ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPEALING THE CURRENT PERSONNEL POLICY, NO. 311, (VACATION LEAVE) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 311, (VACATION LEAVE) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, City Staff desires to improve Personnel Policies and Procedures for City Employees; and

WHEREAS, The City of Copperas Cove Council recognizes the need to establish a flexible and responsive personnel system; and

WHEREAS, The personnel policies and procedures manual establishes a personnel system and process for administrative purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

Section 1.

That the Personnel Policies and Procedures Manual dated September 1, 2006, is hereby amended by replacing the existing language in personnel policy, No. 311, (Vacation Leave) with the language set out in Exhibit "A", attached hereto and incorporated herein for all purposes;

Section 2.

That the remaining sections of the said Personnel Policies and Procedures Manual are hereby ratified, and shall remain in full force and effect;

Section 3.

That any additions, deletions or other amendments to the Personnel Policies and Procedures Manual shall be made in a manner similar to process by which this manual is originally approved and only after compliance with the Texas Open Meetings Act and approved by the City Council of the City of Copperas Cove;

Section 4.

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid;

Section 5.

That this ordinance shall be effective January 5, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS, this 5th day of January 2016, such meeting held in compliance with the Open Meeting Act (Texas Government Code, Chapter 551.001 et.seq.), at which a quorum was present and voting.

Frank Seffrood, Mayor

ATTEST:

Mariela Altott, City Secretary

APPROVED AS TO FORM:

Denton, Navarro, Rocha
Bernal, Hyde & Zech P.C., City Attorney

Attachment A
Ordinance 2016-02

VACATION LEAVE
Policy #311

January 2016

The City of Copperas Cove allows for all regular full time employees to accrue vacation leave on a pay-period basis. Continued accrual of vacation leave shall be based on the length of service with the City.

Vacation leave shall accrue at the end of the first full pay period of employment, but an employee shall not be allowed to use any accrued vacation leave until he/she has successfully completed his/her initial employment Evaluation Period; vacation leave is forfeited if employment is terminated before an employee successfully completes the initial evaluation period. Temporary, seasonal employees, and part-time employees shall not earn vacation leave and shall not be entitled to vacation time or leave pay upon separation. Official City observed holidays occurring while an employee is on approved paid vacation leave shall be considered as paid holidays and do not affect vacation leave balances. Employees may not "borrow" unearned vacation time.

Use of Vacation Leave

Vacation leave is an earned benefit intended to provide time away from the work environment to pursue activities that will promote the wellbeing of the individual. Whenever possible, vacation time will be scheduled at the convenience of employees. However, Department Directors must be certain that vacations do not interfere with the normal functions and activities of department operations. Whenever possible, employees are encouraged to submit their preferred vacation schedule to the appropriate supervisor as far in advance as possible to relieve any scheduling problems that may develop. To ensure proper payment of vacation pay, employees must make sure they have an approved vacation request on file before leaving for vacation. Vacation leave may also be used for purposes of attending to personal business, extension of sick leave when sick leave is exhausted, inability to get to work because of inclement weather, or for other purposes. Employees shall schedule their annual vacation leave in accordance with their Department's guidelines governing vacation.

Vacation leave will be earned and credited, according to the vacation accrual schedule below, to regular full time employees for each completed pay period worked. Vacation leave cannot exceed 25 days (200 hours), (250 hours for 10 hour shift employees), (288 hours for Fire & EMS shift personnel) at any given time. The employee will forfeit a vacation balance that exceeds 25 days (200 hours), (250 hours for 10 hour shift employees), (288 hours for Fire & EMS shift personnel) unless approved by the City Manager.

Vacation is paid at the employee's base rate at the time of vacation. It does not include overtime or any special forms of compensation. Vacation time is paid only for that time the employee would ordinarily have worked. Employees will not be paid for any unused vacation except upon separation of employment or if an employee is precluded from taking a scheduled vacation due to City and/or department needs.

VACATION LEAVE
Policy #311

January 2016

Department Directors may request, with City Manager approval, the City to buy back up to one week of vacation (40 hours for regular full time employees and 3-24 hour shifts for fire shift personnel) per fiscal year. Requests must identify and support specific business reasons why an employee was not able to be off work to avoid losing accrued leave. Special assignments, critical projects, and personnel shortages are representative of the kinds of situations that may be acceptable business reasons for approval.

Upon termination, retirement, resignation, or death, an employee shall be paid for accrued vacation leave at the rate of pay the employee was receiving at the time of separation. Only employees who have successfully completed their Evaluation Period with the City are entitled to this payout provision upon separation.

DEFINITIONS

Vacation Day – Depending on an employee's schedule a "vacation day" is defined as a period of eight (8) hours or (10) hours for full time employees, 24-hour shift employees in the uniformed fire service the holiday shall be the equivalent of 12 work hours, and up to (6) hours for part time employees.

Accruals - Vacation accruals are based on compensable hours worked or taken at the end of a full pay period.

