

ORDINANCE NO. 3735

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MANAGEMENT LEAVE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 3.80.115 is hereby repealed.

Section 2. There is hereby created a new Section 3.80.115 of the Kirkland Municipal Code to read as follows:

3.80.115 Management leave for eligible employees.

(a) Purpose. The City recognizes that employees who are exempt for purposes of overtime pay often put in hours that extend beyond the standard workweek, without additional compensation or compensatory time off; to meet the demands of their position. While some extra work time is an expected component of these positions, the City wishes to provide a benefit in recognition of this service. This Section provides for management leave, which is a paid leave for a group of overtime exempt employees.

(b) Management Leave Program. The management leave program is a benefit attached to specific employee positions that are part of the City's MAC group. The MAC group includes designated management and confidential employees. Management leave is made available to certain employees in the MAC group whose positions are exempt from the overtime pay requirements of the federal Fair Labor Standards Act (FLSA). "Management leave" means time off with pay granted to eligible employees and shall be in addition to earned vacation benefits. Management leave is granted in recognition of extraordinary work time required in overtime exempt positions. Management leave is not intended to be balanced hour for hour with extra time worked.

(c) Eligibility to Receive Management Leave. For purposes of this Section, "eligible employee" means an employee who:

- (1) is part of the City's MAC group;
- (2) is overtime exempt under FLSA as a regular, salaried professional, administrative or executive employee;
- (3) does not receive overtime pay or compensatory time off and is not covered by an agreement for the City to pay overtime or provide compensatory time off; and

(4) is in a position covered by the management leave program.

(d) Management Leave Schedule. The Human Resources Division shall maintain a list of positions that are eligible for management leave and showing the amount of leave granted. Eligible employees shall be granted management leave according to the following schedule:

- (1) 50 hours annually—Executive Management Group (consisting of the City Manager, Assistant City Manager, and Department Heads);
- (2) 40 hours annually—Managers (consisting of positions designated as Managers in the MAC group); and
- (3) 30 hours annually—Supervisors (consisting of positions designated as overtime exempt Supervisors in the MAC group).

(e) Management leave shall be prorated for eligible employees who work part-time and for eligible employees who start mid-year.

(f) Procedure For Use. The applicable amount of management leave shall be granted annually beginning January 1, 2000, at the start of each calendar year. Eligible employees must notify supervisors in advance of the time management leave is to be used and are expected to schedule such absence in a manner which will cause the least impact upon work within their department.

(g) Payment for unused management leave. Management leave must be used in the year for which it is given. Any employee with management leave hours remaining unused as of November 30th, and who has not by that date received supervisory approval to use such remaining leave during the month of December, shall receive monetary payment in lieu thereof. Such payment will be calculated on the basis of the employee's regular rate of pay as of November 30th. The City will make such payment by the end of December of that year.

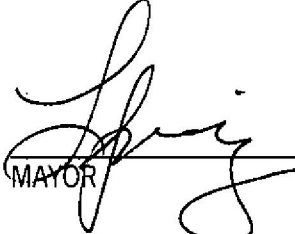
(h) Payments under this Section shall not be included in any calculation of the employee's average final compensation used to determine the employee's pension benefit amount or eligibility.

(i) Upon termination or resignation, unused management leave will be paid to an eligible employee on a pro rata basis.

Section 3. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of March, 2000.

Signed in authentication thereof this 7th day of March, 2000.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

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