

**ORDINANCE NO. 2024-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM, BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS, SECTION 1-70-020 EMPLOYEE WELLNESS AND 1-50-039 PURCHASE DAY PROGRAM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City Council has authority to approve the proposed amendments to the Flagstaff 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 hereby amended by adopting the amendments contained in Addendum 34 to the Employee Handbook of Regulations ("Handbook"), as follows.

**SECTION 2. Amendments to Employee Handbook of Regulations, 1-70-020 Employee Wellness**

The Employee Handbook of Regulations, 1-70-020 Employee Wellness, is hereby amended as shown below (additions are underlined, deletions are stricken):

1-70-020. EMPLOYEE WELLNESS

THE CITY OF FLAGSTAFF OFFERS A COMPREHENSIVE WELLNESS PROGRAM THAT IS CONTINUOUSLY EVOLVING TO MEET EMPLOYEE NEEDS. TO LEARN MORE ABOUT EMPLOYEE WELLNESS BENEFITS, VISIT THE HEALTH AND WELLNESS PAGE OF THE HUMAN RESOURCES WEBSITE.

~~A. EMPLOYEE ASSISTANCE PROGRAM~~

~~An Employee Assistance Program is available to all tenure eligible, tenure granted and exempt employees. Six sessions per calendar year may be used for employee and eligible dependents, a domestic partner and his/her eligible dependent (s). Additional sessions may be covered through the group medical coverage. The City Manager, or designee, can limit or extend the number of sessions as needed.~~

~~B. ANNUAL WELLNESS ASSESSMENT~~

~~The City coordinates a complete wellness assessment at no cost to all tenure eligible, tenure granted and exempt employees who are enrolled with the City group medical coverage. The assessment is also available to eligible dependents, a domestic partner and his/her eligible dependent (s) that are enrolled with the City group medical coverage.~~

~~C. FLU SHOTS~~

~~The City coordinates flu shots for employees, eligible dependents, a domestic partner and his/her eligible dependents (s) that are enrolled with the City group medical coverage.~~

~~D. MOBILE ON-SITE MAMMOGRAPHY~~

~~A mobile on-site mammography screening is coordinated annually at no cost for employees who are enrolled with the City group medical coverage. Women over the age of 40 or men/women of high risk with a doctor's referral are eligible.~~

~~E. REPETITIVE MOTION THERAPY~~

~~Repetitive Motion Therapy is offered to employees in an effort to prevent repetitive motion injuries. The services consist of 15-minute free professional upper body massage therapy, compression, acupressure, repetitive use injury therapy and assisted stretches for back, shoulders, neck, arms and hands.~~

~~F. TOBACCO CESSATION PROGRAM~~

~~The City provides a tobacco cessation program and will reimburse for a cessation program, products and related assistance. The reimbursement is offered up to 3 attempts. Refer to the City Employee Directive 4-082 Tobacco Cessation Reimbursement for specific information on the program.~~

SECTION 3. Amendments to Employee Handbook of Regulations, 1-50-039 Purchase Day Program

The Employee Handbook of Regulations, 1-50-039 Purchase Day Program, is hereby amended as shown below (additions are underlined>, deletions are stricken):

1-50-039. PURCHASE DAY PROGRAM

Benefit Eligible Employees may purchase additional paid time off by participating in the purchase day program.

A. DEFINITIONS

“Purchase Days” are paid time off the employee may purchase through a pre-tax payroll deduction. A Purchase Day is equal to one (1) Working Day.

B. ELIGIBILITY

1. A ~~full-time~~ Benefit Eligible Employee may purchase up to ten (10) Purchase Days per fiscal year after completing six (6) months of continuous service, if a timely request is submitted.

2. Employees may not purchase partial Purchase Days.
3. Employees may use Purchase Days in fifteen (15) minute increments.

#### C. PROCEDURE

1. Employees must submit a request to participate during the annual open enrollment period in order to be eligible to participate the following fiscal year. Employees must re-elect each fiscal year to participate in the purchase day program.
2. The Benefit Eligible Employee may request to participate in the purchase day program by submitting a Purchase Day Program Request form to the employee's immediate supervisor, Section Head, Division Director, Deputy City Manager, Human Resources Director or designee and City Manager or designee.
3. Human Resources will notify the employee of the final approval and the cost of the paid time off the employee wishes to purchase. The cost is based on the employee's current hourly rate of pay times the number of Purchase Days at the time of the request. The total purchase amount is then divided by twenty-four (24) pay periods over the fiscal year.
  - a. In the event the employee's salary or hourly rate changes during the fiscal year, the cost of the Purchase Days shall not be adjusted.
  - b. The cost may not jeopardize an employee's minimum wage earnings.
4. The deductions will be pre-tax from the employee's paycheck per Section 125 under the Internal Revenue Service code.
  - a. The pre-tax election may not be changed during the fiscal year.
  - b. The employee must use all accrued vacation leave prior to being eligible to use any Purchase Day(s).
  - c. When the Purchase Day (or approved increments) are used, the cost will be reflected as income in the employee's paycheck and subject to applicable withholdings and deductions.
5. Purchase Days must be used within the fiscal year by June 30th or they will be forfeited.
6. Employees wishing to utilize Purchase Days must request and obtain approval in advance. The supervisor is responsible for authorizing and scheduling employee time off requests while balancing the work program, and may deny use of Purchase Days if not requested sufficient time in advance.
7. An employee shall submit a leave of absence form to the immediate supervisor to record the employee's Purchase Day leave through the City's payroll procedures.
8. Purchase Days are paid at the employee's regular pay rate excluding any type of additional pay.

#### D. EFFECTS OF TERMINATION OF EMPLOYMENT

1. Employees who leave City service will receive a refund for any Purchase Days not used, which will be reflected as income in the employee's paycheck and subject to applicable withholdings and deductions.
2. Employees who leave City service and who have used Purchase Days not yet paid for will pay for the amount owed from their last paycheck. The last paycheck will show the cost deducted. Any balance not deducted from the employee's last paycheck will be paid to the City within six (6) months after leaving the City's employment. After six (6) months, any unpaid balances will be forwarded to collection and the employee will be responsible for the cost of the collection, including any attorney fees and court costs.

~~Form(s): Purchase Day Program Request Form~~

SECTION 4. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 5. 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 6. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 7. 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 16th day of April, 2024.

---

MAYOR

ATTEST:

---

CITY CLERK

APPROVED AS TO FORM:

---

CITY ATTORNEY