

SALT LAKE CITY COUNCIL STAFF REPORT
BUDGET ANALYSIS – FISCAL YEAR 2007-08

DATE: June 1, 2007
SUBJECT: OVERVIEW OF MAJOR UNRESOLVED BUDGET ISSUES
MAYOR'S RECOMMENDED BUDGET
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On May 22 the Council had a preliminary discussion about pending unresolved issues. The Council conducted straw polls on some of these issues to gauge the level of Council interest in funding priorities (see Section C). Section A contains a list of issues that were discussed on May 22 but were put on hold pending further consideration and information.

Attached to this staff report is a list of all outstanding staffing or other budget changes that the Council may wish to use as a guide for straw polls. Council Staff will have a running list of changes and will be able to track each decision's impact on the overall balancing of the budget.

A. PENDING ISSUES DISCUSSED (discussed but more information needed)

A-1. Positions – The Council briefly discussed the following positions, but did not straw poll because more information is needed:

- a) Sustainability Director - \$115,000. The Council expressed an interest in better understanding how the duties of this job would coordinate with the other energy/environmental related jobs in the City. Beginning on *page 9*, is a job description of each of the existing positions and the proposed one.
 1. Begin Sustainability Director on July 1, 2007
 2. Begin Sustainability Director on January 15 – one-time savings of \$62,292
- b) Community Development/Planning Positions
 1. Community Development Financial Manager – \$81,200 (Mayor Recommended)
 2. Boarded Building Inspector - \$49,300 (Mayor Recommended)
 3. Senior Planner for Historic Preservation - \$77,350 (Mayor Recommended)
 4. Long Range Planner - \$70,950 (Mayor Recommended)
 5. Executive Assistant for Planning Director - \$75,000
 6. Deputy for Planning Division - \$93,780
 7. Associate Planner(s) - \$51,750 each
 8. Urban Designer(s) - \$77,350 each
 9. Infill Planner - \$77,350
- c) Fire Dispatchers (2) - \$44,242 each
 1. Possible offset with overtime budget cut (\$20,000)
 2. Current total overtime budget for dispatch is \$72,500

3. The Fire Chief has indicated that 4 of the 20 total dispatchers have given their notice of intention to retire. Three will retire by July 31 and one will retire by December.
4. Training for new dispatchers takes approximately 3 months, four if the dispatcher is training “on the job” (as would be the case here).
5. The Chief has suggested that one option that would minimize the use of overtime (for other dispatchers to fill in while trainees are completing their course) would be to “pre-hire” these positions. This would save approximately 1 ½ months of scheduled overtime, as compared to waiting until each dispatcher has actually left before filling their position.
6. The Council may wish to discuss this option in conjunction with the two potential new positions.

A-2. Transfer to CIP - This item was not discussed in the Council’s previous briefing. The 10-year CIP plan recommends average funding from the general fund to be 7.95% of general fund revenue. The Mayor’s recommended budget contemplates funding at the level of 7% of general fund (approximately \$1,795,194 short of the recommended 7.95%). Of the \$21.1 million slated for CIP projects, \$7,753,964 is scheduled for General Obligation bond debt. Another \$6,807,122 is scheduled for other bond debt payments (this includes a payment of \$388,334 for the new sales tax bond for the Grant Tower and TRAX extension projects). This leaves \$6,550,000 for other projects (compared to \$5.14 million available for “other projects” in FY 2007). The Mayor and the CDCIP Board have reviewed all funding applications and made recommendations. The chart below shows the amount for projects recommended in the CIP 10 Year Plan vs. the amounts recommended for funding by the CDCIP Board and the Mayor.

Non-Debt Service CIP Projects

	Amount Requested	CDCIP Board Recommendation	Mayor's Recommendation	CIP 10 Year Plan
Streets	\$5,348,311	\$2,057,500	\$2,924,546	\$3,300,000
Transportation	\$1,981,000	\$600,000	\$500,000	\$2,588,333
Parks	\$6,676,230	\$3,319,000	\$2,276,000	\$3,782,500
Public Facilities	\$28,724,863	\$0	\$709,454	\$710,000
Percent for Art	\$60,000	\$60,000	\$60,000	\$60,000
CIP Cost Overrun	\$80,000	\$80,000	\$80,000	\$0
Total	\$42,870,404	\$6,116,500	\$6,550,000	\$10,440,833

- a. Council Members have expressed an interest in increasing the funding to the CIP budget. The following chart shows the amounts needed to increase funding to various percentages of general fund revenue:

% of General Fund Revenue to CIP	“Extra” Amount Needed
7.95%	\$1,795,194
8%	\$1,889,770
9%	\$3,781,279

- b. Council Members have also raised the option of dedicating one-time money to projects not listed in the CIP 10 Year Plan. Council Staff has estimated after taking into account historical fund balance spending in budget amendments (approximately \$3 million per year) and the amount expected to drop to fund balance at the end of this fiscal year (about \$5.1 million) about \$500,000 will be “left” above the 10% level. About \$4.6 million in project requests are not specifically listed on the 10 Year Plan (in any year). Of this amount, \$1.2 million is recommended for funding by the Administration.

B. UNRESOLVED ISSUES (not previously discussed)

B-1. Positions – The Council did not previously discuss these positions, which are either proposed in the Administration’s recommended budget, or have been raised with some Council support in individual subsequent meetings:

- Graffiti Tech \$48,336 (plus \$28,000 for vehicle)
- Signal Tech \$42,200
- Building Maintenance Worker \$60,972
- Work Order Manager \$46,552

B-2. 1% of General Fund revenue dedicated to “Energy Fund for the Future” & Sustainability Director – The Mayor is proposing to fund an initiative that would dedicate 1% of ongoing general fund revenue (\$1,881,150) to provide funding for the following uses, all geared towards promoting energy efficiency in the City in both the public and private sector: The Council has asked for more detailed information about what this fund would do and how it would be managed. The Administration has indicated that the proposed “Sustainability Director” position would oversee this fund. The Council may wish to have further discussion about this proposal and explore options to continue the commitment to energy efficiency while further defining this program for next year’s budget:

- a. Fund an energy performance contracting (EPC) study - \$300,000 - \$1m+
- b. Fund the proposed CIP projects relating to energy efficiency – There are 6 projects for a total of \$2.9 million that were submitted for funding this year. Of that amount, the Administration is recommending funding of 3 projects for a total of \$709,454 (Westside Senior Center, Plaza 349, City and County Building HVAC). The Plaza 349 project and the City and County Building HVAC project both had previous appropriations during the budget amendment process (\$429,059), bringing the total allocated for all three projects to \$1.14 million.
- c. Hire a Sustainability Director to develop the program before funding the 1%.
- d. Ask the Administration to consolidate all energy-efficiency-related staff into one department for increased coordination.

B-3. Refuse fund green waste container – The original proposal was to provide small sized containers for general garbage delivery. Originally, residents would be able to choose from a 30-gallon or 60-gallon size, rather than the standard 90-gallon, for a cost savings of \$4.00 or \$2.00 per can (respectively) per month. These savings could offset the cost of a voluntary green waste container. Both of these new options would be available to residents beginning in March of 2008.

- a. Since the Administration submitted the budget, they have conducted tests involving the various sized containers. They determined, through the tests, that the 30 gallon container did not work well with the existing machines,

and created other issues that would affect the long-term viability of the program. They have therefore proposed that the 48 gallon container be the smallest available, and that the charge for that size be \$8.25 rather than the \$7.25 proposed for the 30-gallon size (the result is actually a \$30,000 revenue increase). *The Council may wish to discuss this further.*

- b. Council Members have also raised the possibility of delaying the fee increase for the 90 gallon containers, until all of the other container options are available (March of 2008). As proposed the fee increase would become effective July 1. The anticipated revenue lost as a result of this would be \$185,000. *The Council may wish to discuss this further.*
- c. Since the budget has been transmitted, the Administration has requested additional support staff (clerical) to staff this program. .75 FTE would be transferred to the Refuse Fund and .25 FTE would be retained in the general fund, for a savings to the general fund of \$17,000 (increase of \$36,000 to the Refuse Fund).

B-4. Salt Lake City Arts Council – The proposed budget includes an increase of \$75,000 from \$243,600 to \$318,600 for art grants, public arts programs, and facility expenses. The salaries of the Arts Council employees are separately budgeted within the Department of Community Development. *Council Members have expressed an interest in further increasing the support of this organization (\$25,000 - \$100,000).*

B-5. Animal Control Services– Salt Lake County has been providing animal control services to Salt Lake City for several years by contract. The contract with the County Animal Services is a five year contract fixed for the first two years and variable afterwards. We are currently in the fourth year of the contract (there is a \$29,400 increase proposed over last year). Salt Lake County is in the process of conducting an internal audit of Animal Control Services which may take until August to complete. The budget request reflects the 3% increase called for by the contract. The Administration has recently confirmed that the full cost of dispatch is included in this year’s proposed budget.

- a) Recent Parley's Historic Nature Park discussions and the volume of complaints relating to dogs off leash on the Shoreline Trail and Jordan River Parkway have highlighted the need for additional enforcement resources. The Council may wish to provide funding for the City to contract with the County for additional spot enforcement (**\$40,000**).
- b) Further, the Council should be aware that the County anticipates that the charges for Animal Control Services will increase significantly in coming years to assure that the full costs of service to the City are covered.

B-6. Parley’s Historic Nature Park/Off-leash issue – The City is continuing to evaluate options to balance the needs of the community of dog owners that would like the park to continue as an off-leash park, with the desires of the citizens who are concerned about the preservation and protection of natural open space at the park. A committee of citizens representing both sides will eventually present a variety of options to the Council, and will identify areas of financial investment that the City could participate in to help address the major issues that have been identified. The following are preliminary ideas relating to future City participation (*all costs are estimates*):

Management Plan and Site Assessment for PHNP	\$80,000
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Natural open space manager (Parley's & natural open space)	\$80,000
Pay for additional Animal Service enforcement	\$40,000
Purchase additional parcels for dog off-leash areas	TBD
Natural fencing to protect bird nesting (Parley's Historic Nature Park)	TBD

B-7. YouthCity minibuses – This item was previously requested in FY 2006, but was not funded by the Council. The budget for the Fleet Management Internal Service Fund includes purchasing five mid-size buses for the YouthCity program for a total cost of \$210,000 (\$42,000 for each bus). This is proposed to be a one-time funding.

- a. Since the proposed budget was transmitted to the Council, the Administration has received finalized cost estimates for each bus (\$51,000 per bus), for a total amount of \$255,000.
- b. The Administration has indicated that these buses would be in addition to the existing passenger van transport vehicles currently used by the program.

B-8. YouthCity Fee Increase Revenue – The Administration is proposing increasing fees for the various YouthCity programs. However, the Administration is not budgeting for any increase in revenue generated from these fees. YouthCity staff have estimated that the program could generate as much as \$60,000 in additional revenue. *The Council may wish to discuss the option of budgeting for some or all of this revenue.*

	Existing	Proposed FY 2008	Change
Monthly After-School Program			
Full fee-paying	\$ 100	\$ 200	\$ 100
Reduced lunch status	\$ 50	\$ 75	\$ 25
Free lunch status	\$ 25	\$ 35	\$ 10
Full scholarship status	n.a.	\$ 10	n.a.
Summer Program (charged monthly from summer 2008)			
Full fee-paying	\$ 200	\$ 400	\$ 200
Reduced lunch status	\$ 100	\$ 150	\$ 50
Free lunch status	\$ 48	\$ 75	\$ 27
Full scholarship status	n.a.	\$ 10	n.a.
Other Program Fee Changes			
Boxing - Youth	\$10/quarter or \$40/year	\$15/3 months	\$20/year increase
Boxing - Adults	n.a.	\$40/3 months or \$2/day	n.a.
Fitness Center - Youth (8-18)	\$2/visit or \$30/3 months	\$15/3 months	\$60/year decrease
Fitness Center - Adults	\$2/visit or \$30/3 months	\$40/3 months or \$2/day	\$40/year increase
Parking lot rental	\$ 30	\$ 150	\$ 120

B-9. Bus Circulator on MiniBuses/Expanded Service for Non-profits – Council Members have raised various options for using the proposed YouthCity minibuses

during “off hours.” If a majority of the Council would like to explore these options, more detailed cost analysis will be necessary:

- a. Use the mini buses to create a “circulator” that would stop off at key housing developments, senior centers, senior living locations, and other goods and services locations (grocery store, shopping, etc).
- b. During off-peak hours allow the mini buses to be used by the local non-profits (perhaps CDBG applicants), to give them flexibility in transportation without the cost of purchasing a vehicle.

B-10. Community Mailings – Council Staff has determined that the overall cost for the City to pay for City-wide mailings (generated by the various community councils) would be \$75,000 for printing and mailing. As a point of clarification, the mailings would be the Community Council agendas, and this service would allow the agendas to be sent to each residence within their boundaries once per year, rather than just those on their mailing list who receive the agendas monthly.

B-11. Local First Utah – One of the Council Members was approached by Local First about additional funding in the amount of \$20,000. The City previously helped fund the Local First organization as has Salt Lake County. Local First now has over 1000 business listings and, in addition to its web site, is releasing its first print directory of local Utah business. Local First’s model was to establish 501(c)3 status so that it can become a self-sustaining organization. Now that non-profit status has been established for the organization, the Administration did not include a recommendation for funding in its final budget.

B-12. Local Lobbyist – The Administration’s proposed budget includes \$25,000 for the local lobbyist. The actual contract amount last year was \$40,000, which would necessitate a \$15,000 increase in the Council’s final budget to match last year’s amount. *The Council may wish to discuss this issue further.*

B-13. Fleet Transfer (non-departmental) – Currently the Administration is proposing an additional \$1,000,000 transfer to Fleet Management Fund to assist with the replacement cycle for City vehicles. Some Council Members have indicated an interest in reducing this amount. The Administration has communicated to Council Staff that during the previous fiscal year approximately 150 vehicles have been eliminated from Fleet operations. Currently there are approximately 15 “non-assigned” pool vehicles available for general employee use. *The Council may wish to discuss this issue further.*

B-14. Contract Amount for Assistance with Open Space Negotiation – The Administration’s budget does not propose one-time funds to contract with outside organizations (such as Utah Open Lands or Trust for Public Lands) in the process of negotiating for the purchase of open space. The department of Public Services has used this approach this past year with positive results, particularly on extra complex negotiations. The Council may wish to consider this approach in addition to the Open Space lands coordinator position (up to \$50,000).

B-15. Extra transfer to fund balance – (\$TBD) Council Members have raised the possibility of transferring a specific amount of money to fund balance each year, in an effort to raise the fund balance level above 10%.

