. Under this Plan "A" time off with pay will be granted to a Full-Time employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother or stepsister, grandfather-in-law, grandmother-in-law, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above as if the domestic partner were the employee's spouse. In the event of death in any of these instances, the employee will be paid his or her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral or memorial service leave on the day following the service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employee to his or her supervisor.
- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations

with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement benefit is not effective before February 23, 2006.

- c. In the event of death of an uncle, aunt, niece, nephew, or first cousin to the respective employee, said employee will be paid for time off from scheduled working hours while attending the funeral or memorial service for such person, not to exceed one shift.
- d. In the event of death of friends or relatives not listed above, an employee may be granted time off without pay, not to exceed four hours, or may use available vacation leave while attending the funeral or memorial service for such person, subject to the approval of his or her immediate supervisor.
- e. In the event the death of any member of the immediate family as set forth in this paragraph XI.D.3(a) occurs while an employee is on vacation, his or her vacation will be extended by the amount of time authorized as bereavement leave under said paragraph.
- f. The provisions of this paragraph shall not be applicable to employees who are on leave of absence other than vacation leave.

4. Dependent Leave.

- a. Under Plan "A," dependent leave may be requested by a Full-Time employee covered by this Compensation Plan for the following reasons:
 - 1. Becoming a parent through birth or adoption of a child or children.
 - 2. Placement of a foster child in the employee's home.
 - 3. Due to the care of the employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below), domestic partner's unmarried child under age 26, or parent with a serious health condition.

Domestic partners and domestic partners' children are not covered by FMLA.

- b. Under Plan "A," dependent leave may also be requested by a Full-Time employee to care for an employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below), domestic partner's unmarried child under age 26, or a parent who is ill or injured but who does not have a serious health condition.
- c. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same

household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this dependent leave benefit is not effective before February 23, 2006.

- d. The following provisions apply to the use of dependent leave by a Full-Time employee:
 1. Dependent leave may be granted with pay on a straight time basis.
 2. If the employee has available unused sick leave, the employee shall be entitled to use as dependent leave such unused sick leave.
 3. The employee shall give notice of the need to take dependent leave and the expected duration of such leave to to his or her supervisor as soon as possible under the circumstances.
 4. The employee shall provide, upon request of the supervisor, certification of birth or evidence of a child placement for adoption, or a letter from the attending physician in the event of hospitalization, injury or illness of a child, spouse, spouse's child, domestic partner, domestic partner's child, or parent within five calendar days following termination of such leave.
 5. An employee's sick leave shall be reduced by the number of hours taken by an employee as dependent leave under this paragraph provided, however, that up to 40 hours of dependent leave used during the calendar year will not affect the sick leave conversion options as outlined in paragraph XI.D.1.c.
 6. Probationary employees are not eligible for dependent leave.
5. Career Incentive Leave, Plan "A." Full-Time employees, who have been in continuous Full-Time employment with the City for more than 20 years, and who have accumulated to their credit 1500 or more sick leave hours, may make a one-time election to convert up to 160 hours of sick leave into 80 hours of paid Career Incentive Leave. Career Incentive Leave must be taken prior to retirement. Sick leave hours converted to Career Incentive Leave will not be eligible for a cash payout upon termination or retirement even though the employee has unused Career Incentive Leave hours available. This leave can be used for any reason. Requests for Career Incentive Leave must be submitted in writing to the Department Director and be approved subject to the department's business needs (e.g., work schedules and workloads).
6. Retirement Benefit, Plan "A."

- a. Persons who retire under the eligibility requirements of the Utah State Retirement System will be paid in cash at their then current pay scale, a sum equal to their daily rate of pay for 25% of the accumulated sick leave days reserved for the benefit of said employee at the date of the employee's retirement.
- b. In lieu of the above, Full-Time employees may elect to convert the sick leave privilege provided above to hospital and surgical coverage. If such an election is made in writing, 50% of the sick leave hours available at retirement may be converted to a dollar allowance at the time of retirement. The sick leave hours converted to a dollar allowance shall be subject to any state and federal income and social security tax withholding required by law. An employee's available sick leave account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage which may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance premiums increase, the number of months of coverage will decrease. This provision shall not act to reinstate an employee with sick leave benefits which were in any respect lost, used, or forfeited prior to the effective date of this plan.

EF. Plan "B."

