

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2022-06**

**AN ORDINANCE TO AMEND SECTIONS 4.7, 10.7, 10.8, 10.9, 10.10, 10.11 AND 10.13  
OF THE CITY'S EMPLOYEE HANDBOOK**

**WHEREAS**, the City Council of the City of Daphne, after due consideration, believes it appropriate to amend several sections of the City of Daphne Employee Handbook for consistency with the revisions made to the City of Daphne Classification and Compensation Plan via Ordinance 2021-52;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:**

**SECTION I:**

That the following Sections of the Employee Handbook be amended:

Section 4.7	Temporary Assignments
Section 10.7	Pay Scale
Section 10.8	Cost of Living Adjustments
Section 10.9	Merit-Based Pay Increases
Section 10.10	Entry Level Pay for Newly-Hired and Promoted Employees
Section 10.11	Pay Level After Other Reassignments
Section 10.13	Pay Rate for Certain Rehired Former Employees

The specific revisions to these sections are set forth in Exhibit A to this Ordinance.

**SECTION II: REPEALER**

That any Ordinance, or parts thereof, heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance be and is hereby repealed to the extent of such conflict.

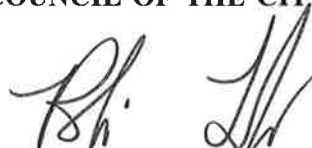
**SECTION III: SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION IV: EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 21st day of February, 2022.**

  
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Robin LeJeune, Mayor

**ATTEST:**

  
Candace G. Antinarella, CMC, City Clerk

EXHIBIT A

AMENDMENTS  
OF  
EXISTING POLICIES

## AMENDMENT OF SECTION 4.7

Amend the existing policy to include these revisions:

### **4.7. TEMPORARY ASSIGNMENTS**

Purpose. The appointing authority has discretion to place any employee on temporary assignment in another position for such purposes as training, accomplishing special projects, filling temporary vacancies, or other similar reasons.

Duration. Normally, a temporary assignment will not exceed ninety (90) continuous calendar days. However, the appointing authority has discretion to extend this period for up to ninety (90) additional calendar days.

Pay. During a temporary assignment, an employee's eligibility for overtime pay may change depending on whether the exempt or non-exempt classification of the temporary assignment job is different from the employee's usual job. An employee's pay rate will not change during a temporary assignment to a position with equal or lower pay rate. During a temporary assignment to a position with a higher pay rate than the employee's regular position, the employee's pay will not change during the first fifteen (15) working days of the temporary assignment. If the employee remains in the position with a higher pay rate for more than fifteen (15) continuously scheduled workdays, for the remainder of the assignment, the employee's pay rate will be adjusted to the minimum/entry-level of the new grade range for the temporarily assigned job, or the employee will be paid five percent (5%) higher than the regular pay rate, whichever is higher. Upon completion of the temporary assignment, the employee's pay will revert back to the pay rate of the employee's regular position.

## **AMENDMENT OF SECTION 10.7**

Amend the existing policy to include these revisions:

### **10.7. PAY SCALE**

Overview. The City has an established Pay Scale containing 40 grades applicable to all positions in the unclassified, classified, and part-time services. The Pay Scale is available for review by employees in the human resources department.

Pay Rates. The City sets employee pay rates on the Pay Scale based on minimum, midpoint, and maximum points of the salary/wage range for each position. Current employee pay rates are based on a progression from the rate applicable at the time of adoption or revision of the Pay Scale. A newly hired employee's rate will be based on the minimum requirements of position, the minimum rate of an assigned grade range, and previous experience relative to the job for which the employee has been hired. In general, employee pay rates on the Pay Scale are an hourly rate of pay. Exempt employees and certain non-exempt employees who have been designated by the Mayor as salaried employees will be paid a salary each pay period. Such salary is based upon the hours that the employee is normally expected to work during the pay period and the approved hourly rate of pay for the job as determined from the Pay Scale. Normally, this will be forty (40) hours, however, in those situations where an employee is expected to work more or fewer hours per pay period, the salary will be based upon the expected hours of work.

## **AMENDMENT OF SECTION 10.8 (renumber Section 10.9)**

Amend the existing policy to include these revisions:

### **10.8. COST OF LIVING ADJUSTMENTS**

The Mayor and City Council may utilize Cost of Living Adjustment (“COLA”) to amend the Pay Scale to provide salary increases to all employees. The established budget adoption process is the primary method to implement a COLA. But COLA also may be approved at any other time as the Mayor and City Council may determine appropriate and necessary. Any approved and adopted COLA will be applied uniformly to all job grades, or may be implemented as a percentage-based increase or an increase in a fixed amount that is applied to all pay grades within the Pay Scale. Regardless of how the COLA is implemented, the Pay Scale will be adjusted accordingly. Enactment of a COLA does not affect the grade of employees but instead alters the pay rate for all grades as specified in the adopted COLA.

