

ORDINANCE NO. 3360

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL BY REVISING CHAPTER 10, SECTION 10.8 THEREBY PROVIDING DISCRETIONARY TIME FOR EXEMPT EMPLOYEES WHO HAVE WORKED BEYOND A NORMAL WORKWEEK; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE THEREOF.

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

WHEREAS, Chapter 1 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 policies and procedures relating to discretionary time for exempt employees are in need of adoption.

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 10, Subsection 10.8 to read as follows; said Policies and Procedures Manual in all other respects to remain unchanged.

CHAPTER 10

COMPENSATION POLICIES

10.8 Salaried Employees

1. General

All full-time employees of the city classified as exempt are paid on a salaried basis. The inclusion of an hourly rate in the compensation plan does not designate an employee as being paid on an hourly basis under applicable wage and hour laws, but merely is an accounting convenience.

2. Discretionary Time

Exempt employees are expected to perform a function that is not strictly defined by an established number of hours. Exempt employees,

who in the opinion of the department director, have worked beyond a normal workweek may be granted discretionary time off in accordance with the procedures below.

- a. Eligibility: Exempt employees may be eligible for accumulated discretionary time.
- b. Use of Discretionary Time: Exempt employees may take discretionary time off within a reasonable period following their requests. Discretionary time off must not unduly interrupt departmental operations and must have supervisory approval.
- c. Unused Discretionary Time: Exempt employees will not be paid for accumulated unused discretionary time upon termination.
- d. Recordkeeping and Administration: Department heads/division managers are responsible for discretionary time records and policies for use of discretionary time for their exempt employees.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.


SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That, as with all policies 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 5. 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 6. That this ordinance shall be effective on and after June 1, 2000.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 1st day of May, 2000.




Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney