ORDINANCE NO. _____

1   AN ORDINANCE amending Section 2.76.395 of the Lincoln Municipal Code

2   relating to vacation leave with pay to provide for a vacation accrual of 148 hours after twelve

3   years of service for employees with a pay range prefixed by the letters "A", "C", and "E", to

4   provide a department head may require vacation leave be taken not less than one hour at a time;

5   and to provide employees with a pay range prefixed by "A", "C" or "M" may accumulate

6   vacation leave to a maximum of 80 hours over and above the employee's maximum annual

7   earning rate; and repealing Section 2.76.395 of the Lincoln Municipal Code as hitherto existing.

8   BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9   Section 1. That Section 2.76.395 of the Lincoln Municipal Code be amended to

10   read as follows:

11   **2.76.395   Vacation Leave with Pay**.

12   (a)   Amount. Each employee with a pay range prefixed by "A", "C", or "E" shall earn

13   vacation leave credit annually as follows:

                 After original appointment -- at the factored hourly equivalent of 88 hours per
                     year
                 After five years of service -- at the factored hourly equivalent of 120 hours per
                     year
                 After ten years of service -- at the factored hourly equivalent of 136 hours per
                     year.

                 After twelve years of service -- at the factored hourly equivalent of 148 hours per
                     year.

                 After fifteen years of service -- at the factored hourly equivalent of 168 hours per
                     year.
                 After twenty years of service -- at the factored hourly equivalent of 195 hours per
                     year.

1   After twenty-five years of service -- at the factored hourly equivalent of 200 hours

2   per year.

3 The department head may require that vacation leave be taken not less than one ~~day~~ hour

4 at a time. Vacation leave credit shall not accrue during a leave of absence without pay.

5   (b)   Each employee with a pay range prefixed by "N" or "X" shall earn vacation leave

6 credit annually as follows:

7   After original appointment -- at the factored hourly equivalent of 80 hours per

8   year.

9   After five years of service -- at the factored hourly equivalent of 116 hours per

10   year.

11   After ten years of service -- at the factored hourly equivalent of 130 hours per

12   year.

13   After twelve years of service -- at the factored hourly equivalent of 148 hours per

14   year.

15   After fifteen years of service -- at the factored hourly equivalent of 160 hours per

16   year.

17   After twenty years of service -- at the factored hourly equivalent of 196 hours per

18   year.

19   After twenty-five years of service -- at the factored hourly equivalent of 200 hours

20   per year.

21 The department head may require that vacation leave be taken not less than one day at a

22 time. Vacation leave credit shall not accrue during a leave of absence without pay.

23   (c)   Effective on the beginning of the first pay period after January 1, 2014, each

24 employee with a pay range prefixed by "M" shall earn vacation leave credit as follows:

25   After original appointment – at the factored hourly equivalent of one hundred

26   sixty (160) hours per year.

27   After twenty years of service – at the factored hourly equivalent of two hundred

28   (200) hours per year.

29 Any employee in a pay range prefixed by "M" may use vacation during their probationary

30 period upon approval by their supervisor.

31 Vacation leave credit shall not accrue during a leave of absence without pay.

32   (d)   Vacation leave shall not be granted during the first six months of employment.

33 Each department head shall keep records on vacation leave credit and use and shall schedule

1 vacation leave with particular regard to the seniority of employees, to accord with operating

2 requirements, and insofar as possible, with requests of employees.

3   (e) Accumulated leave. An employee may accumulate vacation leave to a maximum

4 of eighty hours over and above the employee's maximum annual earning rate, for employees

5 with a pay range prefixed by "A", "C", "E", or "M".

6   For an employee with a pay range prefixed by "N" or "X", an employee may

7 accumulate leave to a maximum as follows:

8

Completed Years of Service	Maximum Accumulated Leave
0-5 years	162 hours
6 - 10 years	206 hours
11 - 12 years	220 hours
13 - 15 years	238 hours
16 - 20 years	250 hours
21 - 25 years	286 hours
26 years and up	290 hours

16   (f) Vacation payout. Any employee who separates from the city service shall be

17 compensated for vacation leave accrued and accumulated to the date of separation. The vacation

18 payout shall occur with the paycheck immediately following separation. In the event the

19 separation is the result of retirement, as defined by the applicable retirement plan, an employee

20 may elect to utilize vacation until all accrued vacation has been exhausted.

21   (g) Waiving vacation. For the purpose of maintaining necessary personnel on duty to

22 accomplish city work, a department head, with approval of the Mayor, may waive accumulated

23 vacation leave in excess of eighty hours. Waived vacation will be paid to the employee at the

24 employee's usual rate of pay as of the last January 1, provided there are sufficient funds in the

25 department's budget for salaries.

26   (h) Vacation bank payout. For employees maintaining a vacation bank, excluding

27 ranges prefixed by "B" or "F", the employee may request to sell all or part of their bank at the

28 first full pay period in July each year. Such request for payment shall be made in writing and

29 approved by the employee's department head and the Mayor, provided there are sufficient funds

30 in the department's budget for salaries. Payment for requested hours will be paid at the

31 employee's usual rate of pay as of the last January 1.

1   Section 2. That Section 2.76.395 of the Lincoln Municipal Code as hitherto

2   existing be and the same is hereby repealed.

3   Section 3. That this ordinance shall take effect and be in force from and after

4   passage and publication in one issue of a daily or weekly newspaper of general circulation in the

5   City, according to law.

Introduced by:

_____

Approved as to Form & Legality:

_____
City Attorney

Approved this ___ day of _____, 2014:

_____
                        Mayor