## **AMENDMENT OF SECTION 10.9 (renumber 10.8)**

Amend the existing policy to include these revisions:

### **10.9. MERIT-BASED PAY INCREASES**

Merit-based pay increases may be awarded to individual employees based on performance. A Department Head may request a merit-based increase for employees demonstrating exceptional job performance. Merit increases will be a designated percentage or a fixed amount of pay, as determined by the Mayor with input from the Human Resources Director.

Funding for merit pay increases is subject to appropriated funds in the annual budget, as adopted or amended from time to time by the City Council. The annual budget must include a line item to provide allocation, if any, for merit pay increases. Factors considered in awarding merit-based increases include the allocation amount, number of requests, and performance demonstrated by the employee. Upon the award of a merit increase by the Mayor, funding to cover the increase in salary for the award shall be transferred to the corresponding department's personnel budget.

The Human Resource Director will place documentation concerning approved merit increases and the reasons for approval in the employee's personnel file.

## AMENDMENT OF SECTION 10.10

Amend the existing policy to include these revisions:

### **10.10. ENTRY LEVEL PAY FOR NEWLY-HIRED AND PROMOTED EMPLOYEES.**

General Rule – New Hires. The entry-level rate of pay for a new salaried or hourly employee in the unclassified, classified, or part-time service will be established at the minimum level of pay for the employee's job as authorized in the Pay Scale. But in order to ensure adequate opportunity for performance based salary advancement for all employees, including exceptional situations, the entry pay grade for any new employee must not exceed the midpoint of the salary/wage range.

General Rule - Promotions. When an employee is promoted to another job, the default pay will be established at the entry level of the new pay grade. If the entry level of pay for the new pay grade is less than a ten percent (10%) increase from the previous position's pay, the pay established for the promoted employee must be set at ten percent (10%) more than the pay grade of the previous position.

Exceptional Circumstances – Higher Pay Rate. The City recognizes that there are hiring and promotion situations that require additional pay considerations beyond what is normally allowed. When these situations occur, it will be the Department Head's responsibility to make a pay rate recommendation and to document the individual's qualifications and any other exceptional circumstances surrounding the hiring or promotion decision. The Mayor can review the information and decide if the pay rate recommendation is appropriate. The Mayor has the final authority to approve entry-level pay for newly hired or promoted employees not to exceed the midpoint of the wage/salary range on the Pay Scale, with no further action required by the City Council, provided that funds are available in the City's personnel budget. An appropriation by the City Council is required if adequate funds are not available. Should the pay requirements further exceed the midpoint of the wage/salary range, the Mayor may request the City Council to review the qualifications and approve a pay rate between the midpoint and maximum points of the salary range.

Documentation. All circumstances outlined and included herein must be fully documented and provided to Human Resources for inclusion in personnel files.

## **AMENDMENT OF SECTION 10.11**

Amend the existing policy to include these revisions:

### **10.11. PAY LEVEL AFTER OTHER REASSIGNMENTS**

Transfer. An employee's pay rate will remain the same as before a reassignment when an employee is transferred to another job. However, any adjustments that are required due to a change in the hours that a salaried employee is expected to work during the pay period will be made.

Demotion. When the City demotes an employee to a new job, the employee's pay will be established at the same relative position in the pay range of the pay grade for the new job that it was in the pay range of the job held prior to demotion. Such pay will be at least five percent (5%) below the pay the employee received prior to the demotion. However, under no circumstances will a demoted employee's pay exceed the maximum point of the salary range, or be less than the minimum point of the salary range authorized for the pay grade of the new job.

Return to Old or Comparable Job Before Completing Probationary Period. If a promoted employee returns to the former job, or a comparable job, before completing the required probationary period, the City will return the employee's pay rate to rate in effect prior to the promotion. However, the employee's pay will be increased or decreased to reflect any general adjustments applied to other employees that would have otherwise affected the employee's pay.



## **AMENDMENT OF SECTION 10.13**

Amend the existing policy to include these revisions:

### **10.13. PAY RATE FOR CERTAIN REHIRED FORMER EMPLOYEES.**

If a former unclassified, classified or part-time employee who left the City in good standing is rehired to a vacant position in the unclassified, classified, or part-time service after a break in service of less than 180 days, the Department Head may request to the Mayor that the pay of the employee be established at the same relative rate in the pay range of the pay grade level for the job as it was before the employee's break in service, as long as the return rate of pay is not below the minimum of the grade range for the job to which the employee is assigned at rehire.