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Ordinance No. 2233-3-92

AN ORDINANCE TO AMEND SUBSECTION I OF SECTION 3.02.002 AND SUBSECTIONS B2(b) AND B2(c) OF SECTION 3.02.022 OF CHAPTER 3.02 OF TITLE 3 OF ORDINANCE IN REVISION NO. 850, COMMONLY KNOWN AS THE MUNICIPAL CODE OF THE CITY OF HURON, SOUTH DAKOTA, PERTAINING TO PERSONNEL REGULATIONS – DEFINITIONS AND PAID LEAVES OF ABSENCE, RESPECTIVELY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF HURON, SOUTH DAKOTA:

That Subsection I of Section 3.02.002 and Subsections B2(b) and B2(c) of Section 3.02.022 of Chapter 3.02 of Title 3 of Ordinance in Revision No. 850 be amended to read as follows:

3.02.002 - Definitions.

- I. "Legal holidays" means New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Native American Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day. Christmas Eve Day: When Christmas Eve is on a Monday, Tuesday, Wednesday or Thursday the last four (4) hours of the employee's work shift is deemed a holiday.

3.02.022 Paid leaves of absence.

Leaves of absence with pay shall be granted for the following purposes and under the following conditions:

- B. HOLIDAYS. All holidays, as defined in this chapter, shall be observed.

2. Compensation for holidays shall be as follows:

- (b) An eligible employee, who normally works a twenty-four (24) hour shift, shall receive a day of compensation for all recognized holidays whether they do or do not perform work on the holiday. Employees shall accumulate substitute holiday hours at the rate of 11.08 hours per pay period (two hundred eighty-eight (288) holiday hours (12 x 24 hours) divided by twenty-six (26) pay periods) during calendar years when Christmas Eve is on a Friday, Saturday or Sunday and 11.24 hours per pay period (two hundred ninety-two (292) holiday hours divided by twenty-six (26) pay periods) during calendar years when Christmas Eve is on a Monday through Thursday, inclusive, Christmas Eve holiday is four (4) hours. These employees may accumulate up to one hundred twenty (120) hours of substitute holiday hours. Upon having accumulated one hundred twenty (120) hours of substitute holiday hours the employee will not accrue additional substitute holiday hours during subsequent pay periods until the employee has less than one hundred twenty (120) hours of substitute holiday hours accumulated. Use of substitute holiday hours:

- (1) Substitute holiday hours normally will be granted at the time requested by the employee, unless operational necessity prevents approval of the request. If there is a dispute as to operational

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necessity, the dispute may be presented at Step 2 of the grievance procedure.

- (2) An employee may utilize/use substitute holiday hours only if the employee has accrued and accumulated the number of substitute leave hours requested as of the date of intended use.
 - (3) There shall be no holiday pay in lieu of substitute holiday hours.
 - (4) Actual accrual of substitute holiday hours will be adjusted based upon the number of holidays remaining in the calendar year of hire or termination of employment.
- (c) Non-union police department employees who work twelve (12) hour shifts shall accumulate substitute holiday hours at the rate of 3.7 hours per pay period (ninety-six (96) hours divided by twenty-six (26) pay periods) during calendar years when Christmas Eve is on a Friday, Saturday or Sunday and 3.85 hours per pay period (one hundred (100) hours divided by twenty-six (26) pay periods) when Christmas Eve is on a Monday through Thursday, inclusive. These employees may accumulate up to a maximum of forty (40) hours of substitute holiday hours. Actual accrual of substitute holiday hours will be adjusted based upon the number of holidays remaining in the calendar year of hire or termination of employment.

Moved by Drew Weinreis, seconded by Bryan Smith to approve the second reading of Ordinance No. 2233-3-92 this 6th day of December, 2021. FOR: Bryan Smith, Drew Weinreis, Rich Bragg, and Gary Harrington. ABSENT: Mark Robish. CARRIED.

Gary Harrington, Mayor

Attest: Pullynn Carey, Finance Director