

ORDINANCE NO. : 1885

**AN ORDINANCE ESTABLISHING A
COMPENSATORY TIME AND OVERTIME
POLICY IN THE CITY OF PRICHARD, ALABAMA**

WHEREAS, in the past, the City of Prichard has been faced with paying out sums for compensatory time to employees who have worked beyond their regular scheduled shifts;

WHEREAS, payment for said compensatory time has not been budgeted and, as such, has often resulted in unanticipated payments from the general fund beyond that which has been appropriated for the payment of employee salaries and benefits

WHEREAS, the City's Plan for Readjustment of Debt filed and with and confirmed by the United States Bankruptcy Court on September 12, 2000, the City's General Fund Budget for Fiscal Year 1999-2000 and the proposed General Fund Budget for Fiscal Year 2000-2001 all contemplate that unbudgeted payments for compensatory time and overtime must be eliminated if the city is to operate within its means;

WHEREAS, it is understood that at various times it may be necessary to have employees work at special events such as the Juneteenth, grant events and at other times during emergencies or in extenuating circumstances to reasonably accommodate the operation of government;

WHEREAS, the City of Prichard is appreciative of its employees who work beyond the call of duty in aid of the citizens of Prichard even though the city may not always be able to reward them for their sacrifice and effort;

WHEREAS, the Mayor and City Council of Prichard are desirous of instituting a policy, pursuant to Sections 11-43C-11 and 11-43C-37 to manage compensatory time and overtime so as to prevent the accumulation of unbudgeted compensatory time and the accrual of overtime beyond that which has been appropriated in the city's budget, as the same may from time to time be amended;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF PRICHARD, ALABAMA**, as follows:

Section 1. **Over Time**. No employee of the City of Prichard shall be permitted or

allowed to incur overtime hours unless the same has been budgeted in the then current general fund budget of the city, the overtime to be worked has been approved by the Mayor of the City of Prichard and a certification has been issued by the city's finance director, comptroller, lead accountant or such other person acting in a position of authority to certify that city's budget contains sufficient appropriated and unobligated funds to cover said overtime.

Section 2. **Compensatory Time.** No employee of the City of Prichard shall be allowed or permitted to incur compensatory time, without the prior approval of the Mayor of the City of Prichard.

Section 3. **Compensatory Time Relief.** In the event that compensatory time is properly authorized or, where through some unavoidable event or emergency it is necessary for an employee to work beyond his or her regularly scheduled time, it shall be the duty of the department head, supervisor or other employee responsible for work assignments of said employee to ensure that an employee who works beyond his or her regularly scheduled time receives an equivalent amount of time off from work (during a time when the employee would ordinarily be scheduled to work) within seventy-two (72) hours of the time said employee has worked beyond his or her regularly scheduled time or shift.

Section 4. **Compensatory Time - Emergency.** In the event of an emergency or other extenuating circumstance which reasonably prevents compliance with the provisions of Section 3 hereof, the time requirements of that section may be extended, on the recommendation of the mayor and the vote of a majority of the city council, in order to accommodate such emergency or extenuating circumstance provided, however, that the time within which said employee must be allowed to be off from work to make up for the time he or she has worked beyond his or her regular time or shift shall not be extended more than ninety (90) days from the beginning of such emergency or extenuating circumstance, without a further extension by the mayor and council.

Section 5. **Mayor's Discretion.** The date and time when an employee shall be excused from work to comply with this policy shall lie within the sound discretion of the mayor. Nothing herein shall be construed to prevent the mayor's orderly scheduling of work assignments or the carrying out of his day to day responsibilities with respect to those in the administrative service to the city.

Section 6. **Personnel Board Rules.** This ordinance shall be construed in pari materia

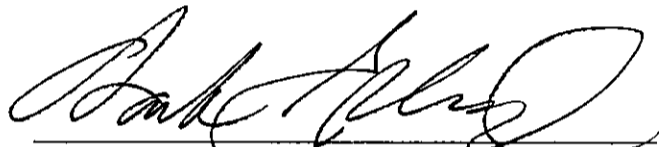
with the Rules of the Personnel Board of Mobile County, Alabama and, to the extent that this policy is not in conflict with said Rules, this policy shall govern overtime and compensatory time as herein provided.

Section 7. **Distribution**. The City Clerk of the City of Prichard shall distribute this ordinance to each department head, supervisor or other employee responsible for work assignments of employees and a copy of this ordinance shall be made a part of the personnel policy of the city.

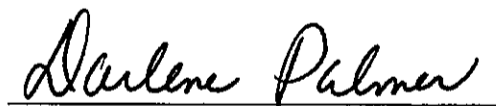
Section 7. **Repealer**. This ordinance shall supercede any prior ordinance, resolution, policy or directive to the contrary and all such ordinances, resolutions, policies or directives in conflict herewith are expressly repealed.

ADOPTED this the 19th day of September, 2000.

APPROVED:


HARK EPHRIAM, JR., Acting Mayor

ATTESTED:


DARLENE PALMER, City Clerk3