ORDINANCE 2018-07

***
REPEALING AND RECREATING SECTION 22.06 (COMPENSATORY TIME AND OVERTIME) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to amend the compensatory time and overtime policies for personnel.

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, do ordain as follows:

**Section 1:** That Section 22.06 (Compensatory Time and Overtime) of the Municipal Code of the City of Prairie du Chien, Wisconsin shall be re-created to read as follows:

**22.06 (COMPENSATORY TIME AND OVERTIME)**

(1) NON-SALARIED EMPLOYEES. The following provisions shall govern all non-salaried employees. "Non-salaried employees" are defined as all full-time employees not included in the definition of “salaried employees” set forth in Section 22.06(2).

(a) Non-salaried employees who work in excess of 40 hours per week shall receive either overtime pay or compensatory time, as set forth below, but not both:

(i) Overtime pay: All non-salaried employees shall be paid one and a half (1 ½) times their regular rate of pay for all hours worked in any week in excess of forty (40) hours. Holidays, vacation, and sick leave shall be considered time worked in computing overtime. Employees may choose to be awarded compensatory time in lieu of overtime.

(ii) Compensatory time: Employees may accumulate a maximum of eighty (80) hours of compensatory time. When an employee has not reached that maximum, compensatory time shall be earned at the rate of 1 ½ times for each hour of overtime worked. Compensatory time may be taken at the employee’s discretion, upon prior approval by the department head, unless restricted based on department needs.

(b) Except in an emergency, all overtime or compensatory time must be approved in advance by an employee’s department head in order for the overtime or compensatory time to be credited to the employee. Working overtime without prior approval may be grounds for discipline. “Emergency” shall be defined as snow removal, flooding, water breaks, the unplugging of sewers, and wind and ice storm damage.

(c) If an employee is called to work outside the employee’s regularly scheduled work shift as defined in Municipal Code Section 22.07 or as established by the employee’s department head, the employee shall be paid one and a half (1 ½) times their regular rate of pay for those hours. Such an employee shall receive a minimum of one (1) hours’ pay at the overtime rate. Time worked past one hour will be compensated in 15-minute increments. This does not apply to an extension of the normally scheduled workday, for which employees shall be compensated for actual time worked in 15-minute increments at 1 ½ times their regular rate of pay.

(d) All employees are expected to respond when called in for overtime work during events where personnel are required to protect public health, safety, or welfare, and at any other times determined to be necessary by any department head. Failure to respond and be available for
work during regular or required overtime hours may be considered an unexcused absence and may be grounds for employee discipline or termination.

(e) Any regular hours approved by the department head and worked on Saturday or Sunday shall be compensated at one dollar and fifty cents ($1.50) per hour above the employee’s regular rate of pay. Any regular hours worked on Saturday that result in the employee having worked over forty (40) hours in that week shall be compensated at one and a half (1 ½) the employees rate of pay pursuant to Section 22.06(1)(a)(i) and shall not be eligible for the additional one dollar and fifty cents ($1.50) per hour.

(2) SALARIED EMPLOYEES. The following provisions shall govern all salaried employees. For this Section 22.06, “salaried employees” is defined as the City Administrator, City Clerk-Treasurer, Chief of Police, Police Lieutenant, Fire Chief, Utility Director, City Planner, Park & Recreation Director, Library Director, and Zoning Administrator.

(a) Salaried employees shall not receive credit for overtime worked in the form of pay. All overtime hours worked by salaried employee shall be reimbursed via compensatory time only pursuant to Section 22.06(1)(a)(ii) above.

(b) The Street Superintendent and all salaried employees except the City Administrator, shall receive approval from the City Administrator or his/her designee prior to working any hours eligible for compensatory time. The City Administrator shall receive approval from the Mayor or Council President prior to working any hours eligible for compensatory time.

(c) Salaried employees are subject to the term, requirements, and penalties set forth in Section 22.06(1)(d) above.

(3) MISCELLANEOUS PROVISIONS.

(a) Salaried and non-salaried employees will be compensated for hours spent in travel before and after normal working hours when the travel is to attend training programs that the employee is required to attend, subject to prior approval from the employee’s department head and the City Administrator.

(b) No part-time employee shall be offered overtime unless all full-time employees are already working overtime, are unavailable to work, or, in the judgment of the department head, are not physically able to perform the work.

Section 2: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

Section 3: This Ordinance shall be effective after its passage and publication as required by law.

Passed and approved this 17th day of July, 2018.

_____________________________________
David Hemmer, Mayor

ATTEST:

_____________________________________
Chad Abram, City Administrator
Certification

I, Tina Fuller, am the duly qualified and acting City Clerk of the City of Prairie du Chien, Crawford County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Common Council.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on this 18th day of July, 2018.

(SEAL)

________________________________________
Tina Fuller
City Clerk