1. The benefit Plan Year of Plan "B" begins in each calendar year on the first day of the pay-period that includes November 15. Under this Plan "B," paid personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or disability—or an event that qualifies under the FMLA—a personal leave request is subject to supervisory approval based on the operational requirements of the City and any policies regarding the use of such leave adopted by the department in which the employee works.
2. Each Full-Time employee under this Plan "B" shall be awarded, at the beginning of the second pay period of November in each calendar year, personal leave hours based on the following schedule:

Months of Consecutive City Service	Hours of Personal Leave
Less than 6	40
Less than 24	60
24 or more	80

Employees hired during the plan year will be provided paid personal leave on a pro-rated basis.

3. Not later than October 31st in each calendar year, employees covered by Plan "B" may elect, by notifying their Personnel/Payroll Administrator in writing, to:
 - a. Convert any unused personal leave hours available at the end of the first pay period of November to a lump sum payment equal to the following: For each converted hour, the employee shall be paid 50 percent of the employee's hourly base wage rate in effect on date of conversion. In no event shall total pay hereunder exceed 40 hours of pay, or
 - b. Carryover to the next calendar year up to 80 unused personal leave hours, or
 - c. Convert a portion of unused personal leave hours, to a lump sum payment as provided in subparagraph (a) above and carry over a portion as provided in subparagraph (b) above.
4. Maximum Accrual. A maximum of 80 hours of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the plan year in excess of 80 shall be converted to a lump sum payment as provided in subparagraph 3.a above.
5. Termination Benefits. At termination of employment for any reason, accumulated unused personal leave hours, minus any adjustment necessary after calculating the "prorated amount," shall be paid to the employee at 50 percent of the hourly base wage rate on date of termination for each unused hour. For purposes of this paragraph XI.E.5, "prorated amount" shall mean the amount of personal leave credited at the beginning of the plan year, multiplied by the ratio of the number of months worked in the plan year (rounded to the end of the month which includes the separation date) to 12 months. If the employee, at the time of separation, has used personal leave in excess of the prorated amount, the value of the excess amount shall be reimbursed to the City and may be deducted from the employee's paycheck.
6. Conditions on Use of Personal Leave are:
 - a. Minimum use of personal leave is one hour, with supervisory approval.
 - b. Except in unforeseen circumstances, such as emergencies or the employees' inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide their supervisors with prior notice to allow time for the supervisors to make arrangements necessary to cover the employees' work.
 - c. For leave due to unforeseen circumstances, the employees must give their supervisors as much prior notice as possible.

7. Bereavement Leave.

- a. Under this Plan "B," time off with pay will be granted to a Full-Time employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother, stepsister, grandfather-in-law, grandmother-in-law, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above if the domestic partner were the employee's spouse. In the event of death in any of these instances, the employee will be paid his/her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral or memorial service leave on the day following the service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employee to his or her supervisor.
- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement leave benefit is not effective before February 23, 2006.
- c. In the event of death of an uncle, aunt, niece, nephew, or first cousin to the respective employee, said employee shall be allowed to use personal leave or vacation for time off from scheduled working hours to attend the funeral or memorial service for such person.
- d. In the event of death of friends or relatives not listed above, an employee may be allowed to use personal leave or vacation for time off to attend the funeral or memorial service for such person, subject to the approval of his or her supervisor.

8. Career Enhancement Leave, Plan "B." A Full-Time employee covered under this Plan "B" is eligible, after 15 years of full time service with the City, to be selected to receive up to two weeks of career enhancement leave. This one-time leave benefit could be used for formal training, informal course of study, job-related travel, internship, mentoring or other activity which could be of benefit to the City and the employee's career development. Selected employees shall receive their full regular salary

during the leave. Request for this leave must be submitted in writing to the appropriate department head, stating the purpose of the request and how the leave is intended to benefit the City. The request must be approved by the department head and by the Human Resources Director (who will review the request for compliance with the guidelines outlined here).