B-16. Public Utilities – Watershed Fee Increase – During the Council’s briefing on the Public Utilities budgets, a question was raised about the application of the watershed fee increase. As proposed, the fee increase of \$0.50 would be applied to each account, resulting in \$1.00 per account to generate money toward watershed rights and land purchases. The Department staff has reviewed with the Public Utilities Advisory Committee an option to apply the increase to accounts based on the size of the meter. The Advisory Committee voted to forward both options to the Council. “Option 1” still generates the increase of \$500,000 in revenue. The option to apply the increase based on the size of the meter would result in charges as follows:

Meter Size	Original Option	Option 1
5/8”-1”	\$0.50	\$0.40
2”	\$0.50	\$2.12
4”	\$0.50	\$6.68
6”	\$0.50	\$13.32
8”	\$0.50	\$21.32
10”	\$0.50	\$30.68

C. CURRENT STRAW POLL RESULTS

C-1. Airport and public facility parking tax – The Council voted 6-1 to adopt the full \$1 fee at all City-funded parking facilities (Airport, Library Parking Lot, Matheson Courthouse, Gallivan Center). The Council also voted to increase the current “grace period” (first 30 minutes free parking) to 45 minutes. *This straw poll does not change any numbers in the Administration’s proposed budget. After the Council’s straw poll, some issues were raised regarding legislation adopted by the State in 2007, and it’s potential impact on the City’s ability to levy this tax. The Attorney’s Office is reviewing this matter further and will provide the Council with more information.*

C-2. Permit Fee Revenue – The Council voted 4-3 to recognize the permit fee revenue from the City Creek Center project (projected to be \$3,866,000) all as one-time money. The Administration’s budget proposed \$2 million of this revenue to be recognized as on-going. *This straw poll would remove \$2 million in “revenue” from the on-going portion of the Administration’s proposed budget and into the one-time portion.*

C-3. Position Additions – The Council has straw polled the following positions:

- a) Police - 10 additional authorized unfunded FTE (“overhire”) – offset with restoration of \$150,000 that the Administration’s proposed budget had cut (*not in Administration’s proposed budget*)
- b) 6 Fire Fighters - \$307,500 – yes
- c) YouthCity Positions, shift to general fund - \$150,813 – yes
- d) Unity Center Positions, fund with New Markets Tax Credits this fiscal year – yes
- e) Justice Court Clerks, 4 FTE - \$199,056 (shifting four temporary clerks to full-time) - yes

- f) Justice Court Judge - \$15,932 – convert one part time judge to RPT and establish benefits – yes

C-4. Position Cuts – The Council has straw polled the following positions that were proposed in the Administration’s proposed budget:

- a) Parking Enforcement Officer – no – \$52,840 savings, plus no vehicle purchase. **(Note:** The Council voiced support for a parking enforcement management audit.)

C-5. Police Fitness for Duty Program - This item is in response to the Council’s Legislative Intent statement to develop a “fitness for duty” program for the officers. The Council may remember that during the mid-year Legislative Intent update, the Administration reported that there were some financial barriers to completing implementation of a program. The items included the certification of the program (this item), the cost of performing physical examinations on the officers, and the resulting pay adjustments for the career path. The Administration indicated during the briefing that the “extra” money for doctor’s physical exams and the career path incentives would not be needed until the following fiscal year, and indicated that the \$51,000 was sufficient to implement the program this year. The Council straw poll indicated 5 were in favor of this. 2 did not vote.

C-6. Utah League of Cities and Towns/National League of Cities – The Council voted 7-0 to restore funding to these two organizations (they had been proposed to be eliminated in the Administration’s recommended budget). *This straw poll would add \$119,759 to the budget.*

C-7. Tracy Aviary – The Council voted 7-0 to increase the City’s support of the Tracy Aviary by \$250,000, for a total of \$500,000. The Council also expressed an interest in revisiting capital investment opportunities later in the year, perhaps in conjunction with the overall Citywide CIP discussion. *This straw poll would add \$250,000 to the budget.*

D. NEW ITEMS

D-1. Compensation – The Administration is proposing a number of changes with regards to the Executive Salary Schedule (please see attached schedule):

[Note: In the Executive pay plan, the lower the number of Range Class, the higher the salary range.]

Deputy Director, Management Services
(Moving from 003 to 002 Range Class)

Finance Director
(Moving from 004 to 003 Range Class)

Director of Airport Maintenance
(Moving from 004 to 003 Range Class)

Director of Engineering - Airport

(Moving from 004 to 003 Range Class)

City Treasurer

(Moving from 005 to 004 Range Class)

Director, Gallivan Center & Community Events

(Moving from the executive salary schedule to merit status)

Sustainability Director (new position)

(If approved, this position would be added to the executive salary schedule at the 005 level.)

D-2. Compensation Plan corrections – The Council Office received recent corrections from the Administration with regards to the attached compensation plan for the 600/300 Series (Exempt and Non-Exempt Professional Employees) relating to wage differentials and shift work. This is a correction to the compensation plans already received by the Council.

The Council Office also received a correction with regards to the 900 Series (Exempt Fire Battalion Chief and Non-Exempt Fire Captain uniform allowance) Please see the attached corrected compensation plans.

EXPLANATION OF ENVIRONMENTAL/ENERGY-EFFICIENCY RELATED POSITIONS

The following information was provided by the Administration, detailing job descriptions for all of the existing and proposed environmental/energy-efficiency related positions in the City:

Presently, three of these four positions exist. It is our desire to add one additional position as a sound sustainability program can create cost savings and more than pay for itself.

The Environmental Programs Manager (it is listed below under the old title, Senior Environmental Advisor), presently performs all of the tasks under items #1 and #2. The addition of a Sustainability Manager/Director will split the tasks between two positions as follows:

1. **Sustainability Manager/Director (*proposed - Management Services*)**: Manage sustainability projects for the City. Duties would include working with all City departments on projects that impact the environmental and economic sustainability of Salt Lake City. Various areas of involvement will include, but not be limited to:
 - a. Sustainability Committee Management – Lead and administer the Sustainability Committee, act as a resource to committee members as projects are implemented. Collect best management practices from other municipalities that could be applied locally. Areas of involvement will include:
 - i. Planning/Community Development: Ordinances and land planning that support our sustainability goals.
 - ii. Facilities: The building of new facilities to LEED standards, and the retrofitting of older facilities to be more energy efficient. Any funds

earmarked for energy efficiencies will be managed by the Sustainability Manager.

- iii. Transportation: Assist with bike and pedestrian standards, and progressive transportation policies. Work with Fleet to purchase efficient vehicles for city use.
 - iv. Water/Wastewater: Work with Public Utilities on water conservation and reuse projects, watershed protection, and open space issues
 - v. Recycling and Waste Disposal: Working with Public Services and the landfill, determine the best waste disposal, recycling and reuse processes.
 - vi. Outreach and Education: Determine the best ways to educate the community on sustainability initiatives, and educate them on best practices they can apply at their homes and businesses.
- b. Government liaison – Meet with other local, state and Federal agencies on both local and national environmental issues. Include involvement with the Department of Environmental Quality, the Salt Lake Valley Health Department, the EPA, and local environmental organizations on a variety of issues such as contaminated properties, climate change, transportation, pollution prevention, air quality, and many others.
 - c. Division Manager: the Senior Environmental Advisor will report to this position.
2. **Senior Environmental Advisor (*Management Services*):** Responsible for internal compliance of city departments to environmental regulations. This job has increased dramatically in the past year, as a position in Public Services that handled many of these duties was never filled when an employee retired, and the duties absorbed here. Duties include:
- d. Training: Annual training of employees in spill response, waste handling and disposal, and pollution prevention.
 - e. Inspections: Annual inspections of facilities to review environmental issues, and ensure they are complying with all regulations. Include underground storage tank inspections and permitting.
 - f. Regulatory Plans: Air permits, spill prevention plans, storm water plans and other permits that we are required to obtain
 - g. Property Transfer Audits: Required for all property purchased or sold by the city
 - h. Contaminated property management: Hire consultants as required to sample, analyze and remediate contaminated property and buildings. Includes lead and asbestos sampling and remediation in buildings.
3. **Facilities Energy Coordinator (*Public Services*):** Funded last year by the Council. This position is a technical one, specifically to find energy efficiencies in city facilities. The person now in this position is a facilities specialist, with specific engineering background in energy systems. There are numerous projects being done by this person, including lighting retrofits and other energy efficiency projects. The new Sustainability Manager would work with the person in this position to set goals and ensure that the projects chosen fit the overall sustainability goals of the city.
4. **Environmental Advisor to the Mayor (*Mayors Office*):** This is an appointed position. This person has been used in different ways in every administration. Currently, this position does the following:
- a. Liaison with constituents on environmental matters. Answers letters, phone calls, and attend public information meetings.

- b. Supports the Mayor by completing research on environmental matters.
- c. Manages the Mayor's e2 Business and Individual programs, with assistance of an intern.
- d. Plans and participates in local environmental fairs, and community outreach.
- e. Represents the Mayor at meetings and events.
- f. Assists in the completion of the Mayor's environmental goals.

It is difficult to determine how the Mayor's Environmental Advisor position will be used by a future administration. The one program that should be ongoing is the e2 program, as it does include over 50 local businesses. If the new Mayor changes the priorities of this position, the e2 programs could be transferred to the Senior Environmental Advisor (assuming the Sustainability Manager position is filled - if not, there will not be the resources to run this program outside the Mayor's office.)

How the other issues (constituents, events, etc.) will be handled will be up to the next Mayor...

ADDITIONAL NEEDS AND OPTIONS FOR FUNDING

blue = straw polls were taken on May 29
 yellow = council members have expressed interest in discussing
 bold - additional position in Mayor's budget

Line Item	Description			Column A	Column B	Column C	Column D
		Not in Mayor's Budget	Amount in Mayor's Budget	On-going Needs	Source of On-Going Funds	One-time Needs	Source of One-Time Funds
Revenue Items							
1	Public parking license fee (Salt Palace, Matteson Courthouse, Library, Gallivan Center)		\$ 699,000				
2	Airport parking fee increase (from \$0.50 to \$1 per day per vehicle)		919,000				
3	City Creek permit fees ongoing or one-time source?		2,000,000	2,000,000			2,000,000
4	YouthCity/Sorensen Center fee increases (\$60,000 not included)	60,000					
Attorney's Office							
5	Operational Increases		22,852				
6	New attorney for airport (associated revenue offset)		110,000				
Community Development							
7	Planning - Senior Planner Historic Preservation		77,350				
8	Planning - Principal Planner -- Long Range		70,950				
9	Planning - Deputy to assist Planning Director	93,780					
10	Planning - Executive assistant position to assist Planning Director (\$55,000 salary)	75,000					
11	Planning - Senior planner	77,350					
12	Planning - Associate planner	51,750					
13	Planning - Urban designer including preservation and/or infill and/or master plans	77,350					
14	Community Development - Financial Manager		81,200				
15	BSL - Fleet Maintenance		45,500				
16	BSL - Ground Transportation Initiative Office Tech/Cashiers		86,300				
17	BSL - Ground Transportation Initiative -- Police Specialist (2 part-time retired officers)		34,000				
18	BSL - Ground Transportation Initiative -- state fee for criminal background checks		156,000				
19	BSL - Operational Increases		29,445				
20	Planning - Building Inspector II Boarding		49,300				
21	Planning - Internet Service Cost of HAZE automation		17,000				
22	Planning - Operational Increases		12,255				
23	Transp - Street Lighting Extraordinary Repairs Funding		20,000				
24	Arts Council - Operational increases		740				
25	One time - BSL One Stop Shop Database and Software System		1,650,000				
26	One time - BSL Plan Review Outsourcing		50,000				
27	One time - BSL One Stop Shop Copier/Printer		13,850				
28	One time - Planning Univ Historic District Intensive Level Survey		257,000				
29	One time - Planning Northwest Quadrant Master Plan		168,250				
30	One-time - Preservation Plan Printing		14,000				
31	One time - Communities Master Plan Printing		17,000				
32	One time - Downtown Master Plan Update Printing		10,000				
33	One time - Aves. Historic District Survey Phase II		6,600				
34	One time - Emergency Radios for CD functions		12,000				
35	One time - Arts Council CD/DVD Stereo System and laptop system		3,800				
36	One time - BSL software licensing		8,800				
Fire							
37	6 New Firefighters		307,500				
38	Two fire dispatchers (actual is \$44,242 each)	88,484					
39	Reduce Overtime budget for dispatchers if additional dispatchers are funded	(72,500)					
40	Medical Supplies		5,000				
41	Special Clothing to comply with new requirements		60,000				
42	IMS Lease Expense		6,500				
43	Station Upkeep and Maintenance		5,000				
44	Fleet Maintenance		88,300				
45	Fleet Fuel Charges		21,800				
46	Vacation buy back (four-handed staffing)		310,000				
47	Airport Operations Overtime (offset by additional revenue)		203,000				
48	Overtime for Dispatch and Investigations (see two additional fire dispatchers below)		43,300				
49	Training for Paramedics, new recruits, and other education		23,100				
50	Copy Center Increase		7,000				
51	Station Steam Cleaning and Bug Spraying		5,000				
52	Public Education Supplies		5,000				
53	Fitness Facility Membership Funding		20,000				
54	One time -- New Apparatus Equipment		170,000				
55	One time -- New AEDS and Defibrillator Monitor Units		92,000				
56	One time -- Emergency supplies in fire stations		12,000				
57	One time -- Training Tower Maintenance and Repair		23,000				
58	One time -- SCBA Bottle Replacement and Upgrades		65,000				
59	One time -- Wildland firefighter pants		16,000				
60	One time -- Radio Replacement		10,000				
61	One time -- Special technical rescue equipment replacement		10,000				
Management Services							

