

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 18-O-17

Date Introduced: June 4, 2018

Sponsored By: Councilman Steven E. Goodin and Councilman Timothy W. Lindecamp

Amendments Adopted: July 9, 2018

Public Hearing: June 25, 2018

Date Adopted: July 9, 2018

Date Effective: July 30, 2018

AN ORDINANCE concerning

AMENDMENTS TO CITY'S PERSONNEL POLICY MANUAL (2)

FOR the purpose of amending certain provisions in the Personnel Policy Manual for the City of Aberdeen; and matters generally related to revisions to the City's Personnel Policy Manual.

BY repealing and re-enacting, with amendments
Chapter 1. GENERAL
Driver Requirements
City of Aberdeen Personnel Policy Manual

BY repealing and re-enacting, with amendments
Chapter 3. RECRUITMENT AND PROMOTION
Anti-Nepotism
City of Aberdeen Personnel Policy Manual

BY repealing and re-enacting, with amendments
Chapter 6. ATTENDANCE AND LEAVE
Rest Breaks, Vacation Leave, Personal Leave, Bereavement Leave, Inclement Weather
Policy and Modified Duty
City of Aberdeen Personnel Policy Manual

BY repealing and re-enacting, with amendments
Chapter 7. OTHER EMPLOYEE BENEFITS
Take Home Vehicle
City of Aberdeen Personnel Policy Manual

BY repealing and re-enacting, with amendments
Chapter 8. DISCIPLINE
Misconduct Subject to Disciplinary Action and Specific Disciplinary Action for Pattern
of Excessive Absenteeism
City of Aberdeen Personnel Policy Manual

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted
from the law by amendment.

* * * indicates existing unmodified text omitted from Ordinance

**SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF
ABERDEEN** that "Driver Requirements" provisions of the City of Aberdeen Personnel Policy
Manual, Chapter 1. GENERAL, are repealed and reenacted, with amendments, to read as follows:

CHAPTER 1. GENERAL

Driver Requirements

* * *

New Hires –Human Resources will stipulate to all new candidates for employment (via
letters to final candidate whose position requires them to drive a City vehicle) that the
offer is contingent on the candidate having a valid ((MD)) drivers' license (verified by
HR) or submitting a certified copy of their driver's record to Human Resources for
review. The candidate may submit proof of payment to Human Resources for
reimbursement of the cost of the certified driver's record. The job offer may be
withdrawn if the driver's record reflects the following:

* * *

SECTION 2: AND BE IT FURTHER ENACTED that "Anti-Nepotism" provisions of
the City of Aberdeen Personnel Policy Manual, Chapter 3. RECRUITMENT AND
PROMOTION, are repealed and reenacted, with amendments, to read as follows:

CHAPTER 3. RECRUITMENT AND PROMOTION

Anti-Nepotism

~~The City shall not (a) hire a relative of a Council member, City Manager or Department Head; or (b) hire any individual if the hiring would result in two or more relatives employed within the same department, unless the City Manager finds that the employment is in the best interests of the City due to exceptional training, education or ability.~~ THE CITY MAY EMPLOY RELATIVES OF CITY OFFICIALS AND EMPLOYEES, PROVIDED THAT A CITY OFFICIAL OR EMPLOYEE IS NOT THE DECISIONMAKER IN THE HIRING OF A RELATIVE, DOES NOT WORK IN THE SAME DEPARTMENT AS A RELATIVE, AND DOES NOT SUPERVISE THE WORK OF A RELATIVE.

Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, nephew, niece, aunt, uncle, son-in-law, daughter-in-law, brother-in-law, sister-in-law, DOMESTIC PARTNER, first cousin or resident of the same household.