9. Retirement/Layoff (RL) Benefit, Plan "B."

- a. Full-Time employees currently covered under Plan "B" who were hired before November 16, 1997, and who elected to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to sixty percent of their accumulated unused sick leave hours available on November 16, 1997, minus any hours withdrawn from that account since it was established.
- b. Full-Time employees who were hired before November 16, 1997 and who elected in 1998 to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to fifty percent of their accumulated unused sick leave hours available on November 14, 1998, minus any hours withdrawn after the account is established.
- c. Full-Time employees who were hired before November 16, 1997 and who elected in 2007 to be covered under Plan "B," shall have a retirement /layoff (RL) account equal to forty percent of their accumulated unused sick leave hours available on November 4, 2007, minus any hours withdrawn after the account is established.
- ed. Payment of the RL Account.
 - (1) All of the hours in the RL account shall be payable at retirement or layoff as follows: The employee shall be paid the employee's hourly rate of pay on date of retirement or layoff for each hour in the employee's RL account.
 - (2) In the case of retirement only, in lieu of the above, Full-Time employees may elect to convert the RL account payment as provided herein to hospital and surgical coverage. Such payment shall be subject to any state and federal income and social security tax withholding required by law. An employee's available RL account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage that may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance costs increase, the number of months of coverage will decrease.
- de. Hours may be withdrawn from the RL account for emergencies after personal leave hours are exhausted, and with approval of the employee's supervisor. RL account hours may also be used as a supplement to Workers' Compensation benefits which, when added to the employees' Workers' Compensation benefits, equals

the employee's regular net salary. The employee must make an election in writing to the Director of Management Services to use RL account hours to supplement Workers' Compensation benefits.

10. Short Term Disability Insurance, Plan "B." Protection against loss of income when an employee is absent from work due to short term disability shall be provided to Full-Time employees covered under Plan "B" through short term disability insurance (SDI). There shall be no cost to the employee for SDI. SDI shall be administered in accordance with the terms determined by the City. As one of the conditions ~~of~~ for receiving SDI, the employee may be required to submit to a medical examination by a medical provider of the City's choosing.

XII. MILITARY LEAVE AND JURY DUTY

- A. Leave of absence for employees who enter uniformed service. An employee who enters the service of a uniformed services of the United States, including the United States Army, United States Navy, United States Marine Corps, United States Air Force, commissioned Corps of the National Oceanic and Atmospheric Administration, United States Coast Guard, or the commissioned corps of the Public Health Service, shall be entitled to be absent from his or her duties and service from the City, without pay, as required by state and federal law. Said leave shall be granted for no more than five cumulative years, consistent with the federal Uniform Services Employment and Reemployment Act.
- B. Leave while on duty with the armed forces or Utah National Guard. Employees covered by this Plan who are or who shall become members of the reserves of a federal armed forces, including United States Army, United States Navy, United States Marine Corps, United States Air Force, and the United States Coast Guard, or any unit of the Utah National Guard, shall be allowed full pay for all time not in excess of 11 working days per calendar year spent on duty with such agencies. This leave shall be in addition to the annual vacation leave with pay. To qualify, employees claiming the benefit under this provision shall provide documentation to the City demonstrating duty with such agencies. To qualify, duty herein need not be consecutive days of service.
- C. Leave for Jury Duty. Employees shall be entitled to receive and retain statutory juror's fees paid for jury service in the State and Federal Courts subject to the conditions hereinafter set forth. No reduction in an employee's salary or regular wages shall be made for absence from work resulting from such jury service. On those days that an employee is required to report for jury service and is thereafter excused from such service during his or her regular working hours from the City, he or she shall forthwith return to and carry on his or her regular City employment. Employees who fail to return to work after being excused from jury service for the day shall be subject to discipline.

XIII. INJURY LEAVE

- A. Injury Leave. The City shall establish rules governing the administration of an injury leave program for employees of the Operations Division of the Department of Airports who are required to carry firearms as part of their jobs, under the following qualifications and restrictions:

1. The disability must have resulted from an injury arising out of the discharge of official duties and/or while exercising some form of necessary job related activity as determined by the City;
2. The employee must be unable to return to work due to the injury as verified by a medical provider acceptable to the City;
3. The leave benefit shall not exceed the value of the employee's net salary during the period of absence due to the injury, less all amounts paid or credited to the employee as Workers' Compensation, ~~social~~ Social Security Security, long term disability or retirement benefits, or any form of governmental relief whatsoever;
4. The value of benefits provided to employees under this injury leave program shall not exceed the total of \$5,000 per employee per injury; unless approved in writing by the employee's Department Head after receiving an acceptable treatment plan and consulting with the City's Risk Manager;
5. The City's Risk Manager shall be principally responsible for the review of injury leave claims provided that appeals from the decision of the City's Risk Manager may be reviewed by the Chief Administrative Officer who may make recommendations to the Mayor for final decisions;
6. If an employee is eligible for Workers' Compensation as provided by law; and is not receiving injury leave pursuant to this provision, said employee may elect in writing to the Director of Management Services to use either accumulated sick leave or hours from the RL account, if applicable, and authorized vacation time to supplement Workers' Compensation so that the employee is receiving the employee's regular net salary.