Line Item	Description			Column A	Column B	Column C	Column D
		Not in Mayor's Budget	Amount in Mayor's Budget	On-going Needs	Source of On-Going Funds	One-time Needs	Source of One-Time Funds
62	Court - part-time judge to regular part-time		15,932				
63	Court - 4 Justice Court clerks (temporary positions to full time)		63,657				
64	Sustainability Director (executive-level, appointed position)		115,000				
65	Hire Sustainability Director as of January 15, 2008 (savings of \$62,292)	(62,292)					
66	Non-appointed lower-level position (\$73,000 salary; \$98,000 with benefits)	(17,000)					
67	Performance contract energy study prior to funding position	300,000					
68	Staff to deal with nuisance cases (coordinate among departments) possibly attorney's position	62,000					
69	Eliminate funding for police civilian review board (repeal ordinance)	(106,464)					
70	Treasurer - Credit Card Charges for building permits/impact fees		20,000				
71	One time -- Phones, Radios and Supplies for EOC		15,000				
	Police						
72	One time -- Sworn officer physical fitness program validation		51,000				
73	Authorize 10 FTEs to allow over hiring within current budget; restore attrition cut	150,000		150,000			
74	Employee Personal Leave buy back to reflect historical use		8,000				
75	Fund recruit issued equipment from \$2600 to \$3800		24,000				
76	Continue rotational replacement of officer protective supplies		10,000				
77	Rotational replacement of public order unit equipment		14,000				
78	Rotational replacement of narcotic field test kits		10,000				
79	Rotational replacement of dispatch headsets		12,000				
80	Rotational replacement of accident investigators supplies		5,000				
81	Potential copy service and mail service due to changes		15,000				
82	Access to State computer systems at historical use rate		6,000				
83	Cell phones to reflect historical use		37,000				
84	Fleet Fuel Costs not related to decreased gallons used		38,000				
85	Fleet maintenance		62,000				
86	Technology Systems support and maintenance		75,000				
87	Cold Case investigative costs (funding for additional 11 cases)		105,000				
88	Obtaining evidence on gang and intelligence investigations		6,000				
89	Increased cleaning needs in Pioneer training rooms		6,000				
90	Narcotic enforcement overtime budget vs. actual		200,000				
91	One time -- Officer personal protection equipment (first aid kits, CBRN masks)		140,000				
92	One time -- Public information for new Public Safety facilities (\$135,000 requested)		35,000				
93	One time -- Complete taser availability for all sworn line positions		30,240				
	Public Services						
94	Parking Enforcement Officer (\$80,000 revenue offset, Jeep \$20,000)		52,840	80,000	52,840		
95	YouthCity program manager to GF		92,500				
96	YouthCity site coordinators to GF (\$61,000 each)		183,313				
97	Open space lands coordinator		92,950				
98	Unity Center Operational staffing		148,132				
99	Unity Center Facility Maintenance		91,300				
100	Unity Center operational expense		14,554				
101	Graffiti technician (plus \$28,000 for vehicle)	48,336					
102	Fairmont Park Master Plan - including tennis courts	60,000					
103	Refurbish tennis courts - Rosewood Park (resurface)	30,000					
104	Contract Amount for Utah Open Lands assistance with negotiations	50,000					
105	Parley's Historic Nature Park						
106	Natural open space manager (Parley's & natural open space)	80,000					
107	Natural fencing to protect bird nesting (Parley's Historic Nature Park)						
108	Baseline environmental study for Parleys Historic Nature Park	60,000					
109	Management Plan, including site assessment for PHNP	80,000					
110	Department Request: Transfer 0.25 FTE to Refuse Fund; add 0.50 to Refuse Fund	(17,000)					
111	Sidewalk Snow Removal Enforcement -- seasonal		10,600				
112	Signal Technician		42,200				
113	Building Maintenance Workers (1 FTE)		60,972				
114	Work Order manager (1 FTE)		46,552				
115	One time - Paver Repairs		60,000				
116	One time - Tools and Equipment, new signal tech		10,000				
117	One time - Unity Center equipment		18,430				
	Nondepartmental						
118	Tracy Aviary		250,000				
119	Tracy Aviary - additional on-going appropriation	250,000		250,000			
120	Utah League of Cities & Towns (amount per ULCT request; includes 4.2% increase)	108,599		108,559			
123	National League of Cities	11,200		11,200			
124	SLC Arts Council (FY 07=243,600)		75,000				
125	Arts Council grant program (increase funding)						
126	Animal Services (FY 07=991,500)		29,700				
128	Additional enforcement of off-leash areas and open space	40,000					
129	Local lobbyist (increase from \$25,000 to \$40,000)	15,000					
130	One time Fleet Transfer -- Youth City Minibuses		210,000				
131	Additional amount per Steve Fawcett (\$255,000 total for 5 busses)	45,000					
132	Transfer to CIP - 7% of general fund revenue		13,240,563				

Line Item	Description			Column A	Column B	Column C	Column D
		Not in Mayor's Budget	Amount in Mayor's Budget	On-going Needs	Source of On-Going Funds	One-time Needs	Source of One-Time Funds
133	Additional amount to 7.95%	1,795,194					
134	Additional amount to 8%	1,890,640					
135	Additional amount to 9%	3,781,279					
136	1% GF dedicated to "Energy Fund for the Future"		1,881,150				
137	City-operated local bus service						
138	Underground power line as Rocky Mountain Power replaces lines						
139	Community mailings - community council agendas to each household 1 per year	75,000					
140	Ground Transportation Garage	200,000					
141	Legal Defenders Contractual Adjustment (FY 07 = 615,162)		71,000				
142	Salt Lake Chamber (FY07=30,473)		1,527				
143	Sugarhouse Park Authority (FY 07=175,481)		16,095				
144	Sister Cities Program (FY 07 =7,000)		3,000				
145	Housing Authority Transitional Housing (FY 07=118,000)		7,000				
146	US Conference of Mayors (FY 07=12,500)		375				
147	Community Emergency Winter Housing (FY 07=65,000)		2,600				
148	IMS Internal Service Fund Base Increase (FY 07=5,317,318)		212,300				
149			151,070				
150	Washington DC Consultant (FY 07=\$58,000)		2,000				
151	One time Fleet Transfer -- transfer for lift truck for Signal Tech		74,000				
152	One time Fleet Transfer -- BSL Vehicle for Ground Transportation Initiative		26,800				
153	One time -- Municipal Elections		500,000				
154	One time -- TRAX 200 S. Station (CIP)		600,000				
155	One time -- Downtown Alliance SID (overrun correction)		203,000				
156	One time -- Severance Contingency		286,468				
157	Transfer to Fleet Management for vehicle replacement (\$5,235,381)						
158	Additional transfer to Fund Balance	1,000,000					
	Total			\$ 2,599,759	\$ 52,840	\$ -	\$ 2,000,000
	Difference				(2,546,919)		2,000,000

APPENDIX B - EXECUTIVE SALARY SCHEDULE
Bi-Weekly Rates - July 1, 20062007

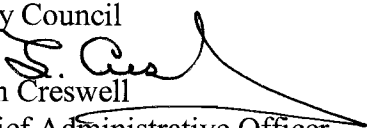
Range Class	Range Min	Range Mid	Base Max	Range Max	Position
099	\$ 5,623.20	\$ 7,310.40	\$ 8,041.60	\$ 8,996.80	Executive Director of Airports
	\$ 5,792.00	\$ 7,529.60	\$ 8,283.20	\$ 9,266.40	
001	\$ 3,619.20	\$ 4,700.80	\$ 5,171.20	\$ 5,782.40	City Attorney
	\$ 3,728.00	\$ 4,841.60	\$ 5,326.40	\$ 5,956.00	Chief Adm. Officer/Director, Mgt. Services
002	\$ 3,303.20	\$ 4,290.40	\$ 4,720.00	\$ 5,276.80	Chief of Police
	\$ 3,402.40	\$ 4,419.20	\$ 4,861.60	\$ 5,435.20	Director - Public Utilities Deputy Director - Management Services Director - Public Services Fire Chief Director - Community & Economic Development Executive Director - City Council Deputy City Attorney
003	\$ 3,121.60	\$ 4,028.00	\$ 4,430.40	\$ 4,933.60	Chief of Staff
	\$ 3,215.20	\$ 4,148.80	\$ 4,563.20	\$ 5,081.60	Senior Advisor Senior Advisor for Economic Development Executive Assistant Chief - Police Deputy Director - Public Services Deputy Director - Management Services Deputy Director - Public Utilities Director of Operations - Airport Director - Adm. & Commercial Services Director - Finance & Accounting - Airports Director of Airport Maintenance Director of Engineering - Airport City Engineer City Prosecutor Chief Information Officer Director, Redevelopment Finance Director
004	\$ 2,841.60	\$ 3,666.40	\$ 4,032.80	\$ 4,491.20	Assistant Chief - Police
	\$ 2,927.20	\$ 3,776.00	\$ 4,153.60	\$ 4,625.60	Deputy Fire Chief Planning Director Deputy Director - City Council Deputy Director - DCED Division Director - Human Resources Mgt. Director - Budget & Policy Planning, Env. & Capital Prog. Director Finance Director Director of Airport Maintenance Director of Engineering - Airport City Treasurer
005	\$ 2,686.40	\$ 3,466.40	\$ 3,812.80	\$ 4,244.80	Building Official
	\$ 2,767.20	\$ 3,570.40	\$ 3,927.20	\$ 4,372.00	Transportation Engineer Administrator - Public Utilities Fin. & Admin. Chief Engineer - Public Utilities Adm. Services Director - Public Services Water Quality & Treatment Administrator City Treasurer Director, Housing & Neighborhood Development Assistant to Mayor - Policy & Spec. Projects Director of Youth Programs Sustainability Director
006	\$ 2,493.60	\$ 3,217.60	\$ 3,539.20	\$ 3,941.60	Communications Director
	2,568.80	3,314.40	3,645.60	4,060.00	Recreation Director City Recorder Director - PR/Marketing - Airport City Courts Director Chief Procurement Officer Director, Gallivan Center & Community Events

No position(s) within this Executive Compensation Plan shall be removed from this Plan without authorization from the City Council.

No position(s) shall be added to this Plan without authorization from the City Council.

COUNCIL TRANSMITTAL
31 May 2007

TO: Gary Mumford
Deputy Executive Director
City Council

FROM: 
Lyn Creswell
Chief Administrative Officer

SUBJECT: Legislative Draft Amendment to 2007-2008 600/300 SERIES COMPENSATION PLAN, SECTION VII, WAGE DIFFERENTIALS, *Shift Allowance, Paragraphs B and C.*

The attachment includes one change to the last transmittal of the subject compensation plan.

Under SECTION VII, WAGE DIFFERENTIALS, if the assigned shift begins between midnight and 5:59 a.m., add exception clause to Paragraph B (pertaining to a 600 Series employee) that increases the regular shift differential by \$50 per month over the proposed standard rate (\$150 per month); and add exception clause to Paragraph C (pertaining to a 300 Series employee) that increases the regular shift differential by \$.30 per hour over the proposed standard rate (\$.85 per hour).

COMPENSATION PLAN FOR SALT LAKE CITY CORPORATION "600 SERIES" AND "300 SERIES" EXEMPT AND NON-EXEMPT PROFESSIONAL EMPLOYEES.

I. EFFECTIVE DATE

The provisions of this plan shall be effective commencing July 1, 2007.

II. EMPLOYEES COVERED BY THIS PLAN

Employees subject to this plan shall be Full-Time, Regular Part-Time and Job Sharing City employees, classified as "600 Series" and "300 Series" "Exempt and Non-Exempt Professional" employees. Employees are not covered by the paid leave and longevity payment provisions of this plan while they are on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of certain leave benefits as provided by city ordinance.

III. WAGES AND SALARIES

A. Determination.

1. To the degree that funds permit, employees classified as "600 Series" and "300 Series" "Exempt Professional" or "Non-Exempt Professional" employees shall be paid compensation that:
 - a. Is commensurate with the skills and abilities required of the position.
 - b. Is competitive with the compensation paid by other public and private employers with whom the City competes for personnel recruitment and retention.
2. Compensation surveys, which are used to determine comparability, shall include a reasonable cross section of comparable benchmark positions in organizations with whom the City competes for personnel recruitment and retention.
3. Compensation surveys shall measure total compensation including salaries and wages, paid leave, group insurance plans, retirement, and all other benefits.
4. The compensation plans may provide salary range widths that reflect the normal growth and productivity potential of employees within a job classification.
5. The Mayor shall develop policies and guidelines for the administration of the pay plans.
6. The pay administration policies may provide for annual salary adjustments which, subject to availability of funds, generally reflect the practices of ~~private enterprise~~ the identified market to allow for faster salary growth in the bottom half of pay ranges, and slower growth in the upper half, as

APPROVED AS TO FORM

Salt Lake City Attorney's Office

Date May 30, 2007

By [Signature]

warranted by maturity of job skills within a job classification and satisfactory performance of job duties and responsibilities.

B. Schedules.

1. Employees shall, for purposes of this compensation plan and its wage schedules, be referred to as either "Exempt Professional" (600 Series) employees or "Non-Exempt Professional" (300 Series) employees.
 - a. As used in this Compensation Plan, "Exempt Professional" employees shall mean Professional employees who are defined by §213 of the Fair Labor Standards Act (the "Act") as exempt from the Act's overtime provisions.
 - b. As used in this Compensation Plan, "Non-Exempt Professional" employees shall mean Professional employees who are covered by the overtime provisions of the Act.
2. Effective July 1, ~~2006~~2007, Full-Time "600 Series" Exempt Professional employees shall be paid compensation according to the wage schedule attached as Appendix "A"
3. Effective July 1, ~~2006~~2007, Full-Time "300 Series" Non-Exempt Professional employees shall be paid compensation according to the salary schedule attached as Appendix "B"

C. Other Compensation. The foregoing shall not restrict the Mayor from distributing appropriated monies to employees of the City in the form of retention incentives or retirement contributions; or special lump sum supplemental payments in recognition of weather-related emergencies, special projects or other extraordinary circumstances. Retention incentives or special lump sum payments are recommended by the department directors and are subject to the Mayor's approval. Additionally, nothing in the foregoing shall restrict the Mayor from classifying or advancing employees under rules established by the Mayor.

IV. LONGEVITY PAY

- A. Eligibility. Full-Time employees who have completed 6 full years of employment with the City, shall receive a monthly longevity benefit in the sum of \$50.00. Said benefit shall be \$75.00 per month for employees who have completed 10 full years of employment with the City. Said benefit shall be \$100.00 per month for employees who have completed 16 full years of employment with the City. Said benefit shall be \$125.00 per month for employees who have completed 20 full years of employment with the City. The computation of longevity pay shall be based on the most recent date the person became a Full-Time salaried employee.
- B. Pension Base Pay. Longevity paid to Full-Time employees pursuant to paragraph IV.A shall be deemed included within base pay for purposes of pension contributions.
- C. The benefit under this Article IV is paid pro-rata each bi-weekly pay period, based on the most recent date the person became a full-time salaried employee. Employees do not earn or receive longevity payments while on unpaid leave of absence. Upon return from an approved, unpaid leave of absence, longevity

payments will resume on the same basis as if the employee had not been on such leave of absence.

V. OVERTIME COMPENSATION

Payment of Overtime Compensation. Non-exempt "300 Series" employees who are authorized and required by their supervisors to perform City work on an overtime basis as defined by the Fair Labor Standards Act shall be compensated by pay or compensatory time off. Only hours actually worked shall be used in the calculation of overtime. It shall be at the discretion of the Department Director, subject to the limitations of the Fair Labor Standards Act and City policy, to determine whether an employee receives cash payment or compensatory time off. All overtime work must be pre-authorized. In no case shall overtime compensation exceed the rate of 1-1/2 times an employee's regular hourly rate of pay.

VI. EDUCATION AND TRAINING PAY

Education Incentives. The Mayor may adopt programs to promote employee education and training, provided that all compensation incentives under such programs are authorized within appropriate budget limitations established by the City Council.

VII. WAGE DIFFERENTIALS

A. Call-back and Standby. Full-Time "300 Series" employees may receive call-back and standby compensation based on Department Director approval and the following guidelines:

1. Employees who have been released from normally scheduled work and standby periods, and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall receive a minimum of three (3) hours straight-time pay and in addition shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
2. Employees who have been released from normally scheduled work but have not been released from standby status and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
3. Full-Time "300 Series" employees may be eligible for: (1) 2 hours of straight time pay for each 24 hour period of limited standby status; or (2) 2 hours straight time pay for each 12 hour period of limited standby status if they are Department of Airports ~~and~~ or Public Utilities Department employees.

Any employee on standby as a member of the Snow Fighter Corps shall not receive standby/on-call pay or shift differential when on standby or called back to fight snow.

