

ORDINANCE No. 2016-234

AN ORDINANCE OF THE CITY OF SHOREACRES, TEXAS, AMENDING THE CODE OF THE CITY OF SHOREACRES TO END PAYMENTS TO CITY EMPLOYEES FOR UNUSED SICK LEAVE UPON RESIGNATION, RETIREMENT, OR DEATH; 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.

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

That section 2-119 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 2-119. - Sick leave.

- (a) *Policy.* Full-time employees will be granted eight hours paid sick leave per month, which accrues per pay period from the date of employment. In case of extended illness, employees may be allowed to use compensatory time, vacation time, and emergency leave time for coverage.
- (b) *Reporting and doctor's verification.* For any type of sick leave or other leave used to cover sickness, the employee must notify their supervisor at or before the time they are to report for duty on the first scheduled work day of such illness or if incapacitated, as soon as possible. And the employee must notify their supervisor every three scheduled work days thereafter as to present status and anticipated date of return. If the employee's supervisor is unavailable, the required notifications shall be made to their department head or the city administrator. When an employee is on sick leave more than five consecutive scheduled work days, the person will be required upon his or her return to work to bring a doctor's certificate verifying the illness, verifying the employee's physical ability to perform assigned duties, and a release to return to work. The doctor's certification shall be brought to the city secretary when reporting back to work. Failure to bring the required medical certification is sufficient grounds to charge the employee leave without pay or to charge the absence to vacation or compensatory time. Abusing sick leave may be grounds for dismissal. Such determination will be made by the city administrator. A doctor's certificate may also be required if the employee's safety or ability to work is in question.

(c) No payment [~~Payment~~] for unused sick leave. Sick leave is a privilege granted by the city. When an employee is sick, the use of sick leave is encouraged since an employee who is sick should not be on the job. If sick leave is not used, it will accrue from year to year for the employee's benefit up a maximum of 520 hours. Unused sick leave will not be paid upon termination of employment. [~~However, payment for no more than 160 hours for sick leave accrued with two years or more of continued employment with the city will be paid upon resignation, retirement, or in case of death, paid to the estate.~~]

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.

PASSED AND APPROVED this the 24th day of October 2016.

(CITY SEAL)

Kimberly Sanford, Mayor

ATTEST:

David K. Stall, CFM, TEM
City Secretary

M/Z		Yea	Nay	N/V	Absent
	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	R. Bowles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D. Jennings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. McKown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Chairman sustained point of order
 Passed / Failed David Stall (M) 10/24/16
 David Stall, City Secretary - Date