XIV. ADDITIONAL LEAVES OF ABSENCE.

Additional unpaid leaves of absence may be requested in writing and granted to an employee at the discretion of the Department Director

XV. INSURANCE

- A. Group Insurance. Employees of the City will be required to enroll for single coverage in the City's group medical insurance plan in conformity with and under the terms of an insurance plan adopted by the City, as permitted by ordinance. The City will provide a basic term life and accidental death plan. The City will also make available other bona fide benefit programs. Retired City employees and their eligible dependents may also be permitted to participate in the City's medical and dental plans under terms and conditions established by the City. The City shall cause the specific provisions of the group plan to be detailed and made available to the employees. The City will deduct from each payroll all monies necessary to fund the employees' share of insurance coverage and make all payments necessary to fund the plan, within budget limitations established by the City Council.
- B. The City will participate in the Nationwide Post Employment Health Plan, as adopted by the City by ordinance. Each year, the City will contribute ~~\$23.08~~ \$24.30 per biweekly pay period into each employee's Nationwide Post Employment

Health Plan account. For any year in which there are 27 pay periods, no such contribution will be made on the 27th pay period.

XVI. WORKERS' COMPENSATION

In addition to the foregoing, the Mayor may provide for Workers' Compensation coverage to the employees under applicable provisions of State statute.

XVII. LONG TERM DISABILITY COMPENSATION

Optional long term disability is available to employees eligible under the City's Long Term Disability Program (Income Protection Program), subject to the terms and conditions of the plan. This program provides continuation of income to employees of the City who are permanently and totally disabled as defined under the program.

XVIII. TRANSITIONAL DUTY.

Depending on the City's need or legal requirement, employees may be placed temporarily in a transitional duty position, when illness or injury prevents them from performing their regular duties.

XIX. SEPARATION FROM SERVICE

- A. Social Security Adopted. The City hereby adopts the provisions of the Federal Social Security system and applies and extends the benefits of the old age and survivor's insurance of the Social Security Act to employees.
- B. Retirement Programs. The City hereby adopts the Utah State Retirement System for providing retirement pensions to employees covered by the plan. The City may permit or require the participation of employees in its retirement program(s) under terms and conditions established by the Mayor and consistent with state law. Such programs may include:
 - 1. The Utah State Public Employees' Retirement System (Contributory and Non-Contributory)
 - 2. Deferred Compensation Programs
 - 3. Retirement Incentive Programs
- C. The 20076-20087 fiscal year retirement contribution rates for employees covered by this paragraph are shown in Appendix C.
- D. Layoffs. Whenever it is necessary to reduce the number of employees performing an activity or function defined by the Mayor or designee within a City department because of lack of work or lack of funds, the City shall minimize layoffs by readjustment of personnel through reemployment or bumping processes detailed in the City's Layoff Procedure.
 - 1. Whenever layoffs are necessary, emergency, temporary, probationary, hourly and Regular Part-Time employees performing essentially the same duties as the aforesaid work activities or functions being reduced shall be laid off first.