- B. Shift Allowance. Full-Time "600 Series" employees who work a *regularly scheduled swing shift or night shift* during a month will receive a monthly allowance of ~~\$120.00~~150.00. See paragraph D. below. Exception: The monthly allowance for Full-Time "600 Series" employees will be \$200 if the assigned shift begins between midnight and 5:59 a.m.
- C. Shift Differential. Full-Time "300 Series" employees who work a *regularly scheduled swing shift or night shift* will receive a differential of ~~\$.68~~85 an hour. See paragraph D below. Exception: The monthly allowance for Full-Time "300 Series" employees will be \$1.15 an hour if the assigned shift begins between midnight and 5:59 a.m.
- D. For purposes of paragraphs B. and C. above, a *regularly scheduled swing shift or night shift* means a regularly scheduled shift that starts between 12:00 noon and 5:59 a.m. However, if an employee requests a start time falling within this period that is not the regular start time otherwise designated by the City, and the granting of such request will not compromise the City's needs, then the request may be granted without shift differential. The request must be in writing and signed by the employee.
- E. Acting/Working out of Classification. From time to time, employees may be asked to temporarily assume some or all of the duties of a supervisor or other team member in that person's absence. Employees who feel that they are asked to perform the duties of a position in a higher classification, should discuss the matter with the person to whom they report during the temporary assignment. With guidance from the department head, said person will decide—on the basis of how much responsibility is assumed and the length of the temporary assignment—whether additional compensation is warranted. Where the department and the employee disagree on the decision, and provided the temporary assignment lasts for at least 20 working days, the employee may request a review by the Division of Human Resource Management. Compensation adjustments made under this paragraph VII.D. may be retroactive.
- F. Snowfighter Pay for Full-Time "300 Series" Employees Designated by the City. Full-Time "300 Series" employees designated by the City as members of the Snow Fighter Corps shall receive a pay differential equal to \$150 per pay period for the snowfighter season (November 5~~4~~, 2006 to February 24~~23~~, 2007), not to exceed \$1,200 during each fiscal year of this compensation plan. Such pay differential shall be for work related to snow removal and shall be separate from regular earnings on each employee's wage statement. Employees who are qualified to operate snow-removal equipment shall be assigned to the Snowfighter Corps by department seniority on a volunteer basis. If the City does not have enough volunteers to staff a snowfighter crew, as determined by the supervisor or department head, employees shall be assigned on a department seniority basis with the junior employees assigned first.

Provided, however, that any employee otherwise qualified for the allowance, who is absent from normal scheduled work more than 5 working days in a pay period, shall be ineligible to receive the allowance for that pay period. Vacation and compensatory time shall not be considered as absent work days for purposes of determining eligibility for the allowance described in this article VII. F.

VIII. ALLOWANCES

- A. Meal Allowance. Employees shall be eligible for meal allowances in the amount of \$8.00 when said employees work 2 or more hours consecutive to their normally scheduled shift, as pre-approved by their supervisor. Said employees may also receive \$8.00 for each additional 4 hour consecutive period of work which is in addition to the normally scheduled work shift, as preapproved by their supervisor.
- B. Business Expenses. City policy shall govern the authorization of employee advancement or reimbursement for actual expenses reasonably incurred in the performance of City business. Advancement or reimbursement shall be approved only for expenses documented and authorized in advance within budget limitations established by the City Council.
- C. Automobiles.
1. The Mayor may authorize, subject to the conditions provided in City policy, an employee to utilize a City vehicle on a take-home basis, and may require said employee to reimburse the City for a portion of the take-home vehicle cost as provided in City ordinance.
 2. Employees who are authorized to use, and who do use, privately owned automobiles for official City business shall be reimbursed for the operation expenses of said automobiles at the rate specified in City policy.
- D. Uniform Allowance. Employees shall be provided the following monthly uniform allowances when required to wear uniforms in the performance of their duties:
1. Airport Police supervisory employees: \$75.00
 2. Field Supervisor (Parking Enforcement) -- \$5065.00
 3. Non-sworn Police and Fire Department employees -- \$5065.00.
 4. Watershed Management Division Personnel -- \$5065.00
 5. Uniform allowances are provided if the employees maintain their uniforms in reasonably good, clean, neat and pressed condition. Uniforms shall have proper identification and insignias and shall not be frayed or unsightly. Uniforms shall be in compliance with applicable department regulations. Failure to maintain the uniform in accordance with the above shall be grounds for forfeiture of uniform allowances provided in this paragraph VIII.D.
- E. Allowances for Certified Golf Teaching Professionals. The Mayor may, within budgeted appropriations and as business needs and market surveys indicate, authorize golf lesson revenue sharing between the City and employees ~~classified~~ recognized as Certified Golf Teaching Professionals and assistant golf professionals as business needs and market surveys dictate as defined in the Golf Division's Golf Lesson Revenue Policy. Such individuals may be salaried or seasonal employees. Payment to an employee for lesson revenue generated shall be reduced by 1) a 10 percent administrative fee to be retained by the Golf Division, and 2) the employee's payroll tax withholding requirements in accordance with federal and state law.

IX. HOURS OF SERVICE – 300 SERIES EMPLOYEES

- A. Hours Worked. For Full-Time "300 Series" employees, 7 days shall constitute a workweek and 40 hours shall constitute a normal work schedule. Exceptions may be permitted with approval of the Director of Human Resource Management. Overtime work is to be discouraged. In case of unforeseen circumstances or whenever public interest demands, an employee may be required by a Department Director to perform overtime work.

This paragraph shall not be construed to limit or prevent the City from changing or establishing work schedules and shifts as the need arises or to guarantee employees 40 hours work per week. The City may adopt variable work week schedules including 8 hour, 10 hour, 12 hour or other approved shifts. It is the City's intent to give reasonable notice of any work schedule and shift changes to all affected employees. A shift change shall mean a change from one permanent shift (day shift, swing shift, graveyard shift) to another permanent shift.

- B. Rest Periods. Employees shall be entitled to a 15 minute rest period during each 4-hour working period, which time shall be included within the work shift, except where extraordinary circumstances render such break impracticable. A reasonable effort shall be made to provide such breaks near the middle of each 4-hour work period; provided, however, there shall be no additional compensation paid to employees electing or required to forego such rest period. Rest periods provided herein shall be counted as time worked for purposes of computing overtime compensation.
- C. Meal Period. Employees shall be granted a lunch period not to exceed sixty (60) minutes during each work shift; provided, however, said lunch period shall be scheduled in accordance with the operational needs of the department as determined by the shift supervisor. An employee shall not be compensated for such periods unless the employee is required by the supervisor to be on the work site, or perform any work during such time. In lieu of payment, the employee may, with the consent of the supervisor, end the work shift early by the same number of minutes worked into the lunch break. A lunch period where the employee performs no work shall not be counted as time worked for purposes of computing overtime compensation.

X. HOLIDAYS AND VACATION

Full-Time employees shall receive holidays and vacation as provided in this paragraph X. Employees do not earn or receive holiday and vacation benefits while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.

A. Holidays.

1. The following days shall be recognized and observed as holidays for Full-Time employees covered by this plan. Such Full-Time employees shall receive their regular rate of pay for each of the unworked holidays:
 - a. New Year's Day, the first day of January.
 - b. Martin Luther King, Jr. Day, the third Monday of January.
 - c. President's Day, the third Monday in February.

- d. Memorial Day, the last Monday of May.
- e. Independence Day, the fourth day of July.
- f. Pioneer Day, the twenty-fourth day of July.
- g. Labor Day, the first Monday in September.
- h. Veteran's Day, the eleventh day of November.
- i. Thanksgiving Day, the fourth Thursday in November.
- j. The Friday after Thanksgiving Day. (floating holiday, see explanation below.)
- k. Christmas Day, the twenty-fifth day of December.
- l. One personal holiday, taken upon request of the employee and at the discretion of the supervisor.

- 2. When any holiday listed above falls on a Sunday, the following business day shall be considered a holiday. When any holiday listed above falls on a Saturday, the preceding business day shall be considered a holiday. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor and/or the City Council.
- 3. No employee shall receive in excess of one day of holiday pay for a single holiday. Employees must work or be on authorized leave their last scheduled working day before and the next working day following the holiday to qualify for holiday pay.
- 4. Holiday Exception. In lieu of taking the Friday after Thanksgiving Day as a holiday, employees may observe this holiday up to 50 days prior to Thanksgiving Day, provided that the date chosen is approved by the supervisor.

B. Vacations.

- 1. Full-Time employees shall be entitled to receive their regular salaries during vacation periods earned and taken in accordance with the provisions in this paragraph; provided, that no employee shall be entitled to use any vacation unless the employee has successfully completed his or her initial probationary period.
- 2. For Full-Time employees, the following schedule shall apply:

<u>Years of City Service</u>	<u>Hours of Vacation Accrued Per Biweekly Pay Period</u>
0 to end of year 3	3.08
4 to 6	3.69

7 to 9	4.62
10 to 12	5.54
13 to 15	6.15
16 to 19	6.77
20 or more	7.69

For any plan year in which there are 27 pay periods, no vacation leave hours will be awarded on the 27th pay period.

Years of City Service shall be based on the most recent date the person became a Full-Time salaried employee.

3. Full-Time employees may accumulate vacations, according to the length of their full-time years of City Service up to the following maximum limits:

Up to and including 9 years	Up to 30 days (240 hours)
After 9 years	Up to 35 days (280 hours)
After 14 years	Up to 40 days (320 hours)

"Days," herein, means "8-hour" days.

Any vacation accrued beyond said maximums shall be deemed forfeited unless utilized prior to the end of the calendar year in which the maximum has been accrued. However, in the case of an employee returning from an unpaid military leave of absence, related provisions under city ordinance shall apply.

4. Vacation Buy Back. The City may purchase within any calendar year up to, but not exceeding, 80 hours of accrued vacation time, to which an employee is entitled, with the consent of said employee and upon favorable written recommendation of the employee's Department -Director and approval of the Chief Administrative Officer.

Said purchase of accrued vacation time may be authorized, in the discretion of the City, when, in its judgment, it is demonstrated that:

- a. The cash payment in lieu of vacation time use shall not interfere with an employee's performance or create an unreasonable hardship on said employee;
- b. There is a demonstrated need for the City to retain the services of the employee for said vacation time;
- c. There are sufficient funds in the Department budget to pay for the vacation time as certified by the Chief Administrative Officer or

designee, without disturbing or interfering with the delivery of City services; and

- d. The amount to be paid for any such purchase of vacation time as provided herein shall be based on the wage or salary rate of the said employee at the date of approval by the City.

The City shall make a diligent effort to provide employees their earned annual vacation, and shall, through appropriate management efforts, seek to minimize the recommendations for cash payments in lieu of vacation use. Any vacation purchased by the City shall be considered to be an extraordinary circumstance and not a fringe benefit of the employee.

XI. SICK AND OTHER RELATED LEAVE OR PERSONAL LEAVE.

- A. Benefits in this section are for the purpose of continuing income to employees during absence due to illness, accident or personal reasons. Some of these absences may qualify under the Family and Medical Leave Act (FMLA). This is a federal law that provides up to 12 weeks of unpaid leave each year and protects jobs and health care benefits for eligible employees who need to be off work for certain "family and medical" reasons. APPENDIX D outlines the FMLA rights and obligations of the employee and the City. The City requires all employees using FMLA leave to exhaust their paid leave allotments for FMLA-qualifying events prior to taking FMLA leave unpaid. The paid leave parameters are defined in this Compensation Plan. Employees do not earn or receive leave benefits under this Section XI. while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.
- B. Full-Time employees shall receive benefits in this section either under a plan as provided in paragraph XI.~~DE~~. (Plan "A"), or as provided in paragraph XI.~~EF~~. (Plan "B").
- C. Employees hired on or after November 16, 1997 shall participate in Plan B. All other employees shall participate in the plan they participated in on November 15, 1998, except as provided in paragraph XI.D.
- D. Employees participating in Plan A, who were hired on or before November 16, 1997, may, during an election period beginning July 1, 2007 and ending September 30, 2007, choose to participate in Plan B effective November 4, 2007.

~~DE~~. Plan "A."

1. Sick Leave.

- a. Sick leave shall be provided for Full-Time employees under this Plan "A" as insurance against loss of income when an employee is unable to perform assigned duties because of illness or injury. The Mayor may establish rules governing the interfacing of sick leave and Workers' Compensation benefits and avoiding, to the extent allowable by law, duplicative payments.

- b. Each Full-Time employee shall accrue sick leave at a rate of 4.62 hours per pay period. For any plan year in which there are 27 pay periods, no sick leave hours will be awarded on the 27th pay period. Authorized and unused sick leave may be accumulated from year to year, subject to the limitations of this plan.
- c. Under this Plan "A," Full-Time employees who have accumulated 240 hours of sick leave may choose to convert up to 64 hours of the sick leave earned and unused during any given year to vacation. Any sick leave used during the calendar year reduces the allowable conversion by an equal amount.
- d. Conversion at the maximum allowable hours will be made unless the employee elects otherwise. Any election by an employee for no conversion, or to convert less than the maximum allowable sick leave hours to vacation time, must be made by notifying his or her Personnel/Payroll Administrator, in writing, not later than the second payperiod of the new calendar year. Otherwise, the opportunity to waive conversion or elect conversion other than the maximum allowable amount shall be deemed waived for that calendar year. In no event shall sick leave days be converted from other than the current year's sick leave allocation.
- e. Any sick leave hours, properly converted to vacation benefits as above described, shall be taken prior to any other vacation hours to which the employee is entitled; provided, however, that in no event shall an employee be entitled to any pay or compensation upon an employee's separation for any sick leave converted to vacation. Any sick leave converted to vacation remaining unused at the date of separation shall be forfeited by the employee.

2. Hospitalization Leave

- a. Hospitalization leave shall be provided for Full-Time employees under this Plan "A," in addition to sick leave authorized hereunder, as insurance against loss of income when employees are unable to perform assigned duties because of scheduled surgical procedures, urgent medical treatment, or hospital inpatient admission.
- b. Employees shall be entitled to 30 days of hospitalization leave each calendar year. Hospitalization leave shall not accumulate from year to year. Employees may not convert hospitalization leave to vacation or any other leave, nor may they convert hospitalization leave to any additional benefit at time of retirement.
- c. Employees who are unable to perform their duties during a shift due to preparations (such as fasting, rest, or ingestion of medicine), for a scheduled surgical procedure, may report the absence from the affected shift as hospitalization leave, with the prior approval of their division head or supervisor.

- d. Employees who must receive urgent medical treatment at a hospital, emergency room, or acute care facility, and who are unable to perform their duties during a shift due to urgent medical treatment, may report the absence from the affected shift as hospitalization leave. The employee is responsible to report the receipt of urgent medical treatment to the employee's Division head or supervisor as soon as practical. For purposes of use of hospitalization Leave, urgent medical treatment includes at-home care directed by a physician immediately after the urgent medical treatment and within the affected shift.
- e. Employees who are admitted as an inpatient to a hospital for medical treatment, so they are unable to perform their duties, may report the absence from duty while in the hospital as hospitalization leave.
- f. Medical treatment consisting exclusively or primarily of post-injury rehabilitation or therapy treatment, whether conducted in a hospital or other medical facility, shall not be counted as hospitalization leave.
- g. An employee requesting hospitalization leave under this section may be required to provide verification of treatment or care from a competent medical practitioner.

