

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATING TO MILITARY TRAINING LEAVE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City Council has authority to approve this Addendum 25 of the Employee Handbook of Regulations pursuant to the Flagstaff City Charter, Article IV.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General

The Flagstaff City Code, Chapter 1-14 Personnel System is amended by adopting amendments (Addendum 25) to the Employee Handbook of Regulations (“Handbook”) as follows:

The Employee Handbook of Regulations, Section 1-50-061, Military Training Leave, is hereby amended by as shown below (additions are underlined and in caps, deletions are stricken):

1-50-061. MILITARY TRAINING LEAVE

Employees shall be granted a paid military **TRAINING** leave for training duty or to attend camps, maneuvers, formations, or drills under orders with any branch or reserve of the armed forces of the United States.

A. DEFINITIONS

1. “Year” means the fiscal year of the United States government (i.e., October 1st through September 30th).
2. “Paid Military **TRAINING** Leave” is paid leave entitling the employee to receive his or her regular rate of compensation WITHOUT A LOSS OF TIME, PAY, OR EFFICIENCY RATING.
3. “DAY” MEANS SHIFT OF WORK.
4. “SHIFT(S) OF WORK” IS THE SCHEDULED SHIFT OF THE EMPLOYEE ON THE DATE OR DATES THE EMPLOYEE IS ORDERED TO TRAINING DUTY OR TO ATTEND CAMPS, MANEUVERS, FORMATIONS, OR DRILLS.

B. ELIGIBILITY

1. All Non-Exempt and Exempt employees are eligible for PAID ~~m~~Military ~~t~~TRAINING ~~l~~Leave.
2. Some temporary employees may be eligible for such PAID MILITARY TRAINING ~~l~~Leave if the military service falls within a previously designated period of employment.
3. Employees shall be granted a Paid Military TRAINING Leave ~~for training~~ for a period not to exceed thirty (30) ~~working days~~ SHIFTS OF WORK in any two (2) consecutive years in accordance with the provisions of ARIZONA REVISED STATUTE Section 38-610.
4. ~~Paid Military Leave will be pro-rated for Part-Time Benefit Eligible Employees by dividing the number of hours worked per week by five (5) and rounding to the next whole number.~~
4. EMPLOYEES MAY REQUEST PAID MILITARY TRAINING LEAVE FOR A PARTIAL SHIFT OF WORK.
 - A. LEAVE REQUESTS FOR A PARTIAL SHIFT OF WORK WILL BE TRACKED BY QUARTER SHIFTS. FOR EXAMPLE, IF AN EMPLOYEE IS SCHEDULED TO WORK AN EIGHT-HOUR SHIFT, BUT HE OR SHE NEEDS TO BE RELIEVED EARLY TO ATTEND MILITARY TRAINING AND REQUESTS FOUR HOURS OF PAID MILITARY TRAINING LEAVE, HE OR SHE WILL BE CHARGED ONE-HALF OF A SHIFT OF WORK.
 - B. A LEAVE REQUEST FOR A PARTIAL SHIFT OF WORK WILL ALWAYS BE ROUNDED TO THE NEAREST QUARTER SHIFT.
 - C. A PARTIAL SHIFT OF WORK EQUALLING LESS THAN A QUARTER OF THE EMPLOYEE'S SCHEDULED SHIFT OF WORK WILL NOT BE COUNTED TOWARDS THE THIRTY (30) SHIFTS OF WORK THE EMPLOYEE IS ELIGIBLE FOR IN THE TWO (2) CONSECUTIVE YEARS.
5. ~~Employees may use Paid Military Leave in fifteen (15) minute increments.~~

C. PROCEDURES

1. All employees eligible for ~~p~~PAID ~~m~~Military TRAINING ~~l~~Leave shall give their supervisors an opportunity, within the limits of military regulations, to determine when such leave shall be taken.
2. ~~An employee shall submit a Leave of Absence Form to the immediate supervisor to record the employee's military training leave through the City's payroll procedures.~~
2. AN EMPLOYEE SHALL SUBMIT ~~v~~valid evidence of orders OR WRITTEN COMMUNICATION FROM THE COMMANDING OFFICER FOR THE MILITARY TRAINING DUTY OR TO ATTEND CAMPS, MANEUVERS, FORMATIONS, OR

~~DRILLS must be submitted~~ to the employee's supervisor AND HUMAN RESOURCES along with a ~~Leave~~ of ~~a~~Absence REQUEST ~~Form~~.

- 3. The supervisor shall submit a Personnel Action Form for the beginning and ending of the ~~PAID~~ ~~m~~Military ~~t~~Training ~~l~~Leave.
- 4. THE EMPLOYEE SHALL USE THE DESIGNATED HOURS TYPE CODES WHEN SUBMITTING PAID MILITARY TRAINING LEAVE HOURS ON THEIR TIMESHEET.

SECTION 2. Penalties

Any person found in violation of any provision of the Handbook may be subject to discipline, as set forth in such Handbook and Flagstaff City Code Section 1-14-001-0001, *Personnel System Adopted*.

Section 3. Repeal of Conflicting Ordinances.

All ordinances, parts of ordinances, and any sections of the Handbook in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of May, 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY