

**ORDINANCE No. 2014-160
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CITY CODE OF SHOREACRES RELATING TO OVERTIME AUTHORIZATION AND PAY RECORDS; PROVIDING FOR A PENALTY FOR VIOLATION OF SAID CODE; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Chapter 2, "Administration" of the Code of Ordinances, City of Shoreacres, Texas, is hereby amended.

That section 2-114 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 2-114. Overtime work.

(a) Authorization. All overtime work must be authorized in advance by the [mayor] city administrator or appropriate supervisor. Overtime rate of pay for all employees is one and one-half times the employee's hourly rate. If compensatory time off is authorized, it can be taken or accumulated (subject to the limitations described herein) and shall be so scheduled to assure at least one employee from each department is at work during all normal work hours. The use of equivalent time off or added overtime pay shall be at the discretion of the [mayor] city administrator and not the employee, unless city council directs otherwise.

(b) Overtime authorizations and records. Timecards shall cite reasons for any overtime work for which overtime pay is claimed, and such timecard shall be

approved and initialed by the [mayor] city administrator or appropriate department head before payment of the overtime pay. Compensatory time, accrued and taken, will be shown on the timecard.

(c) Compensatory time credit. An employee may request, with the approval of the [mayor] city administrator or department head, to use overtime to build credit for compensatory time to use in the event of an emergency. However, before it may be used, compensatory time must be authorized in advance. Compensatory time so earned will be credited at the overtime rate of pay.

(d) Compensatory time limitations. The number of hours of compensatory time that any employee may accrue is limited to a maximum of 40 hours. Compensatory time in excess of 40 hours will be lost. There will be no carryover of compensatory time beyond the 40 hours.

That section 2-117 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 2-117. Pay records.

The law requires the city to maintain an accurate record of time on the job. Each hourly employee must punch in and out each workday, no earlier than [a few] seven minutes before or after scheduled work hours. Also, [the] hourly administration and public works department[s] employees must punch in and out for lunch breaks. The police department is paid for their lunch period. Therefore, officers are not required to punch out during these breaks.

The police department may adopt a manual (handwritten) record of time on the job in lieu of using a time clock to punch timecards. Such form shall be approved by the city secretary prior to use.

Each timecard will contain records of: regular time (RT), compensatory time earned (CTE), compensatory time taken (CTT), vacation (V) holiday (H), sick time (ST), emergency leave (EL), and civil leave (CL).

There will be two signature blocks on each timecard: (1) the signature of the individual punching the card verifying that all hours are correct as entered and (2) the signature of the department head or [mayor] city administrator, certifying that the employee worked the hours stated. Falsification of a time card or hours worked is cause for punishment up to and including immediate termination of employment. Timecards will be turned in to the city secretary for payroll preparation on a schedule to be provided by the city secretary. Any employee who fails to submit his/her timecard before the payroll process begins may cause delay in the issuance of his/her paycheck.

It is a violation of city policy to falsify a timecard, fail to punch a timecard, to punch another person's timecard, or to influence anyone else to punch a timecard. Doing so may result in termination of employment. In case of an error on a timecard, a supervisor shall adjust your card accordingly.

If there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the city secretary and, once identified, the discrepancy will be corrected in the next regular paycheck.

The city secretary will retain all payroll records, collective bargaining agreements, and employee contracts for at least the minimum required by the Fair Labor Standards Act.

Severability Clause.

That is any section, subsection, sentence, clause or phase of this ordinance is for any reason held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Shoreacres hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

This ordinance shall be effective October 1, 2014.

PASSED AND APPROVED this the 14th day of July 2014.



Rick Moses
Rick Moses, Mayor

ATTEST:

David K. Stall
David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	R. Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	B. Bunker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Z	N. Schnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	M. Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M	N. Moyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed
David Stall, City Secretary - Date 07.14.14