

ARTICLE VII. EMPLOYEE BENEFITS*

*Cross references: Equal employment opportunity, § 8-47 et seq.

DIVISION 1. GENERALLY**Sec. 2-451. Payments on account of sickness and injury.**

The city may make payments to its officers and employees for or on account of sickness and injury.

(Code 1960, § 2-7.2)

Sec. 2-452. Supplemental benefits to persons retiring prior to January 1, 1968.

Anything in this article or any other ordinance or provision notwithstanding, all persons who prior to January 1, 1968, were retired from the employment of the city under the retirement provisions of this article, whether by retirement for length of service or by disability, shall as of January 22, 1969, receive in addition to the amounts of pension otherwise provided for an additional \$2.00 per month multiplied by the number of years the person had been retired from the employment of the city calculated from the date of the retirement to January 22, 1969, which sum shall be paid each and every month hereafter following January 22, 1969:

(1) The benefits provided for under this section shall be calculated as of January 22, 1969, and shall not thereafter be recalculated so as to include any additional persons or to provide any additional increases other than those expressly provided for as of January 22, 1969.

(2) No prorations of years or parts of years will be considered in determining benefits under this section, it being expressly intended that the multiplier for the number of years of retirement since one's initial retirement date multiplied by \$2.00 per month shall be considered only as a whole year if the year has been completed as of January 22, 1969.

(Code 1960, § 20-95)

Secs. 2-453--2-465. Reserved.

DIVISION 2. COMPENSATION IN THE EVENT OF CATASTROPHIC CONDITIONS AND MUTUAL AID ASSISTANCE**Sec. 2-466. Application.**

This division applies to all FLSA overtime exempt regular employees not otherwise covered by

collective bargaining agreements (eligible employees).

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-467. Definitions.

As used in this division, unless the context clearly requires otherwise, the following words and terms shall have the meaning ascribed:

Incident: Any condition which constitutes a civil emergency or catastrophic condition, when so determined by the appropriate Charter officers.

Incident period: The time interval, as designated by the appropriate Charter officers, during which the incident occurs.

Major disaster: Any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, landslide, mudslide, snowstorm, or drought), or regardless of cause, any fire, flood, or explosion.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-468. Civil emergency or catastrophic conditions involving city facilities or operations.

If it is determined that civil emergency or catastrophic conditions exists or are imminent (incident), including, but not limited to, riots, civil disorders, major disasters, or similar catastrophes, exempt employees of the city who perform services on or for city facilities or operations related thereto may be required to work hours significantly in excess of their regularly scheduled workweek.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-469. Incident period(s), level of compensation.

(a) If an eligible employee works in excess of 84 hours in any seven consecutive days during an incident period, the employee shall be compensated as provided in subsection (b) for the hours worked in excess of 84 during the first such seven day period in a fiscal year. In the event other incidents occur during the same fiscal year, eligible employees shall be compensated as provided in subsection (b) for hours worked in excess of 44 in any seven consecutive day period during such incident period(s).

(b) The Charter officer(s) who has made the determination that an incident has occurred shall compensate eligible employees in a lump sum amount, as further provided in section 2-473, as follows:

Senior Managers*--Not eligible.

Middle Managers*--Straight time.

Managers*--Time and one-half.

***Note:** (as classified in the Affirmative Action Plan)

Administrative and Professionals--Time and one-half.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-470. Payments excluded from base salary and benefit calculations.

The lump sum payments made pursuant to this division will not be subject to deductions (i.e. 401a, 457, RHS plans) unless required by law (i.e. payroll, taxes), nor be included in the calculation of any base salary or fringe benefit (i.e., pension earnings, longevity). In accordance with F.S. § 166.021 (7), such payments may not be included in an eligible employees' regular base rate of pay and may not be carried forward in subsequent years.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-471. Administrative leave; holiday.

(a) Hours worked in excess of the regularly scheduled workweek during an incident period of a declared major disaster or emergency as described in 44 CFR § 206, that are not compensated for with a lump sum payment, shall be compensated for by the granting of administrative leave, pursuant to Policy 22, to the extent that such is available for each affected eligible employee.

(b) Some or all of the hours worked during an incident not described in (a) above, that are not compensated for (i.e., hours 40 -- 84) with a lump sum payment, may be compensated for by the granting of administrative leave in accordance with Policy 22.

(c) In the event that a designated city holiday occurs during an incident period, Charter Officers are authorized to provide eight hours of administrative leave, for each such holiday, to those eligible employees who worked thereon. Said hours of administrative leave, if granted, are in addition to those otherwise allowed under Policy 22.

(d) Hours worked, for which administrative leave is granted, shall not be compensated for by lump sum payments, nor except for hours described in subsection (a) above, be counted in determining whether an employee has worked the excess hours (>84;44) described in section 2-469.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-472. Mutual aid assistance.

When the appropriate Charter officer authorizes a mutual aid response to a natural disaster, or for emergency relief efforts, involving any non-city facilities or operations in other jurisdictions, the lump sum payment for all eligible employees will be at the rate of time and one-half for all hours worked over the eligible employee's normal workweek schedule.

(Ord. No. 040961, § 1, 4-28-05)

Sec. 2-473. Payment.

Lump sum payments for hours worked in incidents described in subsection 2-471(a) and section 2-472 shall be made as soon as feasible after the work has been performed and accounted for. Lump sum payments for hours worked in incidents described in subsection 2-471(b) shall only be made after the determination required by section 2-468 has been ratified by the city commission, and if such notification does not occur, no lump sum payments shall be due or made.

(Ord. No. 040961, § 1, 4-28-05)