

ORDINANCE NO. 3789

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING CHAPTER 15 OF THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL BY DELETING SECTIONS 15.3(2) AND 15.12(1) IN THEIR ENTIRETY AND ADDING NEW SECTIONS 15.3(2) AND 15.12(1) REGARDING SICK LEAVE AND PERSONAL LEAVE POLICIES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to the City's Charter, Article IX-A, Section 6, the Human Resources Department presented the Personnel Board with the revisions to Chapter 15 of the General Government Policies and Procedures Manual ("Revisions") on February 2, 2006; and

WHEREAS, the Personnel Board voted to recommend the adoption of the Revisions; and

WHEREAS, the City Manager presented the recommended Revisions to the City Council.

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

SECTION 1. That the City Council of the City of Mesquite hereby adopts the revisions to Chapter 15 of the General Government Policies and Procedures Manual as recommended by the Personnel Board and presented by the City Manager to read as follows, in all other respects said Manual, Chapter and Section to remain in full force and effect:

- (1) *Section 15.3(2)*. Amend by deleting the section in its entirety and adding a new Section 15.3(2) to read as follows:
 2. Using Sick Leave:
 - a. Personal Illness and Medical Treatment: Sick leave may be used for purposes of permitting an employee to be relieved of their duties during an actual personal illness or to secure necessary medical treatment.
 - b. Care of Family Members: A maximum of 40 hours of sick leave per calendar year may be used for the care of an eligible family member with a serious illness, injury, surgery, hospitalization, contagious disease, emergency medical treatment or care for an illness requiring the presence of a family member. For the purpose of using sick leave, an eligible family member shall be the employee's child, stepchild, parent, stepparent or spouse. A child is defined as a biological child, adopted child, foster child, stepchild or child for whom an employee is standing in *loco parentis*.

- c. Notification: To receive sick leave, an employee must notify their immediate supervisor within the time limits established and published by their department. In the absence of established departmental time limits, the time limit shall be within one hour after the time set for beginning work.
 - d. Signed Statements: Departments may require an employee to provide a signed statement from a physician attesting to the illness of the employee or family member during the period of time when sick leave was granted. An employee who cannot provide such proof may be charged leave of absence without pay.
 - e. Restrictions: Sick leave may be granted in periods of not less than 15-minute increments.
 - f. Advance: The City Manager may, after all paid leave is exhausted, authorize an advance of sick leave under exceptional circumstances. Absent the City Manager's written approval, no employee may be granted advanced sick leave. After an employee's accumulated sick leave is exhausted the employee may request to use unused vacation and/or compensatory leave as sick leave.
 - g. Probationary Period: Sick leave may be used as accrued during the probationary period.
 - h. During Approved Vacation: Employees who become ill for more than one day, while on approved vacation leave, may request that their vacation be temporarily terminated and time charged to sick leave. The employee may be required to submit a signed physician's statement attesting to the employee's illness and indicating the number of days the employee was incapacitated due to illness.
- (2) *Sections 15.12(1).* Amend by deleting the section in its entirety and adding a new Section 15.12(1) to read as follows:
- 1. Eligibility: All regular full-time employees who have satisfactorily completed six months of service are eligible for Personal Leave, not to exceed 24 hours per calendar year based on a 40-hour work week, for the following reasons:
 - a. Death or Funeral of Family Member: To attend the funeral or handle the affairs of the deceased family member. Family member shall include family, extended family or person who served in *loco parentis*.

- b. Uncontrollable Property Damage: Damage caused by "acts of God," fire, flood, tornado, explosion, vandalism, car wrecks, water damage or burglary.

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.

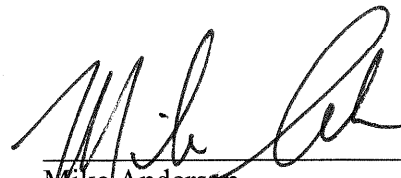
SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That the policy and procedures contained in the General Government Policies and Procedures Manual 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 manual and all amendments made herein to the General Government Policies and Procedures Manual.

SECTION 6. That the ordinance shall become effective on and after May 1, 2006.

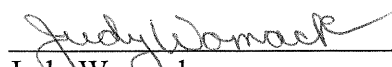
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of March, 2006.




Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary

B.J. Smith
City Attorney