

ORDINANCE NO. 3274

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL, BY CHANGING CHAPTER 15, SECTION 15.2, THEREBY PROVIDING FOR CHANGES REGARDING VACATIONS FOR REGULAR FULL-TIME EMPLOYEES; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Mesquite has adopted a General Government Policies and Procedures Manual; and

WHEREAS, Section 1.3 of the Policies and Procedures Manual provides for the revision of the policies and procedures set forth in such manual by adoption of ordinance; and

WHEREAS, it has been determined that the policies and provisions relating to vacation for City employees are in need of revision.

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

SECTION 1. That the General Government Policies and Procedures Manual is hereby revised by changing Chapter 15, Section 15.2 to read as follows, said Policies and Procedures Manual in all other respects to remain unchanged.

15.2. Vacations.

Eligible Employees: Regular full-time employees are eligible to accrue and use vacation leave. Temporary, seasonal, part-time or otherwise designated employees are not eligible to receive vacation leave.

1. **General Government Employees:**
 - a. **Less Than Five Years:** Regular full-time employees who have completed less than five (5) years continuous service with the City shall accrue, on a monthly basis, ten (10) working days vacation leave each year.
 - b. **More Than Five Years:** Regular full-time employees who have completed more than five (5) years continuous service

- with the City shall accrue, on a monthly basis, fifteen (15) working days vacation leave each year.
- c. **Fifteen Years:** Regular full-time employees who have completed fifteen (15) years continuous service with the City shall accrue, on a monthly basis, twenty (20) working days vacation leave each year.
 - d. **Twenty-Five Years:** Regular full-time employees who have completed twenty-five (25) years continuous service with the City shall accrue, on a monthly basis, twenty-five (25) working days vacation leave each year.
 - e. To assist the departments with scheduling employee vacations and allow employees the opportunity to use the additional week of vacation accrued during their sixth, sixteenth, and twenty-sixth year, five (5) days vacation will be credited on the anniversary date of their fifth, fifteenth, and twenty-fifth year of continuous service.
2. **Fire and Police:** Employees covered by the Texas Local Government Code Chapter 143 are entitled to earn vacation leave each year as follows:
- a. **Less Than Fifteen Years:** Commissioned Fire and Police employees who have completed less than fifteen (15) years continuous service with the City shall accrue, on a monthly basis, fifteen (15) working days vacation leave each year.
 - b. **Fifteen Years:** Commissioned Fire and Police employees who have completed fifteen (15) years

continuous service with the City shall accrue, on a monthly basis, twenty (20) working days vacation leave each year.

- c. **Twenty-Five Years:** Commissioned Fire and Police employees who have completed twenty-five (25) years continuous service with the City shall accrue, on a monthly basis, twenty-five (25) working days vacation leave each year.
- d. To assist the departments with scheduling employee vacations and allow employees the opportunity to use the additional week of vacation accrued during their sixteenth, and twenty-sixth year, five (5) days vacation will be credited on the anniversary date of their fifteenth, and twenty-fifth year of continuous service.

3. Payment for Accumulated Vacation:

- a. **Good Standing:** All employees leaving the service of the City in good standing, following one (1) year of continuous service, shall be paid for accumulated vacation leave not to exceed twenty (20) working days. The vacation record of a terminating employee shall be calculated to a current basis to determine the amount of vacation due on termination.
- b. **Monthly Cut Off:** Employees who enter City service before the sixteenth (16th) of any month shall earn vacation

leave for that month. Employees who leave City service after the fifteenth (15th) of any month shall earn vacation leave for that month.

- c. **No Cash Advances:** Employees may not receive cash payment on accrued vacation except upon termination, retirement, or death. Cash payments in lieu of vacation to persons currently employed shall not be permitted.

4. **Using Vacation Leave:**

- a. **Balances Deleted:** All employees are expected to take their full vacation in the year in which it becomes due, unless unusual circumstances are involved and an exception is granted by the department director. Vacation leave balances in excess of the allowed amounts will be deleted according to the following schedule:
 - i. Employees earning 10 to 15 days vacation -
Vacation leave will be calculated at the end of each calendar year, and vacation leave balances in excess of thirty (30) working days will be deleted.
 - ii. Employees earning 20 days vacation - Vacation leave will be calculated at the end of each calendar year, and vacation leave balances in excess of forty (40) working days will be deleted.

- iii. Employees earning 25 days vacation - Vacation leave will be calculated at the end of each calendar year, and vacation leave balances in excess of fifty (50) working days will be deleted.
- b. Leave Request: Employees wishing to schedule vacation must submit a Request for Leave of Absence form to their supervisor. When granting vacation leave, departments will give due consideration to the needs of the department and the ability of the remaining staff to perform the work.
- c. Accrual: Vacation shall begin accruing upon appointment, but may not be used until successful completion of the probationary period.
- d. Official Holidays: Official holidays occurring during an approved vacation leave shall not be charged against the employee's vacation leave.
- e. One Day Minimum: Vacation leave should normally be taken for periods of not less than one (1) day. Less than one (1) day leave periods may be approved when, in the judgment of the approving supervisor, such scheduling does not interfere with the duties and efficiency of the department.

- f. Consecutive Day Limit: Not more than fifteen (15) working days vacation leave may be taken consecutively without written approval of the department head.
- g. Maximum Vacation Use: No employee will be allowed to take vacation leave in excess of the actual amount accrued.
- h. No Advance: No employee will be granted vacation leave in excess of the actual amount accrued.

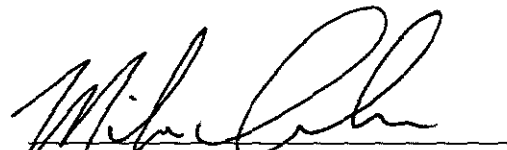
SECTION 2. That should any word, sentence, clause, paragraph, phrase or section of this ordinance be held to be unconstitutional, illegal, or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of any other provision of the Code of the City of Mesquite.

SECTION 3. That, as with all policy and procedures contained in the General Government Policies and Procedures Manual, the provisions of this Ordinance are not intended to create contractual rights between the City of Mesquite and its employees.


SECTION 4. That upon passage of this Ordinance all employees of the City of Mesquite shall be notified of the revisions made herein to the General Government Policies and Procedures Manual.

SECTION 5. That this Ordinance shall take effect on January 1, 1999.

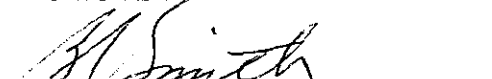
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th day of December, 1998.


 Mike Anderson
 Mayor

ATTEST:


 Ellen Williams
 City Secretary

APPROVED:


 B.J. Smith
 City Attorney