



**Issue:** UPDATING CITY OF NIXA PERSONNEL HANDBOOK TO ACCOMMODATE UPDATED POLICE POLICIES

**Date:** June 13, 2022

**Submitted By:** Amanda Hunsucker, Director of Human Resources

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### Background

On April 25, 2022, Council approved policy changes on Police Holiday accruals. The changes included a maximum hourly accrual of 132 hours (11 holidays X 12 hours) and the unused hours are allowed to rollover into the next year. The annual holiday payout for unused hours was discontinued.

On May 23, 2022, Council approved policy changes on how much holiday time the Nixa Police Department could accrue in a year from 132 to 144 hours per year with the approval of Juneteenth as the twelfth City holiday.

### Analysis

The City of Nixa would like the changes to also be approved for the City of Nixa Personnel Handbook so that both the PD Handbook and City Handbook have the same wording in their policies.

### Recommendation

Staff agrees with this recommendation.

**RESOLUTION NO. 2022-062**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE CITY'S PERSONNEL HANDBOOK BY MODIFYING POLICIES 7.1.3, 7.1.5, & 7.1.4 TO ALTER THE ACCRUAL AND ROLLOVER PROVISIONS RELATED TO HOLIDAY HOURS.**

**WHEREAS** City Charter Section 7.2 requires the Council to adopt a Personnel Code; and

**WHEREAS** the City maintains its personnel and employment policies in a Personnel Handbook, which is modified by Resolution from time to time; and

**WHEREAS** the City Council desires to modify Policy 7.1.3, 7.1.5, & 7.1.4 to alter accrual and rollover provisions related to holiday hours which is necessary with the addition of Juneteenth as a recognized City holiday.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NIXA, AS FOLLOWS, THAT:**

**SECTION 1:** The City's Personnel Handbook is hereby amended by repealing the current Policy referenced within the Personnel Handbook as "7.1.3 Holidays" and adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit A." "Resolution Exhibit A" is attached hereto and incorporated herein by this reference as though fully set forth herein.

**SECTION 2:** The City's Personnel Handbook is hereby amended by repealing the current Policy referenced within the Personnel Handbook as "7.1.5 Personal Hours" and adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit B." "Resolution Exhibit B" is attached hereto and incorporated herein by this reference as though fully set forth herein.

**SECTION 3:** The City's Personnel Handbook is hereby amended by repealing the current Policy referenced within the Personnel Handbook as "7.1.4 Floating Holidays" and adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit C." "Resolution Exhibit C" is attached hereto and incorporated herein by this reference as though fully set forth herein.

**SECTION 4:** This Resolution shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

**RESOLUTION NO. 2022-062**

47 **ADOPTED BY THE COUNCIL THIS 13<sup>th</sup> DAY OF JUNE, 2022.**

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ATTEST:

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\_\_\_\_\_  
PRESIDING OFFICER

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CITY CLERK

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55 **APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

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ATTEST:

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\_\_\_\_\_  
MAYOR

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CITY CLERK

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63 APPROVED AS TO FORM:

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CITY ATTORNEY

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## RESOLUTION EXHIBIT A

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

### 7.1.3 Holidays.

(a) The following paid holidays will be observed:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veteran's Day
Memorial Day	Thanksgiving Day
Juneteenth	Day after Thanksgiving
Independence Day	Christmas

(b) If a paid holiday falls on a weekend, the holiday will be observed on the closest Friday or Monday. Holidays that fall on a regular ~~work-day~~ workday or day off for emergency or essential service personnel will be compensated as follows:

(1) Holidays that fall on a regular ~~work-day~~ workday may be taken off that day if approved by the employee's supervisor.

(2) If the holiday falls on a scheduled ~~work-day~~ workday and is worked by a non-exempt employee, then said non-exempt employee employees will be paid at one and one-half times their hourly rate for hours worked or may record this as comp time. The time can also be flexed hour for hour, meaning, if the holiday falls on a Monday, the hours worked can be flexed during that work week (Monday-Sunday). Flexing shall be at the discretion of the employee's supervisor.

(c) Commissioned Police Officers.

(1) In lieu of ~~the above holiday pay policy~~ Policy 7.1.3 and Policy 7.1.4, commissioned police officers will accrue holiday hours annually. ~~The amount based on their assigned shift length of holiday pay accrued will depend on whether the officer is on 12-hour, 10-hour or 8-hour shifts. Commissioned officers working 12-hour and 10-hour shifts will accrue 140 12-hours (144 hours max annually), 10- hours (120-hours max annually), or 8-hours (96 hours max annually).~~

(2) Commissioned officers will accrue hours equivalent to their shift length on the first pay period of the month ~~for the months of January through November.~~ ~~Supervisors may require that an employee use accrued holiday time to cover absences instead of utilizing vacation leave or sick leave. In addition, a~~

(3) A commissioned officer's supervisor may require the employee to take time off to reduce holiday leave time balances. Police at the discretion of the supervisor.

