

ORDINANCE NO. 133 - 2015

AN ORDINANCE AMENDING SECTION 21-33(G) OF THE CODE OF ORDINANCES TO GRANT THE CHIEF ADMINISTRATIVE OFFICER THE AUTHORITY TO EXTEND THE DEADLINE FOR VACATION CARRYOVER TO THE END OF A FISCAL YEAR PROVIDED THAT CERTAIN CONDITIONS ARE MET; AND AMENDING SECTION 21-33(H) OF THE CODE OF ORDINANCES TO PROVIDE THE PROCESS FOR PAYOUT OF VACATION LEAVE UPON SEPARATION OF SERVICE FOR EMPLOYEES WHO HAVE BEEN GRANTED AN EXTENSION.

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BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 21-33 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-33. - Vacation leave.

(a) Every classified civil service employee shall earn vacation leave at the rate of ten (10) hours per month of service for the first ten (10) years of service. Newly hired employees, however, shall, for the first month of employment only, earn vacation leave at the prorated rate of two and one-half (2½) hours for each full week of service. Every employee with more than ten (10) years of service shall earn vacation leave at the rate of fourteen (14) hours per month of service for the duration of employment. Employees may accumulate vacation leave but may not carry forward after the later of December 31 or the end of the first payroll period of each calendar year in which December 31 of the previous calendar year falls more than twenty-one (21) working days (one hundred sixty-eight (168) hours).

(b) Vacation leave may only be utilized upon the supervisor's approval of the prior written request of the employee. It may be used in any increment. Vacation leave will not be granted in excess of vacation credit earned by service prior to the starting date of leave. It shall be scheduled with regard to operating requirements, seniority of the employee, and, insofar as possible, with the written request of the employee. In situations where an employee is unable to obtain prior written approval, the employee may contact his supervisor and obtain verbal approval prior to using vacation leave. A leave form shall be submitted once the employee returns to work to document the verbal approval.

(c) Employees shall earn vacation leave during their probationary periods, but shall not be authorized to use it until they complete their probation; provided, however, that the following probationary employees may use vacation leave:

(1) Those with immediate prior urban county government service and no break in service.

(2) Those who exhaust sick leave and who can provide a doctor's excuse substantiating the need for leave.

(3) Those who are appointed to new positions during their probationary periods after six (6) months of urban county government service so long as the supervisor certifies to the director that the employee's service is satisfactory.

(d) Absences on account of sickness, injury or disability in excess of sick leave authorized in this chapter, for sick purposes may, at the written request of the employee and with the written consent of the supervisor and the approval of the director, be charged to vacation leave credit. No refund of vacation time shall be allowed for illness incurred while on vacation leave.

(e) Upon separation from service, all employees shall be paid for accumulated vacation leave at their then current pay rate under sections 21-25 and 21-31, computed on an hourly basis.

(f) The vacation leave provided by this section is personal in nature and shall not be transferable from one (1) employee to another for any purpose.

(g) The Chief Administrative Officer, may, upon request, extend the deadline for vacation carryover to the end of a fiscal year. Said extension shall only be granted in cases where employees are unable to use their leave time due to weather, work demands, or other extenuating circumstances as determined by the Chief Administrative Officer. Approved extensions shall be submitted in writing to the Division of Accounting with a copy of same to the Council Administrator.

(h) An employee who is granted an extension but separates from service prior to the end of the fiscal year shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for no more than one hundred sixty eight hours plus any hours of vacation leave accrued during the extension period (January 1 – June 30).

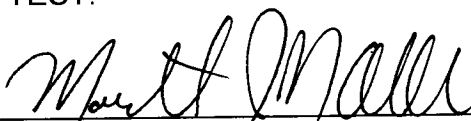
Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 3, 2015

MAYOR



ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: December 10, 2015

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