3. Bereavement Leave

- a. Under this Plan "A" time off with pay will be granted to a Full-Time employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother or stepsister, grandfather-in-law, grandmother-in-law, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above as if the domestic partner were the employee's spouse. In the event of death in any of these instances, the employee will be paid his or her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral or memorial service leave on the day following the service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employee to his or her supervisor.

- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement benefit is not effective before February 23, 2006.
- c. In the event of death of an uncle, aunt, niece, nephew, or first cousin to the respective employee, said employee will be paid for time off from scheduled working hours while attending the funeral or memorial service for such person, not to exceed one shift.
- d. In the event of death of friends or relatives not listed above, an employee may be granted time off without pay, not to exceed four hours, or may use available vacation leave while attending the funeral or memorial service for such person, subject to the approval of his or her immediate supervisor.
- e. In the event the death of any member of the immediate family as set forth in this paragraph XI.D.3(a) occurs while an employee is on vacation, his or her vacation will be extended by the amount of time authorized as bereavement leave under said paragraph.
- f. The provisions of this paragraph shall not be applicable to employees who are on leave of absence other than vacation leave.

4. Dependent Leave.

- a. Under Plan "A," dependent leave may be requested by a Full-Time employee covered by this Compensation Plan for the following reasons:
 - 1. Becoming a parent through birth or adoption of a child or children.
 - 2. Placement of a foster child in the employee's home.
 - 3. Due to the care of the employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below), domestic partner's unmarried child under age 26, or parent with a serious health condition.

Domestic partners and domestic partners' children are not covered by FMLA.

- b. Under Plan "A," dependent leave may also be requested by a Full-Time employee to care for an employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below),

domestic partner's unmarried child under age 26, or a parent who is ill or injured but who does not have a serious health condition.

- c. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this dependent leave benefit is not effective before February 23, 2006.
- d. The following provisions apply to the use of dependent leave by a Full-Time employee:
 1. Dependent leave may be granted with pay on a straight time basis.
 2. If the employee has available unused sick leave, the employee shall be entitled to use as dependent leave such unused sick leave.
 3. The employee shall give notice of the need to take dependent leave and the expected duration of such leave to to his or her supervisor as soon as possible under the circumstances.
 4. The employee shall provide, upon request of the supervisor, certification of birth or evidence of a child placement for adoption, or a letter from the attending physician in the event of hospitalization, injury or illness of a child, spouse, spouse's child, domestic partner, domestic partner's child, or parent within five calendar days following termination of such leave.
 5. An employee's sick leave shall be reduced by the number of hours taken by an employee as dependent leave under this paragraph provided, however, that up to 40 hours of dependent leave used during the calendar year will not affect the sick leave conversion options as outlined in paragraph XI.D.1.c.
 6. Probationary employees are not eligible for dependent leave.
5. Career Incentive Leave, Plan "A." Full-Time employees, who have been in continuous Full-Time employment with the City for more than 20 years, and who have accumulated to their credit 1500 or more sick leave hours, may make a one-time election to convert up to 160 hours of sick leave into 80 hours of paid Career Incentive Leave. Career Incentive Leave must be taken prior to retirement. Sick leave hours converted to Career Incentive Leave will not be eligible for a cash payout upon termination or retirement even though the employee has unused Career Incentive Leave hours

available. This leave can be used for any reason. Requests for Career Incentive Leave must be submitted in writing to the Department Director and be approved subject to the department's business needs (e.g., work schedules and workloads).

6. Retirement Benefit, Plan "A."

- a. Persons who retire under the eligibility requirements of the Utah State Retirement System will be paid in cash at their then current pay scale, a sum equal to their daily rate of pay for 25% of the accumulated sick leave days reserved for the benefit of said employee at the date of the employee's retirement.
- b. In lieu of the above, Full-Time employees may elect to convert the sick leave privilege provided above to hospital and surgical coverage. If such an election is made in writing, 50% of the sick leave hours available at retirement may be converted to a dollar allowance at the time of retirement. The sick leave hours converted to a dollar allowance shall be subject to any state and federal income and social security tax withholding required by law. An employee's available sick leave account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage which may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance premiums increase, the number of months of coverage will decrease. This provision shall not act to reinstate an employee with sick leave benefits which were in any respect lost, used, or forfeited prior to the effective date of this plan.

| EF. Plan "B."

- 1. The benefit Plan Year of Plan "B" begins in each calendar year on the first day of the pay-period that includes November 15. Under this Plan "B," paid personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or disability—or an event that qualifies under the FMLA—a personal leave request is subject to supervisory approval based on the operational requirements of the City and any policies regarding the use of such leave adopted by the department in which the employee works.
- 2. Each Full-Time employee under this Plan "B" shall be awarded, at the beginning of the second pay period of November in each calendar year, personal leave hours based on the following schedule:

Months of Consecutive City Service	Hours of Personal Leave
Less than 6	40

Less than 24	60
24 or more	80

Employees hired during the plan year will be provided paid personal leave on a pro-rated basis.

3. Not later than October 31st in each calendar year, employees covered by Plan "B" may elect, by notifying their Personnel/Payroll Administrator in writing, to:
 - a. Convert any unused personal leave hours available at the end of the first pay period of November to a lump sum payment equal to the following: For each converted hour, the employee shall be paid 50 percent of the employee's hourly base wage rate in effect on date of conversion. In no event shall total pay hereunder exceed 40 hours of pay, or
 - b. Carryover to the next calendar year up to 80 unused personal leave hours, or
 - c. Convert a portion of unused personal leave hours, to a lump sum payment as provided in subparagraph (a) above and carry over a portion as provided in subparagraph (b) above.
4. Maximum Accrual. A maximum of 80 hours of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the plan year in excess of 80 shall be converted to a lump sum payment as provided in subparagraph 3.a above.
5. Termination Benefits. At termination of employment for any reason, accumulated unused personal leave hours, minus any adjustment necessary after calculating the "prorated amount," shall be paid to the employee at 50 percent of the hourly base wage rate on date of termination for each unused hour. For purposes of this paragraph XI.E.5, "prorated amount" shall mean the amount of personal leave credited at the beginning of the plan year, multiplied by the ratio of the number of months worked in the plan year (rounded to the end of the month which includes the separation date) to 12 months. If the employee, at the time of separation, has used personal leave in excess of the prorated amount, the value of the excess amount shall be reimbursed to the City and may be deducted from the employee's paycheck.
6. Conditions on Use of Personal Leave are:
 - a. Minimum use of personal leave is one hour, with supervisory approval.
 - b. Except in unforeseen circumstances, such as emergencies or the employees' inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide

their supervisors with prior notice to allow time for the supervisors to make arrangements necessary to cover the employees' work.

- c. For leave due to unforeseen circumstances, the employees must give their supervisors as much prior notice as possible.

7. Bereavement Leave.

- a. Under this Plan "B," time off with pay will be granted to a Full-Time employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother, stepsister, grandfather-in-law, grandmother-in-law, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above if the domestic partner were the employee's spouse. In the event of death in any of these instances, the employee will be paid his/her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral or memorial service leave on the day following the service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employee to his or her supervisor.
- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement leave benefit is not effective before February 23, 2006.
- c. In the event of death of an uncle, aunt, niece, nephew, or first cousin to the respective employee, said employee shall be allowed to use personal leave or vacation for time off from scheduled working hours to attend the funeral or memorial service for such person.
- d. In the event of death of friends or relatives not listed above, an employee may be allowed to use personal leave or vacation for time off to attend the funeral or memorial service for such person, subject to the approval of his or her supervisor.

8. Career Enhancement Leave, Plan "B." A Full-Time employee covered under this Plan "B" is eligible, after 15 years of full time service with the City, to be selected to receive up to two weeks of career enhancement leave. This one-time leave benefit could be used for formal training, informal course of study, job-related travel, internship, mentoring or other activity which could be of benefit to the City and the employee's career development. Selected employees shall receive their full regular salary during the leave. Request for this leave must be submitted in writing to the appropriate department head, stating the purpose of the request and how the leave is intended to benefit the City. The request must be approved by the department head and by the Human Resources Director (who will review the request for compliance with the guidelines outlined here).
9. Retirement/Layoff (RL) Benefit, Plan "B."
- a. Full-Time employees currently covered under Plan "B" who were hired before November 16, 1997, and who elected to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to sixty percent of their accumulated unused sick leave hours available on November 16, 1997, minus any hours withdrawn from that account since it was established.
 - b. Full-Time employees who were hired before November 16, 1997 and who elected in 1998 to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to fifty percent of their accumulated unused sick leave hours available on November 14, 1998, minus any hours withdrawn after the account is established.
 - c. Full-Time employees who were hired before November 16, 1997 and who elected in 2007 to be covered under Plan "B," shall have a retirement /layoff (RL) account equal to forty percent of their accumulated unused sick leave hours available on November 4, 2007, minus any hours withdrawn after the account is established.
 - ed. Payment of the RL Account.
 - (1) All of the hours in the RL account shall be payable at retirement or layoff as follows: The employee shall be paid the employee's hourly rate of pay on date of retirement or layoff for each hour in the employee's RL account.
 - (2) In the case of retirement only, in lieu of the above, Full-Time employees may elect to convert the RL account payment as provided herein to hospital and surgical coverage. Such payment shall be subject to any state and federal income and social security tax withholding required by law. An employee's available RL account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage that may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of

charges against the account balance. If insurance costs increase, the number of months of coverage will decrease.

de. Hours may be withdrawn from the RL account for emergencies after personal leave hours are exhausted, and with approval of the employee's supervisor. RL account hours may also be used as a supplement to Workers' Compensation benefits which, when added to the employees' Workers' Compensation benefits, equals the employee's regular net salary. The employee must make an election in writing to the Director of Management Services to use RL account hours to supplement Workers' Compensation benefits.

10. Short Term Disability Insurance, Plan "B." Protection against loss of income when an employee is absent from work due to short term disability shall be provided to Full-Time employees covered under Plan "B" through short term disability insurance (SDI). There shall be no cost to the employee for SDI. SDI shall be administered in accordance with the terms determined by the City. As one of the conditions of receiving SDI, the employee may be required to submit to a medical examination by a medical provider of the City's choosing.

XII. MILITARY LEAVE AND JURY DUTY

- A. Leave of absence for employees who enter uniformed service. An employee who enters the service of a uniformed services of the United States, including the United States Army, United States Navy, United States Marine Corps, United States Air Force, commissioned Corps of the National Oceanic and Atmospheric Administration, United States Coast Guard, or the commissioned corps of the Public Health Service, shall be entitled to be absent from his or her duties and service from the City, without pay, as required by state and federal law. Said leave shall be granted for no more than five cumulative years, consistent with the federal Uniform Services Employment and Reemployment Act.
- B. Leave while on duty with the armed forces or Utah National Guard. Employees covered by this Plan who are or who shall become members of the reserves of a federal armed forces, including United States Army, United States Navy, United States Marine Corps, United States Air Force, and the United States Coast Guard, or any unit of the Utah National Guard, shall be allowed full pay for all time not in excess of 11 working days per calendar year spent on duty with such agencies. This leave shall be in addition to the annual vacation leave with pay. To qualify, employees claiming the benefit under this provision shall provide documentation to the City demonstrating duty with such agencies. To qualify, duty herein need not be consecutive days of service.
- C. Leave for Jury Duty. Employees shall be entitled to receive and retain statutory juror's fees paid for jury service in the State and Federal Courts subject to the conditions hereinafter set forth. No reduction in an employee's salary or regular wages shall be made for absence from work resulting from such jury service. On those days that an employee is required to report for jury service and is thereafter excused from such service during his or her regular working hours from the City, he or she shall forthwith return to and carry on his or her regular City employment. Employees who fail to return to work after being excused from jury service for the day shall be subject to discipline.

XIII. INJURY LEAVE

- A. Injury Leave. The City shall establish rules governing the administration of an injury leave program for employees of the Operations Division of the Department of Airports who are required to carry firearms as part of their jobs, under the following qualifications and restrictions:
1. The disability must have resulted from an injury arising out of the discharge of official duties and/or while exercising some form of necessary job related activity as determined by the City;
 2. The employee must be unable to return to work due to the injury as verified by a medical provider acceptable to the City;
 3. The leave benefit shall not exceed the value of the employee's net salary during the period of absence due to the injury, less all amounts paid or credited to the employee as Workers' Compensation, ~~social~~ Social Security, long term disability or retirement benefits, or any form of governmental relief whatsoever;
 4. The value of benefits provided to employees under this injury leave program shall not exceed the total of \$5,000 per employee per injury; unless approved in writing by the employee's Department Head after receiving an acceptable treatment plan and consulting with the City's Risk Manager;
 5. The City's Risk Manager shall be principally responsible for the review of injury leave claims provided that appeals from the decision of the City's Risk Manager may be reviewed by the Chief Administrative Officer who may make recommendations to the Mayor for final decisions;
 6. If an employee is eligible for Workers' Compensation as provided by law; and is not receiving injury leave pursuant to this provision, said employee may elect in writing to the Director of Management Services to use either accumulated sick leave or hours from the RL account, if applicable, and authorized vacation time to supplement Workers' Compensation so that the employee is receiving the employee's regular net salary.

XIV. ADDITIONAL LEAVES OF ABSENCE.

Additional unpaid leaves of absence may be requested in writing and granted to an employee at the discretion of the Department Director

XV. INSURANCE

- A. Group Insurance. Employees of the City will be required to enroll for single coverage in the City's group medical insurance plan in conformity with and under the terms of an insurance plan adopted by the City, as permitted by ordinance. The City will provide a basic term life and accidental death plan. The City will also make available other bona fide benefit programs. Retired City employees and their eligible dependents may also be permitted to participate in the City's medical and dental plans under terms and conditions established by the City. The City shall cause the specific provisions of the group plan to be detailed and made available to the employees. The City will deduct from each payroll all monies

necessary to fund the employees' share of insurance coverage and make all payments necessary to fund the plan, within budget limitations established by the City Council.

- B. The City will participate in the Nationwide Post Employment Health Plan, as adopted by the City by ordinance. Each year, the City will contribute ~~\$23.08~~24.30 per biweekly pay period into each employee's Nationwide Post Employment Health Plan account. For any year in which there are 27 pay periods, no such contribution will be made on the 27th pay period.

XVI. WORKERS' COMPENSATION

In addition to the foregoing, the Mayor may provide for Workers' Compensation coverage to the employees under applicable provisions of State statute.

XVII. LONG TERM DISABILITY COMPENSATION

Optional long term disability is available to employees eligible under the City's Long Term Disability Program (Income Protection Program), subject to the terms and conditions of the plan. This program provides continuation of income to employees of the City who are permanently and totally disabled as defined under the program.

