

ORDINANCE NO. 787

AN ORDINANCE AMENDING CITY OF STAFFORD, TEXAS, ORDINANCE NO. 764, PASSED AND APPROVED THE 4TH DAY OF DECEMBER 2003, AND BEING THE PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF STAFFORD, TEXAS, BY STRIKING ALL OF SUBPARAGRAPH 1 OF PARAGRAPH E OF ARTICLE IV AND SUBSTITUTING THEREFOR A NEW SUBPARAGRAPH 1; BY STRIKING ALL OF SUBPARAGRAPHS 1 AND 2 OF PARAGRAPH F OF ARTICLE IV AND SUBSTITUTING THEREFOR NEW SUBPARAGRAPHS 1 AND 2; BY STRIKING ALL OF SUBPARAGRAPHS 2 AND 3 OF PARAGRAPH C OF ARTICLE V AND SUBSTITUTING THEREFOR NEW SUBPARAGRAPHS 2 AND 3; BY STRIKING ALL OF PARAGRAPH B OF ARTICLE VII AND SUBSTITUTING THEREFOR A NEW PARAGRAPH B; ESTABLISHING THE DATE PAYCHECKS ARE ISSUED AS EVERY OTHER FRIDAY BEGINNING JANUARY 1, 2004, WITH THE FIRST PAYCHECK BEING ISSUED ON JANUARY 16, 2004; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS:

Section 1. Ordinance No. 764, passed and approved on the 4th day of December, 2002, being the Personnel Policies and Procedures of the City of Stafford, Texas (hereafter referred to as "the Personnel Policy"), is hereby amended by striking all of Subparagraph 1 of Paragraph E of Article IV thereof and substituting therefor a new Subparagraph to provide as follows:

"1. Time for Payment.

Beginning January 1, 2004, paychecks for all employees, except Fire Department personnel, will be issued every other Friday for services previously performed. The first paycheck under this system will be issued on January 16, 2004. In the event a pay day falls on an official City holiday, paychecks shall be issued on the closest preceding workday. Paychecks for Fire Department personnel and City Councilmembers will be issued once a month. Paychecks for Fire Department personnel shall be issued on the

pay day for the last pay period of the month for services performed during the preceding four-week period. Paychecks for City Councilmembers shall be issued on the pay day for the first pay period of the month for services performed during the preceding month. ”

Section 2. That the Personnel Policy is hereby further amended by striking all of Subparagraphs 1 and 2 of Paragraph F of Article IV thereof and substituting therefor a Subparagraphs 1 and 2 to provide as follows:

“1. Nonexempt Employees – Non-Fire Fighters and Non-EMS.

Nonexempt employees who are required to work more than forty (40) hours during any work week shall accumulate overtime. Payment for overtime shall be at one and one-half the employee’s regular rate of pay. If agreed to by the employee and the employee’s supervisor, an employee may take compensatory time off in lieu of overtime pay at the rate of one and one-half hours compensatory time for each hour of overtime worked. Nonexempt employees may accumulate a maximum of forty (40) hours of compensatory time. Hours accrued in excess of forty (40) hours shall be paid as overtime. Except as specified below, compensatory time must be used in the fiscal year in which it was earned. All hours of compensatory time accrued, but unused, by the first pay period in the month of September, shall be paid as overtime in the final pay period in the month of September of each year. Overtime earned during the final pay period in the month of September will be paid as overtime or may be carried over into the next fiscal year as compensatory time, at the election of the employee.

2. Nonexempt employees – Fire Fighters and EMS.

A fire fighter or a member of the fire department who provides emergency medical services who is not exempt under the Fair Labor Standards Act of 1938, 29 U.S.C. Section 201, et seq., and who is required to work more than 212 hours during any 28-day work cycle shall accumulate overtime. Payment for overtime shall be at one and one-half the employee’s regular rate of pay. If agreed to by the employee and the employee’s supervisor, an employee may take compensatory time off in lieu of overtime pay at the rate of one and one-half hours compensatory time for each hour of overtime worked. Nonexempt fire fighters and members of the fire department that provide emergency medical services may

accumulate a maximum of forty (40) hours of compensatory time. Hours accrued in excess of forty (40) hours shall be paid as overtime. Except as specified below, compensatory time accrued, but unused, by the first pay period in the month of September of each year, shall be paid as overtime in the final pay period in the month of September of each year. Overtime earned during the final pay period in the month of September will be paid as overtime or may be carried over into the next fiscal year as compensatory time, at the election of the employee."

