

ORDINANCE NO. 182

**AN ORDINANCE AMENDING ORDINANCE NO. 130
WITH RESPECT TO LAW ENFORCEMENT HOLIDAY PAY
AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Goshen adopted Ordinances No. 130 on November 8, 2016, thereby establishing policies regarding compensation, leave and other matters concerning uniformed and non-uniformed employees of the City; and

WHEREAS, the City Council adopted Ordinance No. 164 on February 12, 2019, thereby amending sections of said policies; and

WHEREAS, the City of Goshen now desires and deems it advisable to amend the policies to change the procedure for payment of holiday compensation to law enforcement officers.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:

SECTION 1. The attachment to Ordinance 130 contains the aforementioned policies. Ordinance No. 164 amended that attachment. The following language is deleted from Ordinance 164 and from the attachment to Ordinance 130:

C. This section is added to the end of the policies adopted by Ordinance 130 and amends Ordinance 71, Section 2 (b) to the extent of any conflict herewith.

Police Paid Holidays. Employees of the police department are paid a salary and pursuant to Ark. Code Ann. § 14-52-105, holiday pay for each of the ten holidays recognized by the City in Ordinance 71 is included in their salaries, but shall be paid at a daily rate for that holiday during the pay period in which the holiday falls. If an officer of the police department is required to be on duty for a recognized holiday, the officer shall be paid for that day at a daily rate in addition to his holiday pay. Being paid for a holiday, but, not being on duty, does not count toward the calculation of accrued vacation time or compensatory times for that pay period. Being on duty for a holiday does count towards the calculation of accrued vacation time and compensatory time.

In its place the following language is inserted to reflect the Council's decision to change the procedure for payment of holiday compensation to law enforcement officers, as authorized by Ark. Code Ann. § 14-52-105, and to reflect the previous change from compensatory time to overtime pay:

Police Paid Holidays. Employees of the police department are paid a salary, and pursuant to Ark. Code Ann. § 14-52-105 holiday pay for each of the ten holidays recognized by the City in Ordinance 71 shall be paid in one (1) lump sum annually on a date in December designated by the municipality.

If an officer of the police department is required to be on duty for a recognized holiday, the officer shall be paid for that day at a daily rate in addition to holiday pay. Being paid for a holiday, but, not being on duty, does not count toward the calculation of accrued vacation time or overtime for that pay period. Being on duty for a holiday does count towards the calculation of accrued vacation time and overtime (for non-exempt law enforcement employees) for that period.

SECTION 2. EFFECTIVE DATE

This amendment shall be effective as of January 1, 2020.


SECTION 3. REPEALER

That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. EMERGENCY CLAUSE

The change to the procedure for payment of holiday compensation is needed immediately. It is hereby declared that based upon the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED THIS 14th day of January 2020.


Cathy Oliver, Mayor

ATTEST:


Linda Moore, Recorder Treasurer

ROLL CALL

Names of those voting YEA

Names of those voting NAY

Colton Martin
Birch Wright
Angie Driver
John Vaillancourt
Bill Hewat

Absent

Paula Anderson

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names of those voting YEA

Names of those voting NAY

Colton Martin
Birch Wright
Angie Driver
John Vaillancourt
Bill Hewat

Absent

Paula Anderson