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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2330

AN ORDINANCE relating to employee work rules and conditions of employment; amending sections 1, 4, 7 and 14 of Ordinance 238 and section 2 of Ordinance 1942, as previously amended by sections 1, 3, 4, 5 and 11 of Ordinance 2293; and Bellevue City Code sections 3.80.010, .050, .060, .090, and .190; and adding new sections 3.80.010(FF), 3.80.055, and 3.80.310 to the Bellevue City Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance 238, as amended by section 1 of Ordinance 2293, and section 3.80.010, sub-section DD, are hereby amended to read as follows:

DD. "Holiday credit." Holiday credit, when earned as described in this chapter, entitles an employee to time off of work with pay at a time approved by the employee's department head or designee.

Section 2. A new sub-section FF is hereby added to section 3.80.010 of the Bellevue City Code, to read as follows:

FF. "Work week". The official work week of each employee shall be the seven consecutive days which begin with the employee's first regularly scheduled work day on or following Monday of each calendar week. Actual regularly scheduled days of work shall not exceed 40 hours of work spread over no more than 5 consecutive days.

Section 3. Section 2 of Ordinance 1942, as amended by Ordinance 2293, and Bellevue City Code, section 3.80.050 are hereby amended to read as follows:

3.80.050 Forty hour week - overtime. Nonexempt employees shall be compensated for authorized, required overtime by the receipt of extra pay at one and one-half times the normal rate of pay, or, to the extent permitted by state law, by the receipt of compensatory leave at the rate of one and one-half hours for each hour worked, or by a combination thereof, at the discretion of the department head after consultation with the employee. Overtime is defined as hours of compensated time in excess of eight hours per day or forty hours per week.

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The foregoing overtime provisions shall not apply to exempt employees.

Compensatory leave shall be scheduled at such time as the department head finds most suitable, considering the wishes of the employee and the requirements of the department.

The City Manager shall have the discretionary authority to grant overtime, on a straight time basis, in exceptional circumstances, to employees who are otherwise ineligible for overtime pay.

Section 4. A new section is hereby added to Chapter 3.80 of the Bellevue City Code, to be designated section 3.80.055 thereof and to read as follows:

3.80.055 Non-pyramiding of work and nonwork compensation. Compensation received by an employee for reasons other than work actually performed at the employee's City job assignment including but not limited to sick leave, vacation leave, emergency leave, funeral leave, compensating time, civil and military leave; shall not be pyramided one with another nor added to compensation for actual work performed during an employee's routine work schedule; PROVIDED however, that compensation for actual work performed during the employee's normal work schedule on a scheduled holiday shall be paid in addition to the holiday compensation described in 3.80.060.

Section 5. Section 4 of Ordinance 238, as amended by section 4 of Ordinance 2293, and Bellevue City Code, section 3.80.060 are hereby amended to read as follows:

3.80.060 Legal Holidays. In the operation of the administrative offices of the City, the following are legal holidays:

- A. The first day of January, commonly called New Year's Day;
- B. The twelfth day of February, being the anniversary of the birth of Abraham Lincoln; or in lieu thereof the City Manager may, with the concurrence of the Council, each year designate another day as a legal holiday;
- C. The third Monday of February, being the anniversary of the birth of George Washington;
- D. The last Monday of May, commonly known as Memorial Day;
- E. The fourth day of July, being the anniversary of the Declaration of Independence;

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- F. The first Monday of September, known as Labor Day;
- G. The eleventh day of November, known as Veterans Day;
- H. The fourth Thursday of November, known as Thanksgiving Day;
- I. The Friday after Thanksgiving;
- J. The twenty-fifth day of December, commonly called Christmas Day.
- K. One floating holiday, on such day as is selected by the employee and approved by the employee's department head.

When one of the above listed holidays falls on the sixth day of the employee work week, the City Manager shall designate either the fifth day of the work week or the first day of the next week to be observed as the holiday. When one of the above listed holidays falls on the seventh day of the employee work week, the following day shall be observed as the holiday.

