

RESOLUTION NO. 18-40

**A RESOLUTION OF THE DRAPER CITY COUNCIL AMENDING
SECTIONS 4030, 6040, AND 6070 OF THE PERSONNEL POLICY
MANUAL CLARIFYING POLICY REQUIREMENTS**

WHEREAS, The City Council, from time to time, reviews and adopts policies and procedures to assist in the efficient utilization of scarce City resources and the fair and uniform application of requirements and benefits to City employees; and

WHEREAS, The City Council has reviewed the proposed amendments to the Personnel Policy Manual and has determined the need to clarify those sections; and

WHEREAS, The City Council believes these changes to the Personnel Policy Manual are in the best interest of the employees of Draper City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY,
STATE OF UTAH, AS FOLLOWS:**

Section 1. Amendment. The Draper City Council does hereby adopt the amendment to the Personnel Policy to include Section 4030, 6040, and 6070 as attached hereto as Exhibit "A".

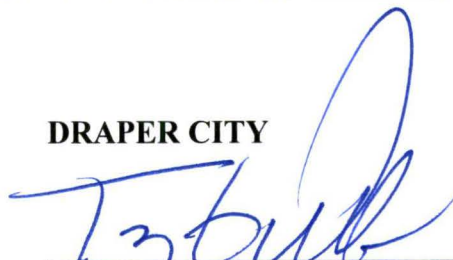
Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF
UTAH, THIS THE 5th DAY OF JUNE, 2018.**




DRAPER CITY



Mayor Troy K. Walker

ATTEST:



Rachelle Conner, MMC, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Green



Councilmember Lowery



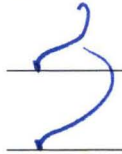
Councilmember Summerhays



Councilmember Vawdrey



Councilmember Weeks



Mayor Walker

EXHIBIT "A"

Section 4030 - Hiring of Relatives

1. Conditions. An employee's immediate relative may be hired provided the applicant can perform essential job functions. However, any such employment may not establish a direct or indirect managerial relationship, a real or apparent conflict of interest, a potentially adverse work situation, or be in the same department. The only exception to an employee's immediate relative being hired into or working in the same department is if they work in the Recreation Department, Fire Department or the Police Department. All Police Department employees shall abide by their adopted department policy that addresses nepotism and conflicting relationships and with Title 52, Chapter 3 of the Utah Code Annotated, as amended. All other requirements of this section still apply.

Section 6040 – OVERTIME, COMPENSATORY TIME AND ON-CALL PAY

On Call/Call back Compensation

1. On-call time is not considered "hours worked." It is generally characterized by a readiness to respond to a call, text page or other notice to report to an emergency situation. Employees on-call are expected to report as directed within 30 45 minutes of notification. Employees are not paid for time spent carrying a cell phone but are paid for actual time spent responding to calls, or for when they have returned to the work site. Time spent responding to calls (traveling to and from the work site) also counts as hours worked. ~~Time worked after reporting will be considered "hours worked."~~
3. D) As required by law, overtime pay is based on actual "hours worked." Time off for lunch breaks, vacation leave, funeral leave, jury leave, sick leave, compensatory time, or any leave of absence is not considered "hours worked" for purposes of calculating overtime. ~~If an employee works an extra shift or additional hours during a week where sick leave has also been used, the sick leave will be paid out at straight time and will not be counted as hours worked for overtime purposes.~~

Section 6070 – Leave Time

Holidays

5. Police and Fire may be regularly scheduled to work on a holiday. For this reason, Police and Fire employees will receive a bank of holiday time. When scheduling time off, it is required that Police and Fire employees use all accrued holiday leave before using accrued vacation leave.

Sick Leave

4. Sick leave does not count towards actual hours worked for the purpose of calculating overtime. ~~If an employee works an extra shift or additional hours during a week where sick leave has also been used, the sick leave will be paid out at straight time and will not be counted as hours worked for overtime purposes.~~
5. Vacation leave does not count towards actual hours worked for the purpose of calculating overtime. ~~If an employee works an extra shift or additional hours during a week where vacation leave has also been used, the vacation leave will be paid out at straight time and will not be counted as hours worked for overtime purposes.~~