- (4) Commissioned officers will be allowed to use holiday time accrued (in 0.25-hour increments) upon approval from their supervisor. If
- (5) Holiday time will be allowed to be banked a maximum of 144 hours and rolled over from year to year. Since hours will be allowed to roll over, there will not be an annual payout of unused holiday falls within hours. Commissioned officers will be responsible for allowing no more than 144 holiday hours to accrue in their bank. When a commissioned officer has reached the maximum allowed, further accrual of holiday hours will be suspended until the commissioned officer has reduced the balance below the 144-hour maximum.
- (6) All holiday hours shall be scheduled at least 7 days in advance, in writing.
- (7) No more than 80 or 84 hours (depending on shift length) may be taken by a commissioned officer at a time. Holiday hours and vacation time frame, it is required that hours cannot be combined or taken "back-to-back" to circumvent the 80 or 84-hour cap unless approved by the City Administrator. Approval of requests to utilize more than 80 or 84 hours of holiday time be use for that holiday. Any holiday shall be subject to the following:
- a. The commissioned officer must have enough leave time not used by December 14<sup>th</sup> will available to use.
  - b. A written request seeking approval of the leave request and providing an explanation as to why the extra time is needed shall be submitted to the City Administrator.
  - c. Such request shall be provided to the City Administrator at least 30 days in advance of the anticipated use of the leave.
- (d) Upon voluntary resignation from city service, employees shall be paid out in the pay period in which December 15<sup>th</sup> falls. 25% of their unused holiday hours.
- (e) Upon involuntary separation from city service, employees shall not be entitled to receive payment of their unused holiday hours.

**RESOLUTION EXHIBIT B**

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

**7.1.5 Personal Hours Days.**

(a) ~~Personal Day(s) accrued~~ Days shall accrue as follows ~~to be taken at any time approved by supervisor:~~

(1) ~~Employees who have between three months to 15 years 1 day each year~~ One additional day for each 5 years of service thereafter with the City shall accrue 1 Personal Day each year.

(2) ~~New employees will accrue eight (8) Personal Hours from~~ One additional Personal Day shall accrue for every 5 years of service of the employee after their first 15 years of service.

(b) Personal Days may be used by employees at any time with the approval of their supervisor.

(c) Employees shall accrue 1 Personal Day (defined as 8 hours of leave time) on their date of hire and will be eligible to take the Personal Hours Day leave, in at least .25-hour increments, upon successful completion of the their 90-day introductory period.

(d) Commissioned Police Officers.

(1) In lieu of the foregoing, commissioned police officers will accrue personal hours based on their assigned shift length of 12-hours, 10-hours, or 08-hours.

(2) ~~Personal Hours accrued~~ shall accrue as follows ~~to and may be taken at any time approved by~~ with the approval of the employee's supervisor:

a. For commissioned police officer with between three months to 15 years of service with the City: —10

1. For those who work 12-hours shifts, they shall accrue 12 hours of Personal Hours each year (1 workday).

2. For those who work 10-hours shifts, they shall accrue 10 hours of Personal Hours each year (1 workday).

3. For those who work 08-hours shifts, they shall accrue 08 hours of Personal Hours each year (1 workday).

b. One additional hours workday worth of Personal Hours shall accrue for each every 5 years of service thereafter of the commissioned police officer after their first 15 years of service.

(3) New employees ~~will~~ who are commissioned police officers shall accrue ~~40 hours~~ of their applicable Personal Time from Hours (defined based on their shift length) on their date of hire, and will be eligible to take Personal Hours leave, in at least .25-hour increments, upon successful completion of the ~~the~~ their 90-day introductory period.

(e) Personal hours must be used by December 31 of the year in which they are accrued. Personal hours cannot be rolled over to the following year, ~~they are “use it or lose it”.~~ if unused by December 31 of the year in which that accrued.

## RESOLUTION EXHIBIT C

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

### 7.1.4 Floating Holidays

President's Day and Columbus Day are holidays designated as floating holidays in the ~~"Floating" Holiday procedure~~. Floating holidays may "float to another day in the year as designated by the City Administrator Management. This procedure will allow for a four (4) day holiday weekend July 4th and Christmas. ~~Management will assess the yearly calendar in November of each year and make recommendations to City Council at their December meeting as to the coming year's holiday schedule.~~

If a holiday floats, the observed date of holiday is considered a normal workday. When a given year only affords one or ~~even~~ no four (4) day weekend opportunities, the holidays (President's Day and Columbus Day) will be taken on their predetermined dates.

This Policy shall not apply to Commissioned Police Officers who are instead subject to the applicable provisions of Policy 7.1.3.