All regular full-time and regular part-time employees not covered by the terms of a collective bargaining agreement will be paid during a pay period in which any authorized holiday occurs, as if subject holiday had been worked in the normal course of City business, PROVIDED however, that payment for an official holiday will be forfeited by an employee who incurs an uncompensated absence on the working day immediately preceding and/or following the holiday. Employees whose final day of City employment occurs on an official holiday will forfeit compensation for that day only if an uncompensated day of absence occurs on the work day immediately preceding the holiday.

Section 6. Section 7 of Ordinance 238, as amended by section 5 of Ordinance 2293, and Bellevue City Code, section 3.80.090 are hereby amended to read as follows:

3.80.090 Vacation Leave Time. Each regular full-time and regular part time employee shall accrue permissive time for vacation leave at the rate set forth below, based upon the employee's continuous length of service accumulated as of the most recent anniversary date of the employee's employment. Such vacation leave time shall not vest or be available to the employee until the employee has worked for the City a minimum of six calendar months. Vacation leave in hours shall be accrued according to the following schedule, for eligible employees upon the completion of each calendar month of service. An employee shall be eligible to claim only the vacation hours which have been earned and posted to the payroll records of

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the City at the end of the pay period in which the vacation was actually taken.

Length of Service	Annual Leave in Days Accrued Per Year of Service	Hours of Leave Accrued Per Month of Service
0 through 5 years	12	8
6 through 10 years	15	10
11 through 15 years	18	12
16 through 20 years	20	13 1/3
21 through 25 years	22	14 2/3
Over 25 years	25	16 2/3

At the discretion of the City Manager, a new employee of the City may be granted permissive time for vacation leave at a greater rate than that to which such employee is entitled under the above schedule.

Non-union fire department personnel who work on a twenty-four hour shift schedule shall receive additional vacation credit in lieu of holidays as provided in the labor contract governing union fire department personnel.

Section 7. Section 14 of Ordinance 238, as amended by section 11 of Ordinance 2293, and Bellevue City Code, section 3.80.190 are hereby amended to read as follows:

3.80.190 Terminal Vacation Pay. Upon the effective date of the termination of an employee's employment with the City, such employee shall thereupon be entitled to a sum of money equal to his former regular compensation for any earned vacation leave time or compensating time which has not been used or forfeited for failure to timely claim; and for unused holiday credit provided however, that in the event such employee fails to give the department head under whom he is employed at least two weeks notice of such termination of employment, the foregoing terminal vacation pay shall be forfeited.

Section 8. A new section is hereby added to Chapter 3.80 of the Bellevue City Code, to be designated section 3.80.310, and to read as follows:

3.80.310 Holiday Credit. Holiday credit is recorded and recognized in order to permit employees to enjoy a paid day off in lieu of regularly scheduled holidays in the following cases:

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1. The terms of employment requires an employee to work during a regularly scheduled holiday as a matter of routine.
2. The employees normal weekly non-working days occur on a scheduled holiday.
3. To record holiday credit to enable eligible employees to utilize the annual floating holiday specified in 3.80.060.

Accumulated holiday credit may be utilized by the taking of time off of scheduled work with pay after securing the approval of the employees immediate supervisor. Such holiday credit is not forfeited at the end of the year in which it is earned, but is converted to vacation credit at such time and is thereafter subject to all limitations and provisions pertaining to accrued vacation time.

Section 9. This Ordinance shall take effect and be in force 5 days after passage, approval and legal publication.

PASSED by the City Council this 9 day of August, 1976, and signed in authentication of its passage this 9 day of August, 1976.

(SEAL)

  
M. F. Vanik  
M. F. Vanik, Mayor

Approved as to form:

Lee Kraft  
Lee Kraft, City Attorney

Attest:

Patricia K. Weber  
Patricia K. Weber, City Clerk

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