Section 3. That the Personnel Policy is hereby further amended by striking all of Subparagraphs 2 and 3 of Paragraph C of Article V thereof and substituting therefor new Subparagraphs 2 and 3 to provide as follows:

- "2. Method of Accumulation.
Only full-time employees shall be entitled to earn sick leave. Sick leave time shall be earned and tabulated on the basis of 5/6 day per month and shall be credited to the employee on the last pay period of the month.
3. Maximum.
All full-time permanent employees shall earn 5/6 day of sick leave per month of service, credited on the last pay period of the month, for a total of ten (10) days per year. However, when a person's employment is terminated, whether voluntarily or involuntarily, including retirement, such person shall receive payment for a maximum of thirty (30) days accumulated sick days at the base salary in effect on the date of termination."

Section 4. That the Personnel Policy is hereby further amended by striking all of Paragraph B of Article IV thereof and substituting therefor a new Paragraph B to provide as follows:

"B. EMPLOYEE TIME RECORDS

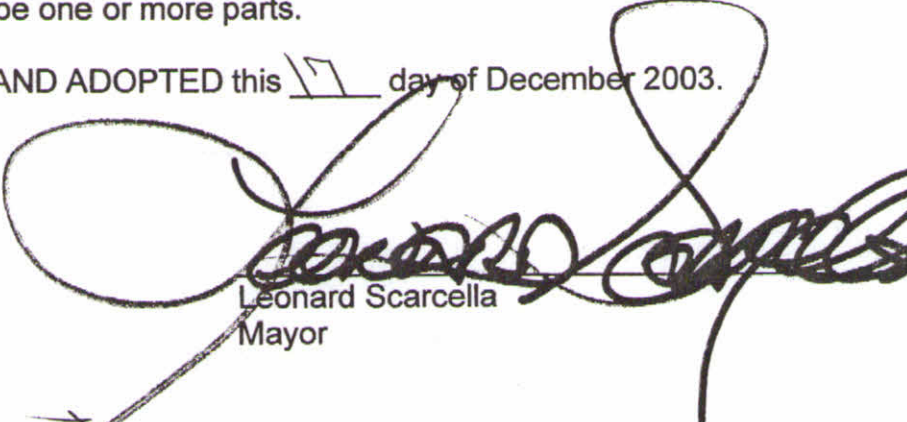
Time sheets shall be completed and submitted to the Human Resource Specialist every other week by all departments reflecting the activity of all full-time, part-time, seasonal, hourly, and temporary employees for the preceding two-week period. From these official time sheets, which are required under the Fair Labor Standards Act, the payrolls are prepared. Also, compensatory time, vacation leave, sick leave, holidays, injury leave, authorized and unauthorized absences must be reflected on the time

sheets. From the time sheets the Human Resource Specialist charges the employee for such leave time. In addition, all overtime shall be recorded on the time sheets. The Human Resource Specialist retains all time sheets in his or her files and they are the official record since they are signed and dated by the employee. Time sheets signed by the employee must be approved and verified by his or her supervisor before the employee's paycheck can be released by the supervisor."

Section 5. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.


Section 6. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Stafford, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 17 day of December 2003.



Leonard Scarcella
Mayor

ATTEST:



Bonnie Baiamonte
City Secretary

ORDINANCE NO. 816

AN ORDINANCE AMENDING CITY OF STAFFORD, TEXAS, ORDINANCE NO. 764, AS AMENDED, BEING THE PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF STAFFORD, TEXAS, BY ADDING A NEW PARAGRAPH "E" TO ARTICLE III THEREOF; ESTABLISHING A POLICY TO PROVIDE FOR ADDITIONAL COMPENSATION FOR BILINGUAL EMPLOYEES OF THE CITY; ESTABLISHING QUALIFICATIONS TO BE ELIGIBLE FOR BILINGUAL PAY; ESTABLISHING REQUIREMENTS FOR EMPLOYEES CURRENTLY RECEIVING BILINGUAL PAY; DESIGNATING CERTAIN JOB POSITIONS ELIGIBLE FOR BILINGUAL PAY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, certain employment positions with the City benefit from the ability of an employee to speak a language other than English, primarily, Spanish or Vietnamese; and

WHEREAS, an employee with bilingual skills in such a position, if qualified, should be eligible for additional compensation; and

WHEREAS, City Council desires to establish a policy setting forth the guidelines for employees to qualify and be eligible for additional compensation for bilingual skills; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Ordinance No. 764, passed and approved on the 4th day of December, 2002, as amended, being the Personnel Policies and Procedures of the City of Stafford, Texas, is hereby further amended by adding a new paragraph "E" to Article III thereof to provide as follows:

"E. Additional Compensation for Bilingual Employees.