2. Full-Time salaried employees shall be the last to be laid off in inverse order of the length of City Seniority of employees in the same job classification. For example, an employee who has served in the job classification for five years and who has 10 years of City seniority, will be laid off before the employee who has served in the job classification only one year but who has 15 years of City seniority.
3. Full-Time salaried employees designated for layoff or actually laid off may request reemployment, or elect to bump if eligible. Once a choice is made, Division of Human Resources staff will focus their effort on the selected option. Under reemployment, the laid off employee may be placed in a vacant equal or lower classification job position, wherever situated in the City, for which the employee is qualified. Vacant means the Division of Human Resource Management has received a request to fill a position. Equal or lower classification means that the maximum salary for the vacant position shall be less than or equal to the maximum salary for the position being laid off. Under the bumping option, said employee, within the City department in which the layoff occurs, may bump the least senior, Full-Time employee or probationary employee (in a job position and function previously and actually held by said laid off employee regardless of whether the job title or classification has since changed). The determination as whether the laid off employee is currently qualified for a position will be made by the Division of Human Resources, following the process outlined in the City's Layoff Procedure.
4. Future Application for Employment Once Laid Off. Employees who have not utilized either reemployment or bumping, and who leave the City's payroll will have the right to pre-bid (submit application prior to actual position opening) on positions in the *100 Series* and *200 Series* for a period of two years. They may also apply for 300 Series and 600 Series positions for a two-year period utilizing the City's internal applicant form.
5. Benefits Upon Layoff. Employees who are subject to layoff because of lack of work or lack of funds shall be eligible to receive:
 - a. One hundred percent of their accumulated unused sick leave hours, if covered under paragraph XI.D. (Plan "A"); or
 - b. One hundred percent of their RL account if covered under paragraph XI.E (Plan "B").
 - c. Accrued unused personal leave at 50% of the employees' base hourly rate, if covered under paragraph XI.E (Plan "B").

E. Separation From Employment Due To Resignations Or Otherwise

1. Every employee who is separated from City employment for any reason shall be paid for:
 - a. Earned vacation time accrued, unused, and unforfeited as of the date of termination;
 - b. Unused compensatory time off; and

- c. If a participant in "Plan B," any accrued and unused personal leave in accordance with paragraph XI.E.5 of this chapter.

XX. RECOGNITION OF THE PROFESSIONAL EMPLOYEES COUNCIL

The City recognizes the Professional Employees Council (PEC) to maximize input into decisions regarding this Compensation Plan.

XXI. SENIORITY

For purposes of this Compensation Plan, "seniority" shall be defined as an employee's continuous, full time salaried employment with the City. An employee's earned seniority shall not be lost because of absence due to authorized leaves of absence or temporary layoffs not to exceed two years.

XXII. AUTHORITY OF THE MAYOR

Employees covered by this compensation plan may be appointed, classified, and advanced under rules and regulations promulgated by the Mayor, or the Civil Service Commission, if applicable, within budget limitations established by the City Council.

XXIII. APPROPRIATION OF FUNDS

All provisions in this compensation plan that involve the expenditure of funds are subject to appropriation of funds for such purposes.

XXIV. JOB SHARING

1. Employees may be authorized, by the City, to job share a Full-Time "300 Series" or "600 Series" position. Under an authorized job share arrangement, the employees involved shall, pursuant to a written agreement between them, equally share in the compensation and benefits normally provided to the Full-Time position that is being shared. The Full-Time position that is being shared shall maintain its classification and the compensation and benefits equally shared shall be based on said classification.
2. A job share arrangement will not be authorized unless the following occurs:
 - a. The employees, who are sharing a job, have voluntarily entered into a written agreement specifying acknowledging that the hours each will workworked and the equal allocation of benefits shared will be on a 50 percent basis, and compensation between them; and
 - b. The Department Director has approved the job sharing arrangement.

XXV. REGULAR PART-TIME EMPLOYEES

- A. "300 Series" and "600 Series" Regular Part-Time employees are employees whose jobs regularly require them to work twenty (20) or more but less than forty (40) hours a week. Regular Part-Time employees do not include seasonal employees and employees who job share under paragraph XXIV.

- B. Effective July 1, 2006~~2007~~, Regular Part-Time employees shall be paid a wage equal to a prorated amount of the salary of a similarly classified Full-Time employee as specified in salary schedules in Appendices "A" and "B."
- C. Unless otherwise modified by the Mayor, Regular Part-Time employees shall receive fifty percent (50%) of the following benefits subject to the conditions provided in this Plan:
 - 1. Longevity Pay as specified in paragraph IV of this Plan.
 - 2. Education and Training Pay as specified in paragraph VI of this Plan.
 - 3. Holidays, vacation and other leaves of absence as specified in paragraphs X, XI, XII, XIII and XIV of this Plan.
 - 4. City's contribution to insurance premiums as specified in paragraph XV of this Plan.
- D. Regular Part-Time employees shall receive insurance benefits as specified in paragraph XV, wage differentials as specified in paragraph VII and allowances as specified in paragraph VIII of this Plan.
- E. Regular Part-Time employees may participate in retirement programs as specified in paragraph XIX of this Plan.
- F. There shall be no cost to Regular Part-time employee for Short-term Disability insurance. Short-term disability benefits will be prorated.