SECTION 3: AND BE IT FURTHER ENACTED that “Rest Breaks”, “Vacation Leave”, “Personal Leave”, “Bereavement Leave”, “Inclement Weather Policy” and “Modified Duty” provisions of the City of Aberdeen Personnel Policy Manual, Chapter 6. ATTENDANCE AND LEAVE, are repealed and reenacted, with amendments, to read as follows:

CHAPTER 6. ATTENDANCE AND LEAVE

Rest Breaks

Employees are entitled to a rest break equivalent to 15 minutes for each four hours of work, based on operational requirements. This time is for any/all breaks and is not in addition to instances, such as “smoke breaks”, OR OTHER BREAKS FOR ELECTRONIC SMOKING. The time of the rest breaks, usually mid-morning and mid-afternoon, shall be determined by the employee’s immediate supervisor and are not accumulative in nature. Lunch periods may not be accumulated with rest breaks and cannot be used in order to leave early.

Vacation Leave

Vacation leave shall be accrued beginning the first of the month following 30 days of employment under the conditions hereinafter stated. No employee shall be permitted to use vacation leave for any period spent on unauthorized leave.

Full-time employees are entitled to paid vacation leave according to the following schedule; provided, no paid vacation leave may be taken during the first six (6) months of employment without prior approval of the Department Head OR DESIGNEE.

* * *

Employees ((may use accrued vacation leave and personal leave in units of not less than four hours) ARE ENCOURAGED TO AVOID USING ACCRUED VACATION LEAVE IN UNITS OF LESS THAN FOUR HOURS, DUE TO POTENTIAL OPERATIONAL SCHEDULING CONFLICTS.

* * *

Personal Leave

At the beginning of each calendar year, all full time employees will receive four (4) days of personal leave. Personal leave may be used for personal business and is subject to departmental procedures and the following rule:

- ((Must be taken in a minimum of four hour increments)) EMPLOYEES ARE ENCOURAGED TO AVOID USING ACCRUED PERSONAL LEAVE IN UNITS OF LESS THAN FOUR HOURS, DUE TO POTENTIAL OPERATIONAL SCHEDULING CONFLICTS.
- Employee must have supervisor's pre-approval in order to use personal leave. In emergency situations, the employee may seek supervisor's permission to use personal leave, provided the employee calls in at least one-half hour before the scheduled starting time.
- Personal leave cannot be accumulated or carried over to the next calendar year; it must be used on or before December 31 or be lost.
- Personal leave is a not reimbursable benefit; employees do not receive pay for unused personal leave upon termination of employment.

* * *

Bereavement Leave

((In the case of death of a member of a full-time employee's spouse, other dependents, parents, grandparents, siblings or domestic partner, full-time employees shall be granted paid bereavement leave not to exceed three (3) consecutive working days, or five (5) consecutive working days where the employee is required to travel more than 500 miles to attend such a relative's funeral or memorial service.)) IN THE CASE OF A DEATH IN THE IMMEDIATE FAMILY, AN EMPLOYEE WILL BE ENTITLED TO A THREE (3) DAY LEAVE OF ABSENCE WITH PAY. IN ADDITION, THE EMPLOYEE MAY REQUEST PERMISSION TO USE UP TO FIVE (5) DAYS OF VACATION AND/OR SICK LEAVE IN ORDER TO ATTEND THE FUNERAL, MAKE NECESSARY ARRANGEMENTS AND TEND TO THE DECEASED FAMILY MEMBER'S AFFAIRS.

THE TERM "IMMEDIATE FAMILY" MEANS THE EMPLOYEE'S SPOUSE, DOMESTIC PARTNER, CHILDREN, STEP-CHILDREN, FATHER, MOTHER, GUARDIAN, BROTHER, SISTER, GRANDPARENTS, GRANDCHILDREN, MOTHER-IN-LAW, FATHER-IN-LAW, SON-IN-LAW, DAUGHTER-IN-LAW. ONE DAY'S LEAVE WILL BE ALLOWED IN THE

1 EVENT OF THE DEATH OF THE EMPLOYEE'S BROTHER-IN-LAW OR SISTER-IN-LAW.
2 UPON REQUEST, THE EMPLOYEE MUST PRESENT PROOF OF DEATH OF A FAMILY
3 MEMBER.