XVIII. TRANSITIONAL DUTY.

Depending on the City's need or legal requirement, employees may be placed temporarily in a transitional duty position, when illness or injury prevents them from performing their regular duties.

XIX. SEPARATION FROM SERVICE

- A. Social Security Adopted. The City hereby adopts the provisions of the Federal Social Security system and applies and extends the benefits of the old age and survivor's insurance of the Social Security Act to employees.
- B. Retirement Programs. The City hereby adopts the Utah State Retirement System for providing retirement pensions to employees covered by the plan. The City may permit or require the participation of employees in its retirement program(s) under terms and conditions established by the Mayor and consistent with state law. Such programs may include:
 - 1. The Utah State Public Employees' Retirement System (Contributory and Non-Contributory)
 - 2. Deferred Compensation Programs
 - 3. Retirement Incentive Programs
- C. The 2007~~6~~-2008~~7~~ fiscal year retirement contribution rates for employees covered by this paragraph are shown in Appendix C.
- D. Layoffs. Whenever it is necessary to reduce the number of employees performing an activity or function defined by the Mayor or designee within a City department because of lack of work or lack of funds, the City shall minimize layoffs by

readjustment of personnel through reemployment or bumping processes detailed in the City's Layoff Procedure.

1. Whenever layoffs are necessary, emergency, temporary, probationary, hourly and Regular Part-Time employees performing essentially the same duties as the aforesaid work activities or functions being reduced shall be laid off first.
2. Full-Time salaried employees shall be the last to be laid off in inverse order of the length of City Seniority of employees in the same job classification. For example, an employee who has served in the job classification for five years and who has 10 years of City seniority, will be laid off before the employee who has served in the job classification only one year but who has 15 years of City seniority.
3. Full-Time salaried employees designated for layoff or actually laid off may request reemployment, or elect to bump if eligible. Once a choice is made, Division of Human Resources staff will focus their effort on the selected option. Under reemployment, the laid off employee may be placed in a vacant equal or lower classification job position, wherever situated in the City, for which the employee is qualified. Vacant means the Division of Human Resource Management has received a request to fill a position. Equal or lower classification means that the maximum salary for the vacant position shall be less than or equal to the maximum salary for the position being laid off. Under the bumping option, said employee, within the City department in which the layoff occurs, may bump the least senior, Full-Time employee or probationary employee (in a job position and function previously and actually held by said laid off employee regardless of whether the job title or classification has since changed). The determination as whether the laid off employee is currently qualified for a position will be made by the Division of Human Resources, following the process outlined in the City's Layoff Procedure.
4. Future Application for Employment Once Laid Off. Employees who have not utilized either reemployment or bumping , and who leave the City's payroll will have the right to pre-bid (submit application prior to actual position opening) on positions in the *100 Series* and *200 Series* for a period of two years. They may also apply for 300 Series and 600 Series positions for a two-year period utilizing the City's internal applicant form.
5. Benefits Upon Layoff. Employees who are subject to layoff because of lack of work or lack of funds shall be eligible to receive:
 - a. One hundred percent of their accumulated unused sick leave hours, if covered under paragraph XI.D. (Plan "A"); or
 - b. One hundred percent of their RL account if covered under paragraph XI.E (Plan "B").
 - c. Accrued unused personal leave at 50% of the employees' base hourly rate, if covered under paragraph XI.E (Plan "B").

E. Separation From Employment Due To Resignations Or Otherwise

1. Every employee who is separated from City employment for any reason shall be paid for:
 - a. Earned vacation time accrued, unused, and unforfeited as of the date of termination;
 - b. Unused compensatory time off; and
 - c. If a participant in "Plan B," any accrued and unused personal leave in accordance with paragraph XI.E.5 of this chapter.

XX. RECOGNITION OF THE PROFESSIONAL EMPLOYEES COUNCIL

The City recognizes the Professional Employees Council (PEC) to maximize input into decisions regarding this Compensation Plan.

XXI. SENIORITY

For purposes of this Compensation Plan, "seniority" shall be defined as an employee's continuous, full time salaried employment with the City. An employee's earned seniority shall not be lost because of absence due to authorized leaves of absence or temporary layoffs not to exceed two years.

XXII. AUTHORITY OF THE MAYOR

Employees covered by this compensation plan may be appointed, classified, and advanced under rules and regulations promulgated by the Mayor, or the Civil Service Commission, if applicable, within budget limitations established by the City Council.

XXIII. APPROPRIATION OF FUNDS

All provisions in this compensation plan that involve the expenditure of funds are subject to appropriation of funds for such purposes.

XXIV. JOB SHARING

1. Employees may be authorized, by the City, to job share a Full-Time "300 Series" or "600 Series" position. Under an authorized job share arrangement, the employees involved shall, pursuant to a written agreement between them, equally share in the compensation and benefits normally provided to the Full-Time position that is being shared. The Full-Time position that is being shared shall maintain its classification and the compensation and benefits equally shared shall be based on said classification.
2. A job share arrangement will not be authorized unless the following occurs:
 - a. The employees, who are sharing a job, have voluntarily entered into a written agreement specifying acknowledging that the hours each will work worked and the equal allocation of benefits shared will be on a 50 percent basis. ~~and compensation between them;~~ and
 - b. The Department Director has approved the job sharing arrangement.

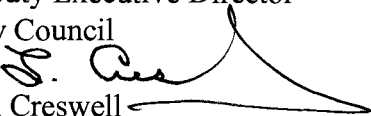
XXV. REGULAR PART-TIME EMPLOYEES

- A. "300 Series" and "600 Series" Regular Part-Time employees are employees whose jobs regularly require them to work twenty (20) or more but less than forty (40) hours a week. Regular Part-Time employees do not include seasonal employees and employees who job share under paragraph XXIV.
- B. Effective July 1, ~~2006~~2007, Regular Part-Time employees shall be paid a wage equal to a prorated amount of the salary of a similarly classified Full-Time employee as specified in salary schedules in Appendices "A" and "B."
- C. Unless otherwise modified by the Mayor, Regular Part-Time employees shall receive fifty percent (50%) of the following benefits subject to the conditions provided in this Plan:
 - 1. Longevity Pay as specified in paragraph IV of this Plan.
 - 2. Education and Training Pay as specified in paragraph VI of this Plan.
 - 3. Holidays, vacation and other leaves of absence as specified in paragraphs X, XI, XII, XIII and XIV of this Plan.
 - 4. City's contribution to insurance premiums as specified in paragraph XV of this Plan.
- D. Regular Part-Time employees shall receive insurance benefits as specified in paragraph XV, wage differentials as specified in paragraph VII and allowances as specified in paragraph VIII of this Plan.
- E. Regular Part-Time employees may participate in retirement programs as specified in paragraph XIX of this Plan.
- F. There shall be no cost to Regular Part-time employee for Short-term Disability insurance. Short-term disability benefits will be prorated.

COUNCIL TRANSMITTAL

31 May 2007

TO: Gary Mumford
Deputy Executive Director
City Council

FROM: Lyn Creswell 
Chief Administrative Officer

SUBJECT: Legislative Draft Amendment to 2007-2008 900 SERIES COMPENSATION PLAN, SECTION VIII, ALLOWANCES, *Paragraph D, Uniforms, and Paragraph E, Heavy Rescue and Swift Water* (operations).

The attached includes changes to the compensation plan since it was last transmitted to the Council.

Under SECTION VIII, ALLOWANCES, *Paragraph D, Uniforms*, add verbiage stipulating that 900 Series employee will receive the same uniform allowance received by the 400 Series employee.

Under *Paragraph E, Heavy Rescue and Swift Water* (operations), add *Hazardous Materials* to heading, and expand eligibility for \$50 per month additional allowance to include up to two Hazardous Materials Fire Captains per platoon.

COMPENSATION PLAN FOR SALT LAKE CITY CORPORATION FIRE DEPARTMENT
"900 SERIES" EMPLOYEES

I. EFFECTIVE DATE

The provisions of this plan shall be effective commencing July 1, ~~2006~~2007.

II. EMPLOYEES COVERED BY THIS PLAN

Employees subject to this plan shall be employees classified as "900 Series" "Exempt" Battalion Chiefs and "Non-Exempt" Fire Captains. As used in this Compensation Plan, "Exempt" shall mean employees who are defined by §213 of the Fair Labor Standards Act (the "Act") as exempt from the Act's overtime provisions. "Non-Exempt" employees shall mean employees who are covered by the overtime provisions of the Act. Employees are not covered by the paid leave and longevity payment provisions of this plan while they are on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of certain leave and longevity benefits, as provided by city ordinance.

III. WAGES AND SALARIES

- A. 1. To the degree that funds permit, employees classified as "900 Series" Fire Department employees shall be paid monthly salaries that:
- a. Achieve equal pay for equal work; and
 - b. Attain comparability of City salary ranges to salary ranges used by other public employers.
2. Based on periodically conducted market surveys, the Mayor shall determine the comparability of City salary ranges to salary ranges used by other public employers for similar work. .
3. Salary surveys shall measure total compensation including salaries and wages, paid leave, group insurance plans, retirement, and all other benefits provided to employees.
4. The compensation plans may provide salary range widths that reflect the normal growth and productivity potential of employees within a job classification.
5. The Mayor shall develop policies and guidelines for the administration of the pay plans.
- B. Effective July 1, ~~2006-2007~~ to June 30, ~~2007~~2008, "900 Series" Fire Department employees shall be paid monthly salaries according to APPENDIX "A."
- C. The foregoing shall not restrict the Mayor from distributing appropriated monies to employees of the City in the form of retirement contributions; or lump sum supplemental, payments in recognition of emergencies, special projects or other extraordinary circumstances. Lump sum payments are recommended by the Fire Chief and are subject to the Mayor's approval. Additionally, nothing in the foregoing shall restrict the Mayor from classifying or advancing employees under rules established by the Mayor.

APPROVED AND FORWARDED
SALT LAKE CITY FIRE DEPARTMENT
DATE: May 30, 2007

IV. LONGEVITY PAY

- A. Employees who have completed 6 full years of employment with the City, shall receive a monthly longevity benefit in the sum of \$50.00. Said benefit shall be \$75.00 per month for employees who have completed 10 full years of employment with the City. Said benefit shall be \$100.00 per month for employees who have completed 16 full years of employment with the City. Said benefit shall be \$125.00 per month for employees who have completed 20 full years of employment with the City. The computation of longevity pay shall be based on the most recent date the person became a full-time salaried employee.
- B. Longevity paid to employees pursuant to paragraph IV.A shall be deemed included within base pay for purposes of pension contributions.
- C. The benefit under this Article IV is paid pro-rata each bi-weekly pay period, based on the most recent date the person became a full-time salaried employee. Employees do not earn or receive longevity payments while on unpaid leave of absence. Upon return from an approved, unpaid leave of absence, longevity payments will resume on the same basis as if the employee had not been on such leave of absence.

V. OVERTIME COMPENSATION

- A. Employees classified as non-exempt Fire Captains who are authorized and required by their supervisors to perform City work on an overtime basis shall be compensated according to City policy and the Fair Labor Standards Act (FLSA) by overtime pay or compensatory time off.
- B. The employee may request compensatory time in lieu of cash subject to approval of the Fire Chief or the Chief's designee. Employees regularly assigned to the combat division may not accrue more than 480 hours of compensatory time for hours worked after April 15, 1986. Employees not in the combat division may not accrue more than 240 hours of compensatory time for hours worked after April 15, 1986. Any such employee who, after April 15, 1986, has accrued 480 or 240 hours, as the case may be, of compensatory time off, shall, for additional overtime hours of work, be paid overtime compensation.
- C. Only hours actually worked shall be used in the calculation of overtime. It shall be at the discretion of the Fire Chief or the Chief's designee, subject to the limitations of the FLSA and City policy, to determine whether an employee receives cash payment or compensatory time off. All overtime work must be pre-authorized.
 - 1. A Fire Captain regularly assigned to a combat crew shall be paid at a premium overtime rate of one and one-half the day rate for all work performed outside of any combat crew shift. Combat crew shift work includes all work performed by a Fire Captain during a shift period, but does not include holdover work performed immediately after the conclusion of a Fire Captain's combat crew shift. When a fire Captain is required to holdover at the conclusion of a combat crew shift, the Fire Captain shall be paid at a premium rate twice the combat rate of pay for all holdover work.

- 2. For a Fire Captain who is regularly assigned to work other than a combat crew (referred to herein as "day work"), the Fire Captain's regular rate of pay for all work shall be the day rate, except as follows: A Fire Captain regularly assigned to day work shall be paid at a premium overtime rate of one and one-half the combat rate when the Fire Captain works all or part of a combat crew shift in addition to all regularly scheduled day work. If a day work Captain works all or part of a combat crew shift and is required to holdover at the conclusion of the combat crew shift, the Fire Captain shall be paid at premium overtime rate twice the combat rate of pay for all holdover work.
- D. For purposes of identifying overtime work performed, the department shall record time worked to the nearest 15 minutes.
- E. Fire Captains who are directed to report to work during their scheduled off-duty time, or while on standby, shall be compensated with a minimum of four (4) hours pay. The employee shall receive overtime compensation, where applicable, for time worked on callback duty. In those cases where an employee does not report to work (to a station or to an incident scene), but is required to perform City work at home (including telephone advice) or at another location, the employee shall be paid only for time worked. Fire Captains will be paid at the day rate of pay whether such call back is for day work or for work on a combat crew shift. Fire Captains who volunteer for work beyond their regularly scheduled work assignments do not qualify for compensation under this paragraph.

VI. EDUCATION AND TRAINING PAY

The Mayor may adopt programs to promote employee education and training, provided that all compensation incentives under such programs are authorized within appropriate budget limitations established by the City Council, including the following monthly allowances, according to the educational degree held:

<u>Doctorate.....</u>	<u>\$100.00</u>
<u>Masters.....</u>	<u>\$75.00</u>
<u>Bachelors.....</u>	<u>\$50.00</u>
<u>Associate.....</u>	<u>\$35.00</u>

An employee with the Department shall be eligible for incentive pay following submission of his/her diploma evidencing completion of degree requirements at a fully accredited college or university to the Fire Chief or designee.

VII. EMERGENCY ASSIGNMENTS

Employees classified as Fire Captains may temporarily be assigned to perform the duties of Emergency Response Chief. Upon expiration of such temporary assignment, the employee shall be restored to the position occupied at the time such assignment was made. While working out of classification as an Emergency Response Chief, the Captain shall be compensated \$50.00 for each 24 hour shift.

