

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI AMENDING THE HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS CHAPTER 125 SECTION: 125.160 SEPARATION FROM SERVICE WITH A REPEAL AND REPLACE OF ITEM B.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. That Section 125.160. Separation From Service, Item B is a repeal and replace to read as follows:

- B. *Reduction in Force and/or Hours.* Under certain circumstances, it may be necessary to eliminate employee positions or reduce hours due to budgetary needs, program reductions, re-organization, changes in needs or technology, or other business needs. The City Administrator may, after appropriate work analysis and assessment, eliminate position(s) through a reduction in force or institute a reduction in hours of a position(s) due to necessity. Reduction in force may impact any employee and terminations/layoffs of employment may be a result of the decision.
1. *Reduction in Force.* A reduction in force (RIF) is defined as a separation from employment due to the elimination of a position within a unit or department with the expectation that said position(s) are to be eliminated.
- a. Employee(s) affected may be offered a transfer to an open position, upon meeting the qualifications and job requirements of said position offered, to prevent or postpone a termination.
 - b. Selection of employee(s) to be laid off shall be based on the needs of the city, job function, and performance.
 - c. Notification of the reduction in force and stated layoffs to the employee(s) shall be written and given as far in advance as practical and in no case less than sixty (60) calendar days of the effective date.
 - d. Employees eligible for re-hire shall be placed on the Employment List for up to eighteen (18) months and shall have priority hiring status. Employees shall be recalled in order as they were placed on the Employment List and per job qualifications.
 - e. Employees reinstated within eighteen (18) months following the notification of said layoff may retain any unused or unpaid benefits accumulated prior to being laid off and waiting periods regarding insurance and retirement benefits, if any, per compliance with contractual agreement and laws at that time. The employment date will be reinstated to the original hire date. No leave benefits or time in grade accrues while in the laid off status, but vacation and personal accrual rates will be assigned accordingly.
 - f. *Severance Pay and Agreement.* Eligible employees shall receive severance pay based on years of service upon signing a separation agreement within an applicable timeframe which shall include the provision for separation, required release of claims, and applicable terms and conditions.
 - i. Severance pay for employees who are terminated due to a reduction in force shall be paid equivalent to one (1) week of every year of service, not to exceed twelve (12) weeks but no less than two (2) weeks.
 - ii. Additionally, employees shall receive compensation for their accrued vacation hours and comp time hours (non-exempt). In addition, seventy-

five (75%) percent of accrued personal hours shall be converted to 401A retirement dollars.

iii. Upon termination all Severance pay due shall be paid on the next regular payroll.

- 2. *Reduction in Hours.* A reduction in hours is defined as the reduction in the number of hours worked per week for any position within a unit or department with the expectation that the said reduction is not temporary in nature.
 - a. Employee(s) whose hours are reduced due to a reduction of hours to no less than eighty (80%) percent their regular hours works per week shall retain the benefits for which they were entitled to prior to the reduction of hours.
- 3. *Exclusions.* Term limited positions where the duration of the position is defined at the time of hire does not apply as outlined in this section, 125.160.B.

Section 2. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: April 4, 2019 READ SECOND TIME: April 18, 2019

I hereby certify that the above Ordinance No. 19.19 was duly passed on April 18, 2019 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

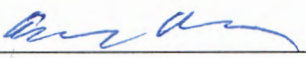
Ayes: 5 Nays: 0 Abstain: 0 Absent: 1

This Ordinance is hereby transmitted to the Mayor for his signature.

4/18/19
Date


Tara Berreth, City Clerk

Approved as to form:


Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 19.19.

4/18/19
Date


John Olivarri, Mayor

ATTEST:


Tara Berreth, City Clerk