1. To qualify for additional compensation for bilingual skills ("bilingual pay"):

a. The employee must hold a job position that has been designated by City Council as eligible for bilingual pay and successfully complete a six-month probationary period in such position;

b. The employee must be able to speak both the English and Spanish languages or both the English and Vietnamese languages with equal fluency; and

c. The employee must have passed a verbal fluency test administered by a recognized testing agency or received certification as an interpreter from an accredited institution.

2. To receive bilingual pay, a qualified employee's department head must submit a recommendation and request to City Council to approve the employee for bilingual pay. Upon approval by City Council, the employee will begin receiving bilingual pay in the amount of \$30.00 per month beginning the first month after the date of approval by City Council, provided funds for such pay have been appropriated in the City's budget for the fiscal year.

3. City Council, in its sole discretion, by adoption of an ordinance amending this policy, may discontinue bilingual pay. Bilingual pay shall be discontinued without the necessity of amending this policy if City Council fails to appropriate funds for such pay in a duly adopted budget."

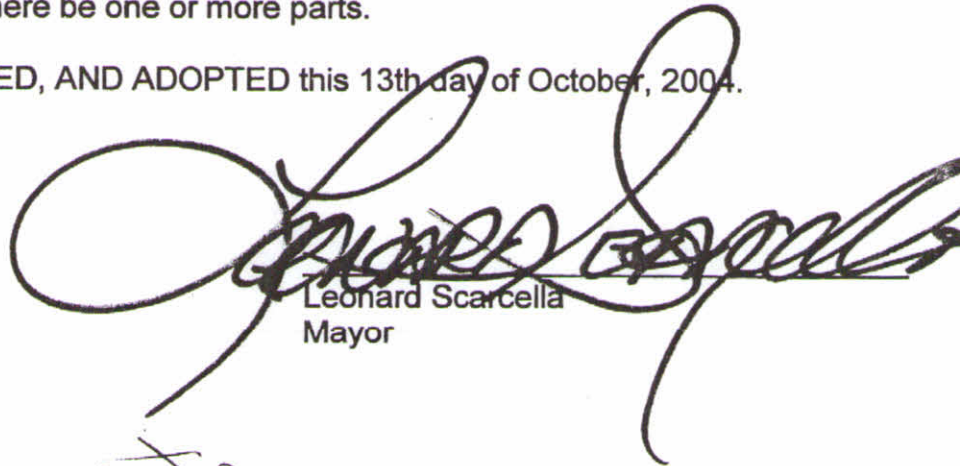
Section 3. Those employees receiving bilingual pay on the date of adoption of this Ordinance, that may or may not be eligible under the qualifications established herein, shall continue to receive such pay until December 31, 2004. Thereafter, such pay shall be discontinued unless or until the employee has met the qualifications established in this Ordinance and his/her department head has recommended to and received the approval of City Council for the continuance of or the resumption of bilingual pay.

Section 4. City Council hereby designates all supervisory positions and all job positions that have regular contact with members of the public eligible for bilingual pay.

Section 5. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 6. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Stafford, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 13th day of October, 2004.



Leonard Scarcella
Mayor

ATTEST:



Bonnie Baiamonte
City Secretary

ORDINANCE NO. 884

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS, AMENDING THE PERSONNEL POLICIES AND PROCEDURES OF THE CITY TO PROVIDE FOR THE CLASSIFICATION OF EMPLOYEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted Personnel Policies and Procedures of the City of Stafford, Texas (the "Personnel Policy") by Ordinance No. 764 in February 6, 1985; and

WHEREAS, the City has amended and revised the Personnel Policy by Ordinance on May 21, 1986, April 17, 1999, August 1, 2001, and December 4, 2002; and

WHEREAS, the City desires to amend and revise its Personnel Policy by creating a new classification of part-time employees eligible for retirement benefits;

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS, THAT:

SECTION 1: The Personnel Policy of the City of Stafford, Texas, is amended by changing Section II.A. to read as follows:

"II. CLASSIFICATION OF EMPLOYEES

A. CITY – MONTHLY-SALARIED AND HOURLY-SALARIED...

For the purposes of these rules only, the City shall assign each employee to one of three categories. The three categories of employees are:

1) **FULL TIME EMPLOYEES.** A Full Time Employee is any employee who is regularly scheduled to work not less than forty hours per week in one or more positions that are budgeted for not less than 2,000 hours per year;

2) **REGULAR PART TIME EMPLOYEES.** A Regular Part Time Employee is any employee who is not a Full Time Employee, but who is regularly scheduled to work in a position that is budgeted 1,000 hours or more per year. Any part time position that normally requires 1,000 hours or more per year services from an employee must be approved in advance by the City Council.

