



## Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 15-138

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of February 3, 2015  
(Adoption Date)

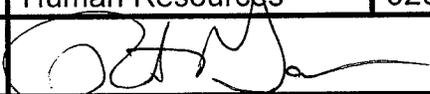
Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION AMENDING THE PERSONNEL MANUAL.

**PURPOSE(S) OF ACTION:**

Amend the City's personnel manual.

<b>COUNCIL DISTRICT:</b> N/A		
<b><u>Drafter/Staff Contact:</u></b> Andre Moquin	<b><u>Department/Section:</u></b> Human Resources	<b><u>Phone:</u></b> 528-3401
<b><u>City Manager Signature:</u></b> 		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

Section 22-33 of Las Cruces Municipal Code (LCMC) stipulates that Las Cruces City Council shall adopt by resolution a personnel manual consisting of personnel rules, regulations and procedures. The last revisions of the existing personnel manual were approved by Council on December 15, 2014. City staff has reviewed a specific section of the manual and recommends revisions based on changes to the City's holiday schedule.

The recommended changes are for Section 507 Personal Leave. The proposed amendment will remove a type of leave designated as birthday leave. The amount of personal leave will be increased by eight (8) to a prorated sixteen (16) hours per year, and by twelve (12) to a prorated twenty-four (24) hours for non-represented fifty-six (56) hour fire department personnel.

Final versions and legislative format of the proposed changes are found in Exhibit "A" and Attachment "A" respectively.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Personnel Manual Amendments.
3. Attachment "A", Legislative Format.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the Various Funds.
<b>Does this action create any revenue?</b>  N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: in the amount of \$ _____ for FY _____
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

This leave is a replacement for discontinued Birthday Leave, there is no change to the budget.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Various	Various	Various	Various	Various	Various

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the changes to the personnel manual.
2. Vote "No"; this will disapprove the changes to the personnel manual.
3. Vote to "Amend"; and provide changes to the resolution.
4. Vote to "Table"; and provide further direction to staff.

**REFERENCE INFORMATION:**

N/A

**RESOLUTION NO. 15-138**

**A RESOLUTION AMENDING THE PERSONNEL MANUAL.**

The City Council is informed that:

**WHEREAS**, Section 22-33 of Las Cruces Municipal Code (LCMC) stipulates that City Council shall adopt by resolution a personnel manual consisting of personnel rules, regulations and procedures; and

**WHEREAS**, the last revisions of the existing personnel manual were approved by City Council on December 15, 2014; and

**WHEREAS**, City staff reviewed the manual and recommends revisions based on changes to other leave benefits.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** the recommended changes to the existing personnel manual as outlined in Exhibit "A", attached hereto are hereby approved.

**(II)**

**THAT** City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

**DONE AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:

Councillor Silva:

Councillor Smith:

Councillor Pedroza:

Councillor Small:

Councillor Sorg:

Councillor Levatino:

\_\_\_\_\_  
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Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

507. PERSONAL. Regular and probationary employees shall accrue, at the beginning of the first full payroll of each calendar year, personal time off to conduct personal business as described below. The amount of Personal Leave authorized each calendar year is determined according to the employee's schedule. Personal leave shall accrue to contract employees in accordance with the terms of the contract and for grant-funded employees, in accordance with the terms of the grant.

A. PERSONAL LEAVE

1. Sixteen (16) hours per calendar year for employee's who are budgeted to work thirty-five (35) or more hours per week.
2. Twenty-four (24) hours per calendar year for fifty-six (56) hour non-union fire service employees.
3. Part-time regular employees shall accrue personal leave based on regular hours worked.
4. All unused personal leave shall be forfeited effective midnight, at the beginning of the first full pay period of each calendar year.
5. Personal Leave must be approved in advance and requested in the same manner as other paid leave.
6. An employee who has been approved for the use of personal leave shall not change that leave to sick leave, when applicable, without presenting management with a physician's statement verifying the illness.

507. PERSONAL/BIRTHDAY LEAVE. Regular and probationary employees shall accrue, at the beginning of the first full payroll of each calendar year, personal time off to conduct personal business as described below. The amount of Personal/Birthday Leave authorized each calendar year is determined according to the employee's schedule. Personal leave shall accrue to contract employees in accordance with the terms of the contract and for grant-funded employees, in accordance with the terms of the grant.

#### A. PERSONAL LEAVE

1. ~~Eight-Sixteen (168)~~ hours per calendar year for employee's who are budgeted to work thirty-five (35) or more hours per week.
2. Twelve (24) hours per calendar year for fifty-six (56) hour non-union fire service employees.
3. Part-time regular employees shall accrue personal leave based on regular hours worked.
4. All unused personal leave shall be forfeited effective midnight, at the beginning of the first full pay period of each calendar year.
5. Personal Leave must be approved in advance and requested in the same manner as other paid leave.
6. An employee who has been approved for the use of personal leave shall not change that leave to sick leave, when applicable, without presenting management with a physician's statement verifying the illness.

#### B. BIRTHDAY LEAVE

1. ~~Eight (8) hours per calendar year for employee's who are budgeted to work thirty-five (35) or more hours per week.~~
2. ~~Twelve (12) hours per calendar year for fifty six (56) hour non-union fire service employees.~~
3. ~~Part-time regular employees shall accrue Birthday Leave based on regular hours worked.~~
4. ~~Birthday Leave may only be taken on any day within the pay period coinciding with the employee's birthday.~~
5. ~~Birthday Leave must be approved in advance and requested in the same manner as other paid leave.~~
6. ~~An employee who has been approved for the use of Birthday Leave shall not change that leave to sick leave, when applicable, without presenting management with a physician's statement verifying the illness.~~
7. ~~Employees must take the full day. Less than full day (prorated eight (8) hours) increments of Birthday Leave shall not be approved.~~

~~8. Employees on leave without pay status for the applicable pay period will forfeit Birthday Leave.~~