4
5 Inclement Weather Policy

6 * * *

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9 When an emergency is declared, either during normal business hours or during non-business
10 hours, the City Manager will notify department heads, who in turn are responsible for notifying
11 their employees. The City Manager will also notify the Police Department dispatcher of the
12 emergency procedures that are in effect. Telephone and/or supervisor's notification will be used
13 to disseminate weather-related announcements as well as the City's website - (([www.aberdeen-](http://www.aberdeen-md.org)
14 [md.org](http://www.aberdeen-md.org))) WWW.ABERDEENMD.GOV. Telephone notifications may also be communicated via
15 automated telephone call.

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17 Modified Duty

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19 When determining modified duty placement involving altered duties or hours, Department Heads
20 of the respective department should address each situation on a case by case basis.
21 Considerations should include factors such as medical considerations, long term disability claims,
22 physical restrictions, work availability and demands, flexibility in scheduling, and/or other
23 interests of the City. EMPLOYEES MAY NOT WORK ON MODIFIED DUTY PLACEMENT
24 FOR MORE THAN THREE (3) MONTHS.

25
26 Modified duty placement can include a reduction in full time equivalency, limiting or altering
27 duties in the employee's existing position or temporarily reassigning the employee to another
28 position which he or she is qualified and capable to perform.

29
30 **SECTION 4: AND BE IT FURTHER ENACTED** that "Take Home Vehicle",
31 provisions of the City of Aberdeen Personnel Policy Manual, Chapter 7. OTHER EMPLOYEE
32 BENEFITS, are repealed and reenacted, with amendments, to read as follows:

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34 CHAPTER 7. OTHER EMPLOYEE BENEFITS

35
36 Take Home Vehicle

37
38 The City of Aberdeen has a Take Home Vehicle Policy that is incorporated by reference into this
39 Personnel Policy Manual. The Department Head or supervisor who authorizes and/or assigns an
40 employee a take home vehicle is responsible for notifying Human Resources so the appropriate
41 procedures can be initiated.

42
43 All City employees who are assigned a take home vehicle will be provided with a copy of the
44 policy and must sign a receipt acknowledging that the employee has received the policy and will
45 review it. All take home vehicles must be operated in accordance with the City's Take Home

Vehicle Policy, which is available upon request or upon assignment of a take home vehicle. A
TAKE HOME VEHICLE MAY BE A TAXABLE BENEFIT TO THE EMPLOYEE.

SECTION 5: AND BE IT FURTHER ENACTED that "Misconduct Subject to
Disciplinary Action" and "Specific Disciplinary Action for Pattern of Excessive Absenteeism",
provisions of the City of Aberdeen Personnel Policy Manual, Chapter 8. DISCIPLINE, are
repealed and reenacted, with amendments, to read as follows:

CHAPTER 8. DISCIPLINE

Misconduct Subject to Disciplinary Action

The following is a list of misconduct, which may subject an employee to disciplinary action. This
list is not exclusive; it is only representative of the types of misconduct which can subject an
employee to disciplinary action. An employee also may be subject to disciplinary action for
violating any other provision, policy or regulation of this Personnel Manual or other just cause.

* * *

- s) Smoking or possessing lighted tobacco products in or on any property, UNLESS
DESIGNATED AS A SMOKING AREA, or in any vehicle, owned, leased or used by
the City, including any City work sites.

* * *

Specific Disciplinary Action for Pattern of Excessive Absenteeism

Because an employee who is consistently absent from work without authorization has a
detrimental effect on the efficient operation of the City, specific discipline is provided in this
Chapter for where an employee has a pattern of excessive absenteeism. An employee who has ((3
or)) 4 occasions in a rolling year will be given a written reprimand. An employee who has 5
occasions in a rolling year will be suspended without pay for 5 days. An employee who has 6
occasions in a rolling year will be terminated.

SECTION 6: AND BE IT FURTHER ENACTED that this Ordinance shall become
effective twenty (20) calendar days following its adoption.

COUNCIL OF THE CITY OF ABERDEEN



Patrick L. McGrady, Mayor



Steven E. Goodin, Councilman



Sandra J. Landbeck, Councilwoman



Timothy W. Lindecamp, Councilman



Melvin T. Taylor, Councilman

ATTEST:

SEAL:



Monica A. Correll, City Clerk

Date

July 9, 2018