VIII. ALLOWANCES

- A. Meal Allowance. During emergencies or extraordinary circumstances the Fire Department shall provide adequate food and drink to maintain the safety and performance of Fire Department Employees.
- B. Business Expenses. City policy shall govern the authorization of employee advancement or reimbursement for actual expenses reasonably incurred in the performance of City business. Advancement or reimbursement shall be approved only for expenses documented and authorized in advance within budget limitations established by the City Council.
- C. Automobiles.
 - 1. The Mayor may authorize, under City policy, an employee to utilize a City vehicle on a take-home basis, and shall, as a condition of receipt, require said employee to reimburse the City for a portion of the take-home vehicle cost as provided in City ordinance.
 - 2. Employees who are authorized to use, and who do use, privately owned automobiles for official City business shall be reimbursed for the operation expenses of said automobiles at the rate specified in City policy. Mileage forms are to be submitted on at least an annual basis.
- D. Uniforms. Uniforms and other job-related safety equipment shall be provided as needed. Employees may select uniforms and related equipment from the approved list and shall for this purpose be provided up to \$475 per year for this purpose or the amount received by the 400 Series employees, if greater. Dangerous or contaminated safety equipment shall be cleaned, repaired, or replaced by the Fire Department.
- E. Heavy Rescue, ~~and~~ Swift Water, and Hazardous Materials. Fire Captains regularly assigned to Heavy Rescue, ~~or~~ Swift Water, ~~or~~ Hazardous Materials, and who have completed the minimum requirements for certification to effectively lead Heavy Rescue, ~~or~~ Swift Water, ~~or~~ Hazardous Materials operations shall receive an additional allowance of \$50.00 per month or the allowance received by 400 Series employees for the same involvement, if greater. This will be for no more than one Swift Water Fire Captain, ~~and~~ two Heavy Rescue Fire Captains, and two Hazardous Materials Fire Captains per platoon.

IX. CAPTAINS' HOURS OF SERVICE

- A. Whenever public safety interests demand, the Chief or designee of the Fire Department may require an employee to perform work beyond the employee's regularly scheduled duties. Whenever possible, Fire Department employee volunteers will be solicited. Forty hours within a seven-day week shall constitute a normal work period for all Fire Department employees, except employees assigned to the Combat Division. Employees regularly assigned to duty in the Combat Division shall perform their work during scheduled duty shifts; each consisting of 24 consecutive hours on duty at assigned Fire Department employment locations. Therefore, the parties agree that for employees assigned to the Combat Division, twenty-seven (27) days shall constitute a normal work period.

- B. Exchange of Time. Fire Department employees may exchange time in accordance with provisions outlined in the Fair Labor Standards Act (substitution of work scheduled) and when the exchange does not interfere with the operation of the Fire Department, which includes employee responsibilities such as maintaining training and proficiency requirements, subject to the approval of the Fire Department employee's supervisor.

X. HOLIDAYS AND VACATION

Full-Time employees shall receive holidays and vacation as provided in this paragraph X. The Mayor shall provide, by policy, the specific terms and conditions upon which such holidays and vacation are to be made available to employees. Employees do not earn or receive holiday and vacation benefits while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.

- A. Holidays. The following days shall be recognized and observed as holidays for employees covered by this plan. Such employees shall receive their regular rate of pay for each of the unworked holidays:

1. New Year's Day, the first day of January.
2. Martin Luther King, Jr. Day, the third Monday of January.
3. President's Day, the third Monday in February.
4. Memorial Day, the last Monday of May.
5. Independence Day, the fourth day of July.
6. Pioneer Day, the twenty-fourth day of July.
7. Labor Day, the first Monday in September.
8. Veteran's Day, the eleventh day of November.
9. Thanksgiving Day, the fourth Thursday in November.
10. The Friday after Thanksgiving Day.
11. Christmas Day, the twenty-fifth day of December.
12. One personal holiday, taken upon request of the employee and at the discretion of the supervisor.

B. Vacations

1. Employees shall be entitled to receive their regular salaries during vacation periods earned and taken in accordance with the provisions in this paragraph.
2. For employees in the combat division of the Fire Department, the following schedule shall apply:

<u>Years of City Service</u>	<u>Shifts of vacation per year for Combat Fire Employees</u>
0 to end of year 3	5
4 to 6	6
7 to 9	7.5
10 to 12	9
13 to 14	10
15 to 19	11
20 or more	12.5

3. For employees (other than combat fire personnel) the following schedule shall apply:

<u>Years of City Service</u>	<u>Hours of Vacation Accrued Per Biweekly Pay Period</u>
0 to end of year 3	3.08
4 to 6	3.69
7 to 9	4.62
10 to 12	5.54
13 to 15	6.15
16 to 19	6.77
20 or more	7.69

For any plan year in which there are 27 pay periods, no vacation leave hours will be awarded on the 27th pay period.

4. Employees may accumulate vacations, (including both accrued vacation and sick leave conversion time), according to the length of their full-time Years of City Service up to the following maximum limits:

After 6 months	Up to 30 days/15 shifts (240 hours)
After 9 years	Up to 35 days/17.5 shifts (280 hours)
After 14 years	Up to 40 days/20 shifts (320 hours)

"Days," herein, means "8 hour" days. "Shifts," herein, means "24 hour" combat shifts.

Any vacation accrued beyond said maximums shall be deemed forfeited unless utilized prior to the end of the calendar year in which the maximum has been accrued. However, in the case of an employee returning from an unpaid military leave of absence, related provisions under city ordinance shall apply.

5. Years of City Service shall be based on the most recent date the person became a Full-Time employee.
6. Vacation Buy Back. The City may purchase within any calendar year up to, but not exceeding, 80 hours of accrued vacation time, to which an employee is entitled, with the consent of said employee and upon favorable written recommendation of the Fire Chief and approval of the Chief Administrative Officer. Said purchase of accrued vacation time may be authorized, in the discretion of the City, when, in its judgment, it is demonstrated that:
 - a. The cash payment in lieu of vacation time use shall not interfere with an employee's performance or create an unreasonable hardship on said employee;
 - b. There is a demonstrated need for the City to retain the services of the employee for said vacation time; and
 - c. There are sufficient funds in the Department budget to pay for the vacation time as certified by the City Management Services Director or designee, without disturbing or interfering with the delivery of City services
7. The foregoing, notwithstanding, under no circumstances may the City purchase more than five shifts for combat fire employees (80 hours for non-combat employees) of earned but unused vacation time from an employee during any 12 month period.
8. The amount to be paid for any such purchase of vacation time as provided herein shall be based on the wage or salary rate of the said employee at the date of approval by the City. However, under no circumstances shall any overtime compensation be paid, computed or accrued by virtue of the City authorizing an employee to work a vacation period and receive cash payment therefor in lieu of use.
9. The City shall make a diligent effort to provide employees their earned annual vacation, and shall, through appropriate management efforts, seek to minimize the recommendations for cash payments in lieu of vacation use. Any vacation purchased by the City shall be considered to be an extraordinary circumstance and not a fringe benefit of the employee.

XI. SICK AND OTHER RELATED LEAVE OR PERSONAL LEAVE.

- A. Benefits in this section are for the purpose of continuing income to employees during absence due to illness, accident or personal reasons. Some of these absences may qualify under the Family and Medical Leave Act (FMLA). This is a federal law that provides up to 12 weeks of unpaid leave each year and protects

jobs and health care benefits for eligible employees who need to be off work for certain “family and medical” reasons. APPENDIX C outlines the FMLA rights and obligations of the employee and the City. The City requires all employees using FMLA leave to exhaust their paid leave allotments for FMLA-qualifying events prior to taking FMLA leave unpaid. The paid leave parameters are defined in this Compensation Plan. Employees do not earn or receive leave benefits under this Section XI, while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.

- B. Full-Time employees shall receive benefits in this section either under a plan as provided in paragraph XI.DE. (Plan “A”), or as provided in paragraph XI.EF. (Plan “B”).
- C. Employees hired on or after November 16, 1997 shall participate in Plan B. All other employees shall participate in the plan they participated in on November 15, 1998, except as provided in paragraph XI.D.
- D. Employees participating in Plan A, who were hired on or before November 16, 1997, may, during an election period beginning July 1, 2007 and ending September 30, 2007, choose to participate in Plan B effective November 4, 2007.

DE. Plan “A.”

1. Sick Leave.

- a. Sick leave shall be provided for employees under this Plan “A” as insurance against loss of income when an employee is unable to perform assigned duties because of illness or injury. The Mayor may establish rules governing the interfacing of sick leave and Workers’ Compensation benefits and avoiding, to the extent allowable by law, duplicative payments.
- b. Each salaried employee shall accrue sick leave at a rate of 6.93 hours per pay period, for combat fire employees (except for non-combat fire employees who shall accrue sick leave at a rate of 4.62 hours per pay period). For any plan year in which there are 27 pay periods, no sick leave hours will be awarded on the 27th pay period.

Authorized and unused sick leave may be accumulated from year to year subject to the limitations of this plan.

- c. Under this Plan “A,” employees who have accumulated 15 shifts (for combat fire employees), or 240 hours (for non-combat employees) may choose to convert a portion of the year sick leave grant from any given year to vacation under the following stipulations and schedules.
- d. Eligible Combat Fire Employees’ sick-leave-to-vacation conversion schedule:

Number of Sick Leave Shifts Used During Previous	Number of Sick Leave Shifts Available for Conversion
--	--

Calendar Year

No shifts	4 shifts
1 shift	3 shifts
2 shifts	2-1/2 shifts
3 shifts	2 shifts
4 shifts	1 shift
5 or more shifts	No shifts

- e. Eligible Non-Combat employees (working 8 hour shifts) may choose to convert up to 64 hours of the sick leave grant from any given year to vacation. Any sick leave used during the calendar year reduces the allowable conversion by an equal amount.
- f. Conversion at the maximum allowable hours will be made unless the employee elects otherwise. Any election by an employee for no conversion, or to convert less than the maximum allowable sick leave hours to vacation time, must be made by notifying his or her Personnel/Payroll Administrator, in writing, not later than the November vacation draw. Otherwise, the opportunity to waive conversion or elect conversion other than the maximum allowable amount shall be deemed waived for that calendar year. In no event shall sick leave days be converted from other than the current year's sick leave allocation.
- g. Any sick leave days, properly converted to vacation benefits as above described, shall be deemed to be taken prior to any other days of vacation time to which the employee is entitled; provided, however, that in no event shall an employee be entitled to any pay or compensation upon an employee's termination for any sick leave converted to vacation. Any sick leave converted to vacation remaining unused at the date of termination or retirement shall be forfeited by the employee.
- h. As stated above, authorized and unused sick leave may be accumulated from year to year.
- i. Employees who have accrued at least 80 hours sick leave may be allowed to use no more than 16 hours of accrued sick leave per calendar year for their own doctor's and/or dentist's appointments. This leave must be taken in one hour time blocks and may only be used upon prior approval of the employee's supervisor.

2. Hospitalization Leave

- a. In addition to the sick leave authorized under this Plan "A," each combat fire employee shall be entitled to 15 on-duty shifts off for hospitalization leave (except for non-combat Fire Department employees who shall be entitled to 30 days for hospitalization

leave) each calendar year, provided that such leave may be taken only if, and during the period that employees are unable to perform assigned duties because of scheduled surgical procedures, urgent medical treatment, or hospital in-patient admission. Hospital leave shall not accumulate from year to year. Employees may not convert hospitalization leave to vacation or any other leave, nor may they convert hospitalization leave to any additional benefit at time of retirement.

- b. Employees who are unable to perform their duties during a shift due to preparations (such as fasting, rest, or ingestion of medicine), for a scheduled surgical procedure, may report the absence from the affected shift as hospitalization leave, with the prior approval of their division head or supervisor.
- c. Employees who must receive urgent medical treatment at a hospital, emergency room, or acute care facility, and who are unable to perform their duties during a shift due to urgent medical treatment, may report the absence from the affected shift as hospitalization leave. The employee is responsible to report the receipt of urgent medical treatment to the employee's supervisor as soon as practical. For purposes of use of Hospitalization Leave, urgent medical treatment includes at-home care directed by a physician immediately after the urgent medical treatment and within the affected shift.
- d. Employees who are admitted to a hospital as an inpatient for medical treatment, so they are unable to perform their duties, may report the absence from duty while in the hospital as hospitalization leave.
- e. Medical treatment consisting exclusively or primarily of post-injury rehabilitation or therapy treatment, whether conducted in a hospital or other medical facility, shall not be counted as hospitalization leave.
- f. An employee requesting hospitalization leave under this section may be required to provide verification of treatment or care from a competent medical practitioner.

3. Bereavement Leave

- a. Under this Plan "A" time off with pay will be granted to an employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother or stepsister, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above if the domestic partner

were the employee's spouse. In the event of death in any of these instances, the employee will be paid his or her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral leave on the day following the funeral or memorial service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employees to their supervisors.

- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement benefit is not effective before February 23, 2006.
- c. In the event of death of an uncle, aunt, niece, nephew, or first cousin to the respective employee, said employee will be paid for time off from scheduled working hours while attending the funeral or memorial service for such person, not to exceed one shift.
- d. In the event of death of friends or relatives not listed above, an employee may be granted time off without pay, not to exceed four hours, or may use available vacation leave while attending the funeral or memorial service for such person, subject to the approval of his/her immediate supervisor.
- e. In the event the death of any member of the immediate family as set forth in this paragraph XI.D.3(a.) occurs while an employee is on vacation, his/her vacation will be extended by the amount of time authorized as bereavement leave under said paragraph.
- f. The provisions of this paragraph shall not be applicable to employees who are on leave of absence other than vacation leave.

4. Dependent Leave.

- a. Under Plan "A," dependent Leave may be requested by a Full-Time employee covered by this Compensation Plan for the following reasons:
 - 1. Becoming a parent through birth or adoption of a child or children.
 - 2. Placement of a foster child in the employee's home.

3. Due to the care of the employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below), or domestic partner's unmarried child under age 26, or parent with a serious health condition.

Domestic partners and domestic partners' children are not covered by FMLA.

- b. Under Plan "A," dependent leave may also be requested by a Full-Time employee to care for an employee's child, spouse, spouse's child, domestic partner (as defined in Paragraph c. below), domestic partner's unmarried child under age 26, or a parent who is ill or injured but who does not have a serious health condition.
- c. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement benefit is not effective before February 23, 2006.
- d. The following provisions apply to the use of dependent leave by a Full-Time employee.
 1. Dependent leave may be granted with pay on a straight time basis.
 2. If the employee has accumulated and available unused sick leave, the employee shall be entitled to use as dependent leave such accumulated and available unused sick leave.
 3. The employee shall give notice of the need to take dependent leave and the expected duration of such leave to to his or her supervisor as soon as possible under the circumstances.
 4. The employee shall provide, upon request of the supervisor, certification of birth or evidence of a child placement for adoption, or a letter from the attending physician in the event of hospitalization, injury or illness of a child, spouse, spouse's child, domestic partner, domestic partner's child, or parent within five calendar days following termination of such leave.
 5. An employee's sick leave shall be reduced by the number of hours taken by an employee as dependent leave under this paragraph provided, however, that 40 hours of dependent leave used during the calendar year will not

affect the sick leave conversion options as outlined in paragraph XI.C.1.

