

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: CB2

ORDINANCE NUMBER: 2019-2

TITLE: AN ORDINANCE AMENDING THE BLACK HAWK EMPLOYEE HANDBOOK DATED SEPTEMBER 2018, BY THE ADDITION OF A NEW SECTION 512 ENTITLED UNSCHEDULED PAY, AND A CORRESPONDING AMENDMENT TO SECTION 508 REGARDING OVERTIME PAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Pursuant to Article VIII, Section 18 of the City of Black Hawk Home Rule Charter, the City of Black Hawk Employee Handbook, approved September 2018, is hereby amended by the amendment of Section 508 regarding Overtime Pay and by the addition thereto of a new Section 512 to read as follows:

508 OVERTIME

When operating requirements or other needs cannot be met during normal working hours, non-exempt employees will be encouraged to volunteer for overtime work assignments. In certain circumstances, non-exempt employees may be required by their supervisor to work overtime hours. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state laws at the following rate(s):

1) One and one-half (1½) times straight-time rate for all hours worked over a 40hour in a 7-day authorized workweek for non-exempt employees. 2) One and one-half (1½) times straight-time rate for all hours worked over 80 in a 14-day pay period for sworn police officers. 3) One and one-half (1½) times straight-time rate for all hours worked over 182 in a 24-day work period for firefighters.

When a non-exempt employee accumulates hours in excess of the standard pay-period (40, 80, or 182 hours) with a combination of worked time and leave time, they will be paid straight time for all hours during the pay period (See Section 512 for exceptions). If the employee actually physically works hours in excess of the standard pay period, those excess hours worked will be paid at one and one-half (1½) times straight time.

512 UNSCHEDULED PAY

Unless otherwise entitled to overtime compensation for the same shift, Employees called upon to work unplanned or unscheduled time with less than 48 hours' notice, or at Department Directors discretion, will be paid at one and one-half (1 ½) times straight time rate for the hours worked regardless of the other work/leave during the work period.

Section 2. Nothing in the approval of this Ordinance and the amendment of the City of Black Hawk Employee Handbook, dated September 2018, shall be construed to modify the authority of the City Manager to enter into employment agreements with department directors consistent with Section 2-42(d) of the City of Black Hawk Municipal Code.

Section 3. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 23rd day of January, 2019.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