Vacation Accrual Schedule –

All Regular Full Time Employees: (Excluding Fire & EMS Certified Shift and Non-Shift Employees and Certified Police Officers)

Vacation Earning Schedule Pay Period Accrual

Length of Service	Accrual
Amount 1 Year	3.08 Hours
2-4 Years	3.70 Hours
5-9 Years	4.62 Hours
10-14 Years	5.54 Hours
15-19 Years	6.16 Hours
20 Years	6.47 Hours
20-40 Years	6.47 Hours plus 8.00 hours for each additional year past 20 years (Example 21 years of employment: 6.47 * 26 pay periods = 168 + 8 = 176 hours earned per year. 176 hours / 26 pay periods = 6.77 hours earned per pay period). The vacation accrual for 40 years and above will remain at the 40 year accrual rate.

VACATION LEAVE
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January 2016

Vacation Accrual Schedule –

All Regular Full Time Fire & EMS Certified Shift Employees:

Vacation Earning Schedule Pay Period Accrual

Length of Service	Accrual
Amount 1-9 Years	6.92 Hours
10-14 Years	8.31 Hours
15-19 Years	9.23 Hours
20 Years	10.16 Hours
20-40 Years	10.16 Hours plus 12.00 hours for each additional year past 20 years. (Example 21 years of employment: 10.16 * 26 pay periods = 264 + 12 = 276 hours earned per year. 276 hours / 26 pay periods = 10.61 hours earned per pay period). The vacation accrual for 40 years and above will remain at the 40 year accrual rate.

Vacation Accrual Schedule –

All Regular Full Time Certified Police Officers and Fire & EMS Certified Non-Shift Employees:

Vacation Earning Schedule Pay Period Accrual

Length of Service	Accrual Amount
1-9 Years	4.62 Hours
10-14 Years	5.54 Hours
15-19 Years	6.16 Hours
20 Years	6.47 Hours
20-40 Years	6.47 Hours plus 8.00 hours for each additional year past 20 years. (Example 21 years of employment: 6.47 * 26 pay periods = 168 + 8 = 176 hours earned per year. 176 hours / 26 pay periods = 6.77 hours earned per pay period). The vacation accrual for 40 years and above will remain at the 40 year accrual rate.

VACATION LEAVE
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Vacation Accrual Schedule –

All Regular Full Time Certified Police Officers assigned to 10 hour Patrol shift:

Vacation Earning Schedule Pay Period Accrual

Length of Service	Accrual Amount
1-9 Years	5.77 Hours
10-14 Years	5.96 Hours
15-19 Years	6.16 Hours
20 Years	6.47 Hours
20-40 Years	6.47 Hours plus 8.00 hours for each additional year past 20 years. (Example 21 years of employment: 6.47 * 26 pay periods = 168 + 8 = 176 hours earned per year. 176 hours/26 pay periods = 6.77 hours earned per pay period). The vacation accrual for 40 years and above will remain at the 40 year accrual rate.

Separating employees - Separating employees will not be allowed to use vacation as their final day of employment unless scheduled and approved in advance by their Department Director/Division Head and City Manager.

LOCAL GOVERNMENT CODE TITLE 5. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES SUBTITLE A. MUNICIPAL OFFICERS AND EMPLOYEES CHAPTER 142. ASSISTANCE, BENEFITS, AND WORKING CONDITIONS OF MUNICIPAL OFFICERS AND EMPLOYEES SUBCHAPTER A. GENERAL PROVISIONS - Sec. 142.010. DEFINITIONS. (a) In this chapter, "member of the fire department" means an employee of the fire department who is defined as "fire protection personnel" by Section 419.021, Government Code. (b) In this chapter, "member of the police department" means an employee of the police department who has been licensed as a peace officer by the Commission on Law Enforcement Standards and Education.

City of Copperas Cove
Vacation Accrual Analysis - Patrol Only
December 14, 2015

	Length of service	Accrual hours	Total hours for service period	Average hourly pay rate	Vacation leave cost – 1 Employee	Vacation leave cost – 28 Employees
Current accruals:	1-9 Year	4.62	1,081.08			
	10-14 Years	5.54	720.2			
	15-19 Years	6.16	800.8			
	20 Years	6.47	168.22			
	Cumulative Hours		2,770.30	$19.89	$55,101	$1,542,835.48
Proposed accrual:	1-9 Years	5.77	1,350.18			
	10-14 Years	5.96	774.8			
	15-19 Years	6.16	800.8			
	20 Years	6.47	168.22			
	Cumulative Hours		3,094.00	$19.89	$61,540	$1,723,110.48

Payout impact:	Number of officers	27	Total final vacation (FV) hours	3458.66	Cost of FV	$67,309.35
	Average length of service	7.33	Average FV hours	138.35	Average cost of FV	$2,692.37
	Median year of accrual	8.00			Average final pay rate	$19.46
	Current accruals:	Average hourly pay rate		$19.89		
		Average FV hours		**138.35**		
		Average cost of FV		$2,751.71		
	Proposed accruals	Average hourly pay rate		$19.89	*% Increase from current to proposed accruals*	*25%*
		Average FV hours		**172.78**		
		Average cost of FV		$3,436.66		
	Impact over the next 5 years	Average hourly pay rate		$21.88	*Assumes 10% increase in next five years.*	
				1 Officer	28 Officers	
		Cost at current accruals		$3,026.88	$423,763.32	
		Cost at proposed accruals		$3,780.33	$529,245.54	
		Difference		$753.44	$105,482.21	