6. Probationary employees are not eligible for dependent leave.
5. Career Incentive Leave, Plan "A." Full-Time employees, who have been in consecutive Full-Time employment with the City for more than 20 years, and who have accumulated to their credit 1500 or more sick leave hours, may make a one-time election to convert up to 160 hours of sick leave into 80 hours of paid Career Incentive Leave. Career Incentive Leave must be taken prior to retirement. Sick leave hours converted to Career Incentive Leave will not be eligible for a cash payout upon termination or retirement even though the employee has unused Career Incentive Leave hours available. This leave can be used for any reasons such as attending the National Fire Academy or other activity specified by the Department. Requests for Career Incentive Leave must be submitted in writing to the Fire Chief and be approved subject to the department's business needs (e.g., work schedules and workload).
6. Retirement Benefit, Plan "A."
 - a. Persons who retire under the eligibility requirements of the Utah State Retirement Systems will be paid in cash at their then current pay scale, a sum equal to their daily rate of pay for 25% of the accumulated sick leave days reserved for the benefit of said employee at the date of the employee's retirement.
 - b. In lieu of the above, Full-Time employees may elect in writing to convert the sick leave privilege provided above to hospital and surgical coverage. 50% of the sick leave hours available at retirement may be converted to a dollar allowance at the time of retirement. The sick leave hours converted to a dollar allowance shall be subject to any state and federal income and social security tax withholding required by law. An employee's available sick leave account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage which may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance costs increase, the number of months of coverage will decrease. This provision shall not act to reinstate an employee with sick leave benefits which were in any respect lost, used, or forfeited prior to the effective date of this plan.

EF. Plan "B."

1. The benefit Plan Year of Plan "B" begins in each calendar year on the first day of the pay-period that includes November 15. Under this Plan "B," personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or

injury—or an event that qualifies under the FMLA—a personal leave request is subject to supervisory approval based on the operational requirements of the City and any policies regarding the use of such leave adopted by the department in which the employee works.

2. Each Full-Time employee under this Plan “B” shall be awarded, at the beginning of the second pay period of November in each calendar year, personal leave hours based on the following schedule:

	<u>Hours of Personal Leave</u>
Noncombat Personnel	80
Combat Personnel	120

Employees hired during the plan year will be provided paid personal leave on a pro-rated basis.

3. Not later than October 31st in each calendar year, employees covered by Plan “B” may elect, by notifying their Personnel/Payroll Administrator in writing, to:
 - a. Convert any unused personal leave hours available at the end of the first pay period of November to a lump sum payment equal to the following: For each converted hour, the employee shall be paid 50 percent of the employee’s hourly base wage rate in effect on date of conversion. In no event shall total pay hereunder exceed 40 hours pay, or
 - b. Carryover to the next plan year up to 80/120 (combat) unused personal leave hours, or
 - c. Convert a portion of unused personal leave hours, to a lump sum payment as provided in subparagraph (a) above and carry over a portion as provided in subparagraph (b) above.
4. Maximum Accrual. A maximum of 80 hours (120 combat)/5 shifts of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the plan year in excess of 80 hours (120 combat)/5 shifts shall be converted to a lump sum payment as provided in subparagraph 3.a above.
5. Termination Benefits. At termination of employment for any reason, accumulated unused personal leave hours, minus any adjustment necessary after calculating the “prorated amount,” shall be paid to the employee at 50 percent of the hourly base wage rate on date of termination for each unused hour. For purposes of this paragraph XI.E.5, “prorated amount” shall mean the amount of personal leave credited at the beginning of the plan year, multiplied by the ratio of the number of months worked in the

plan year (rounded to the end of the month which includes the separation date) to 12 months. If the employee, at the time of separation, has used personal leave in excess of the prorated amount, the value of the excess amount shall be reimbursed to the City and may be deducted from the employee's paycheck.

6. Conditions on Use of Personal Leave are:

- a. Minimum use of personal leave is one hour.
- b. Except in unforeseen circumstances, such as emergencies or the employees' inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide their supervisors with prior notice to allow time for the supervisors to make arrangements necessary to cover the employees' work.
- c. For leave due to unforeseen circumstances, the employees must give their supervisors as much prior notice as possible.

7. Bereavement Leave.

- a. Under this Plan "B," time off with pay will be granted to a Full-Time employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or stepgrandchild, stepchild, stepmother, stepfather, stepbrother or stepsister, or domestic partner, as defined in Paragraph b. below, or domestic partner's relative as listed above if the domestic partner were the employee's spouse. In the event of death in any of these instances, the employee will be paid his/her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral leave on the day following the funeral or memorial service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift. Satisfactory proof of such death, together with the date thereof, the date and location of the service, and the date of burial, must, on request, be furnished by the employee to his or her supervisor.
- b. "Domestic Partner" means an individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for at least the past six consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare. The domestic partner may not be related by blood to the employee to a degree of closeness that would prohibit legal marriage in the State of Utah. The domestic partner benefit provided under this bereavement benefit is not effective before February 23, 2006.

- c. In the event of death of a friend or a relative not listed above, said employee may be allowed to use personal leave or vacation for time off from scheduled working hours to attend the funeral or memorial service for such person. Such leave is subject to the approval of the staffing office or immediate supervisor.
8. Career Enhancement Leave, Plan "B." A Full-Time employee covered under this Plan "B" is eligible, after 15 years of full time service with the City, to be selected to receive up to two weeks of career enhancement leave. This one-time leave benefit could be used for formal training, informal course of study, job-related travel, internship, mentoring or other activity which could be of benefit to the City and the employee's career development. Selected employees shall receive their full regular salary during the leave. Request for this leave must be submitted in writing to the Fire Chief, stating the purpose of the request and how the leave is intended to benefit the City. The request must be approved by the Fire Chief and by the Human Resources Director who will review the request for compliance with the guidelines outlined here).
9. Retirement/Layoff (RL) Benefit, Plan "B."
- a. Full-Time employees currently covered under Plan "B" who were hired before November 16, 1997, and who elected in 1997 to be covered under Plan "B," shall have a retirement/layoff account (hereinafter referred to as an "RL account") equal to sixty percent of their accumulated unused sick leave hours available on November 16, 1997, minus any hours withdrawn from that account since it was established.
 - b. Full-Time employees who were hired before November 16, 1997 and who elected in 1998 to be covered under Plan "B," shall have an RL account equal to fifty percent of their accumulated unused sick leave hours available on November 14, 1998, minus any hours withdrawn after the account is established.
 - c. Full-Time employees who were hired before November 16, 1997 and who elected in 2007 to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to forty percent of their accumulated unused sick leave hours available on November 4, 2007, minus any hours withdrawn after the account is established.
 - ed. Payment of the RL Account.
 - (1) All of the hours in the RL account shall be payable at retirement or layoff as follows: The employee shall be paid the employee's hourly rate of pay on date of termination or layoff for each hour in the employee's RL account.
 - (2) In the case of retirement only, in lieu of the above, employees may elect to convert the RL account payment as provided herein to hospital and surgical coverage. Such payment shall be subject to any state and federal income and social security tax withholding required by law. An

employee's available RL account balance, computed by the hours therein times the salary rate at the effective date of employment separation, determines the number of months of medical and surgical coverage which may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance costs increase, the number of months of coverage will decrease.

de. Hours may be withdrawn from the RL account for emergencies after personal leave hours are exhausted, and with approval of the employee's supervisor. RL account hours may also be used as a supplement to Workers' Compensation benefits which, when added to the employees' Workers' Compensation benefits, equals the employee's regular net salary. The employee must make an election in writing to the Director of Management Services to use RL account hours to supplement Workers' Compensation benefits.

10. Short Term Disability Insurance, Plan "B." Protection against loss of income when an employee is absent from work due to short term disability shall be provided to Full-Time employees covered under Plan "B" through short term disability insurance (SDI). There shall be no cost to the employee for SDI. SDI shall be administered in accordance with the terms determined by the City. As one of the conditions of receiving SDI, the employee may be required to submit to a medical examination.

XII. MILITARY LEAVE AND JURY DUTY

- A. Leave of absence for employees who enter uniformed service. An employee who enters the service of a uniformed services of the United States, including the United States Army, United States Navy, United States Marine Corps, United States Air Force, commissioned Corps of the National Oceanic and Atmospheric Administration, United States Coast Guard or the commissioned corps of the Public Health Service, shall be entitled to be absent from his or her duties and service from the City without pay as required by state and federal law. Said leave shall be granted for no more than five cumulative years, consistent with the federal Uniform Services Employment and Reemployment Act.
- B. Leave while on duty with the armed forces or Utah National Guard. Employees covered by this Plan who are or who shall become members of the reserves of a federal armed forces, including United States Army, United States Navy, United States Marine Corps, United States Air Force, and the United States Coast Guard, or any unit of the Utah National Guard, shall be allowed full pay for all time not in excess of 11 working days per calendar year spent on duty with such agencies. This leave shall be in addition to the annual vacation leave with pay. To qualify, employees claiming the benefit under this provision shall provide documentation to the City demonstrating duty with such agencies. To qualify, duty herein need not be consecutive days of service.
- C. Leave for Jury/Court Duty. Employees shall be entitled to receive and retain statutory juror's/court fees paid for jury/court service in the State and Federal Courts subject to the conditions hereinafter set forth. No reduction in an employee's salary or regular wages shall be made for absence from work resulting from such jury/court service. Any duty related court service shall be considered

time worked, but not emergency call-back. On those days that an employee is required to report for jury/court service and is thereafter excused from such service during his or her regular working hours from the City, he or she shall forthwith return to and carry on his or her regular City employment. Employees who fail to return to work after being excused from jury duty for the day shall be subject to discipline.

XIII. INJURY LEAVE

- A. Injury Leave. The City shall establish rules governing the administration of an injury leave program for employees.
1. The disability must have resulted from an injury arising out of the discharge of official duties and/or while exercising some form of necessary job-related activity as determined by the City (i.e., law enforcement, fire fighting, medical services, etc.);
 2. The employee must be unable to return to work due to the injury as verified by a licensed physician acceptable to the City;
 3. The leave benefit shall not exceed the value of the employee's net salary during the period of absence due to the injury, less all amounts paid or credited to the employee as Workers' Compensation, social security, long term disability or retirement benefits, or any form of governmental relief whatsoever;
 4. The value of benefits provided to employees under this injury leave program shall not exceed the total of \$5,000 per employee per injury; unless approved in writing by the Fire Chief after receiving an acceptable treatment plan and consulting with the City's Risk Manager;
 5. The City's Risk Manager shall be principally responsible for the review of injury leave claims, provided that appeals from the decision of the City's Risk Manager may be reviewed by the Chief Administrative Officer who may make recommendations to the Mayor for final decisions;
 6. If an employee is eligible for Workers' Compensation as provided by law; and is not receiving injury leave pursuant to this provision, said employee may elect in writing to the Director of Management Services to use either accumulated sick leave or hours from the RL account, if applicable, and authorized vacation time to supplement Workers' Compensation so that the employee is receiving the employee's regular net salary.

XIV. ADDITIONAL LEAVES OF ABSENCE.

Additional unpaid leaves of absence may be requested in writing and granted to an employee at the discretion of and on conditions established by the Chief.

XV. INSURANCE

- A. Group Insurance. Employees of the City will be required to enroll for single coverage in the City's group medical insurance plan in conformity with and under the terms of an insurance plan adopted by the City, as permitted by ordinance. The City will provide a basic term life and accidental death plan. The City will also make available

other bona fide benefit programs. Retired City employees and their eligible dependents may also be permitted to participate in the City's medical and dental plans under terms and conditions established by the City. The City shall cause the specific provisions of the group plan to be detailed and made available to the employees. The City will deduct from each payroll all monies necessary to fund employees' share of insurance coverage and make all payments necessary to fund the plan within budget limitations established by the City Council.

- B. The City will participate in the Nationwide Post Employment Health Plan, as adopted by the City by ordinance. Each year, the City will contribute ~~\$23.08~~24.30 per biweekly pay period into each employee's Nationwide Post Employment Health Plan account. For any year in which there are 27 pay periods, no such contribution will be made on the 27th pay period.

XVI. WORKERS' COMPENSATION

In addition to the foregoing, the Mayor may provide for Workers' Compensation coverage to the employees under applicable provisions of State statute. When released by the medical provider, light duty work is mandatory.

XVII. LONG TERM DISABILITY COMPENSATION

Optional long term disability is available to employees eligible under the City's Long Term Disability Program (Income Protection Program), subject to the terms and conditions of the plan. This program provides continuation of income to employees of the City who are permanently and totally disabled as defined under the program.

XVIII. TRANSITIONAL DUTY.

Depending on the City's need or legal requirements employees may be placed temporarily in a transitional duty position when illness or injury prevents them from performing his or her regular duties. This provision applies only when there is transitional duty work available, as decided by the Chief or the Chief's designee.

XIX. SEPARATION FROM SERVICE

- A. Social Security Adopted. Exception. The City hereby adopts the provisions of the Federal Social Security system and applies and extends the benefits of the old age and survivor's insurance of the Social Security Act to employees, unless determined otherwise by the Mayor or unless required by State or Federal law.
- B. Retirement Programs. The City hereby adopts the Utah State Retirement System for providing retirement pensions to employees covered by the plan. The City may permit or require the participation of employees in its retirement program(s) under terms and conditions established by the Mayor and consistent with state law.. Such programs may include:
 - 1. The Utah Firefighters Retirement System
 - 2. Deferred Compensation Programs
 - 3. Retirement Incentive Programs

C. The 2007~~6~~-2008~~7~~ fiscal year pension contribution rates for employees covered by this paragraph are shown in Appendix B.

D. Layoffs. In the event of layoffs, the Salt Lake City Civil Service Commission Rules and Regulations shall apply.

1. Employees who are subject to layoff because of lack of work or lack of funds shall be eligible to receive:
 - a. One hundred percent of their accumulated unused sick leave hours, if covered under paragraph XI.D. (Plan "A"); or
 - b. One hundred percent of their RL account if covered under paragraph XI.E (Plan "B").
 - c. Accrued unused personal leave at 50% of the employees' base hourly rate, if covered under paragraph XI.E (Plan "B").
2. Employees in appointed positions are not eligible for layoff benefits because they are "at will" employees.

E Separation From Employment Due to Resignations Or Otherwise

1. Every employee who is separated from City employment for any reason shall be paid for:
 - a. Earned vacation time accrued, unused, and unforfeited as of the date of termination;
 - b. Unused compensatory time off; and
 - c. If a participant in "Plan B," any accrued and unused personal leave in accordance with paragraph XI.E.5 of this chapter.

XX. RECOGNITION OF THE PROFESSIONAL EMPLOYEES COUNCIL

The City recognizes the Professional Employees Council (PEC) to maximize input into decisions regarding this Compensation Plan.

XXI. SENIORITY, PAY PREMIUMS, DIFFERENTIALS AND ALLOWANCES

For purposes of this compensation plan, "seniority" shall be defined as an employee's uninterrupted, full time salaried employment with the City. An employee's earned seniority shall not be lost because of absence due to authorized leaves of absence or temporary layoffs not to exceed two years.

XXII. AUTHORITY OF THE MAYOR

Employees covered by this compensation plan may be appointed, classified, and advanced under rules and regulations promulgated by the Mayor, or the Civil Service Commission, if applicable, within budget limitations established by the City Council.

XXIII. APPROPRIATION OF FUNDS

All provisions in this compensation plan that involve the expenditure of funds are subject to appropriation of funds for such purposes.