

ORDINANCE 18-14

AN ORDINANCE AMENDING ORDINANCE 13-03, THE TOWN OF FORT MYERS BEACH PERSONNEL MANUAL WHICH INCLUDES PROVISIONS RELATING TO EMPLOYMENT POLICIES AND PROCEDURES; EMPLOYEE BENEFITS; AND EMPLOYEE CONDUCT AND RESPONSIBILITIES; ORDINANCE 18-14 ADJUSTS THE HOURS OF WORK; PROVIDES FOR THE EXCHANGE OF ANNUAL LEAVE FOR PAY; PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND AN EFFECTIVE DATE.

WHEREAS, Article X of the Town Charter empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town previously passed Ordinance 13-03, known as the Town of Fort Myers Beach Personnel Manual; and

WHEREAS, the Town Council desires to adopt policies regarding the proper procedures, responses, and administration to and of hours of work; and

WHEREAS, the Town Council desires to adopt a policy providing for the exchange of annual leave for pay.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

Section 1. Ordinance 13-03 is amended as follows with new language underlined and deleted language struck-through.

Section 2. The remainder of the Employee Policy Manual remains in full force and effect except to the extent that the Employee Policy Manual contradicts the terms and provisions of this ordinance and/or the amended Sections identified as Hours of Work and Annual Leave.

Section 3. Ordinance 13-03 (the Town of Fort Myers Beach Personnel Policy) is hereby amended to modify the following section:

Hours of Work: The Town maintains work hours for all employees in accordance with federal and state regulations. An employee shall not alter his or her work hours without the prior approval of their Department Director. For purposes of calculating over time, the Town's work week commences at 12:00 AM Monday and ends at 12:00 AM of the following Monday.

Section 4. Ordinance 13-03 (the Town of Fort Myers Beach Personnel Policy) is hereby amended to modify the following section:

Annual Leave: ~~No employee shall be permitted to forgo their annual leave and receive pay in lieu of time off.~~ Any employee's annual leave that accrues in excess of 479 hours may elect to receive payment for the hours accrued above 479 upon the approval of the Town Manager. The

buyout of annual leave may occur twice (July and December) in each calendar year and must be in 40-hour increments.

Section 5. Hereafter, the Employee Personnel Policy Manual shall be subject to amendment by resolution.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Effective Date. This ordinance takes effect immediately upon adoption by the Town Council.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fort Myers Beach, that:

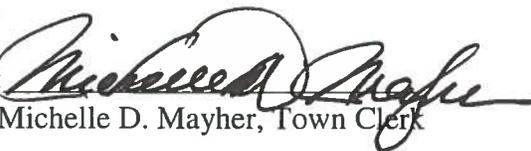
The foregoing ordinance was adopted by the Town Council upon a motion by Council Member Cereceda and seconded by Vice Mayor Shamp and upon being put to a roll call vote, the result was as follows:

Tracey Gore, Mayor	AYE	Joanne Shamp, Vice Mayor	AYE
Dennis Boback, Council Member	AYE	Bruce Butcher, Council Member	AYE
Anita Cereceda, Council Member	AYE		

DULY PASSED AND ADOPTED ON THIS 24th DAY OF SEPTEMBER, 2018.

ATTEST:

TOWN OF FORTMYERS BEACH

By: 
Michelle D. Mayher, Town Clerk

By: 
Tracey Gore, Mayor

Approved as to form by:


Peterson Law Group, Town Attorney