3) **PART TIME EMPLOYEES.** A Part Time Employee is an employee who is not either a Full Time Employee or a Regular Part Time Employee.

SECTION 2: The Personnel Policy of the City of Stafford, Texas, is amended by changing Section III to read as follows:

III. JOB TITLES AND COMPENSATION PLAN

A. JOB TITLES.

All employees shall be assigned a job title and be designated as a Full Time Employee, Regular Part Time Employee, or a Part Time Employee. An employee's salary shall be determined by said title and shall be shown in the annual budget.

B. JOB DESCRIPTIONS.

All employees appointed by Council shall be classified based on the authority, duties and responsibility of the position. Each job description should state the essential functions of the job. Any such employee may be reclassified by Council's approval to a higher or lower title and/or pay scale whenever warranted by changed circumstances.

C. APPOINTMENTS, PROMOTIONS OR DEMOTIONS

Appointments, promotions or demotions to positions shall be determined by any of the following: education, experience, testing and ability to perform the job.

D. PROBATIONARY PERIOD

The required probationary period is six continuous calendar months for new employees and for employees that are appointed, promoted or demoted to a different position. New employees who have successfully completed six (6) months probation shall be eligible for a salary increase or, as the case may be, an increase in hourly wages. New employees who have successfully completed one (1) year of service shall be eligible for a salary or hourly wage increase on the anniversary of their date of hire, provided that an appropriation was made for such increase in the then current fiscal year budget. Thereafter, salary and hourly wage increases, if any, shall be appropriated in the City's annual budget and be effective upon the beginning of the City's fiscal year. Department Heads and/or supervisors shall be responsible for timely submitting requests for pay increases to City Council for employees successfully completing the six (6) months probationary period or one (1) year of service.

SECTION 3: The Personnel Policy of the City of Stafford, Texas, is amended by changing Subsection V.J.2 to read as follows:

V. EMPLOYEE BENEFITS

J. RETIREMENT

2. Texas Municipal Retirement System.

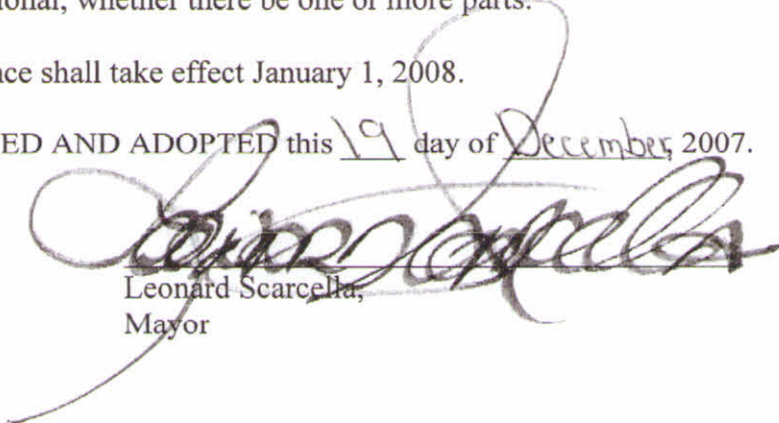
The City provides retirement benefits through the Texas Municipal Retirement System. Membership in the retirement system is restricted to and mandatory for all Full Time Employees and Regular Part Time Employees who work in a position that normally requires services from the employee for 1,000 hours or more a year.

SECTION 4: All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are, to the extent of such inconsistency or conflict, repealed.

SECTION 5: In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of this Ordinance to any person or circumstances shall be for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision of this Ordinance other than the part declared to be invalid or unconstitutional; and the City Council of the City of Stafford, Texas, declares that it would have passed each and every part of the Ordinance notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.


SECTION 6: This Ordinance shall take effect January 1, 2008.

PASSED, APPROVED AND ADOPTED this 19 day of December, 2007.



Leonard Scarcella,
Mayor

Attest:



Bonnie Baiamonte,
City Secretary