

**CITY OF OSAWATOMIE, KANSAS**

**RESOLUTION NO. 914**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF OSAWATOMIE MAKING THE FOLLOWING CHANGES TO THE UNIFORM PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF OSAWATOMIE KANSAS.**

**WHEREAS**, the Uniform Personnel Policies and Guidelines were established and made effective on January 1, 2015; and

**WHEREAS**, over time there are required changes necessary to preserve dollars, reduce future liabilities, clarify guidelines and reflect changes that have occurred in the recruitment, retention and ongoing compensation of employees.

**NOW, THEREFORE**, be it resolved by the Governing Body of the City of Osawatomie:

**Section 1.** The Governing Body hereby amends Chapter 1, Section I – Purpose, Subsection c, to read as follows,

“c) The Policies and Guidelines are presented for informational and guidance purposes only. The Policies and Guidelines apply to all City employees and supersedes or replaces any prior City personnel policy manuals and memoranda which were issued on subjects covered in this Policies and Guidelines. The Policies and Guidelines do not apply to the contract legal employees, contract economic development employees or Governing Body. The City reserves the right, in its sole discretion, to alter, amend, delete, supplement or change, at any time and without advance notice, any of its policies, including those covered in this manual. New or revised policies shall be effective on dates determined by the City and shall remain in effect until the City gives notice to the contrary. The City shall notify employees of any revisions to the Policies and Guidelines or its policies. Amended, superseded or deleted policies shall not be relied upon.”

**Section 2.** The Governing Body hereby amends Chapter 10, Section V – Overtime, Subsection b, to read as follows,

“Overtime for pay purposes, will include all actual hours worked in excess of 40 hours in a one-week work period. “Hours worked”, for the purposes of calculating overtime pay, ~~shall~~ will not include any hours taken during the pay period such as vacation, sick leave, or other time authorized in these rules. This shall include paid holidays.”

**Section 3.** The Governing Body hereby replaces in its entirety Chapter 10, Section VI – Compensatory Time Off, with the following,

**“VI. Compensatory Time Off**

- a) Eligibility. Effective 09/01/2021 employees are no longer eligible to work overtime and receive compensatory time in lieu of overtime.”
- b) Use of Accrued Compensatory Time. Usage of compensatory time is subject to supervisor’s approval and is dependent on available personnel and the needs of the city.
- c) Compensatory Pay. If compensation is paid to an eligible employee for accrued compensatory time off, the compensation will be paid at the regular rate earned by the employee at the time the employee receives such payment. An eligible employee who has accrued compensatory time off upon termination will be paid for the unused compensatory time.
- d) Records. The official time and attendance records maintained by the /city will be the controlling records for any compensatory time purpose. The city may pay an employee in whole or in part, for accumulated compensatory time, at any time.
- e) Deadline for the use of Compensatory Pay. All accrued compensatory pay must be used by September 30, 2022.”

**Section 4.** The Governing Body hereby adds the following to Chapter 10, Section VX – Shift-Differential,

- a) Upon the approval of the City Manager a shift-differential can be paid for those employees who are required to work the “midnight” shift. This shall be reviewed on an annual basis to makes sure it is appropriate and that funds are available to pay it.

**Section 5.** The Governing Body hereby amends Chapter 6, Section VIII Residency Requirement as follows,

**“VIII. Residency Requirements**

The City of Osawatomie encourages all employees to make the City they work for their home. Applicants for any open position who are residents of the City of Osawatomie shall be given preference over non-residents, all other qualifications being equal. Residency requirements for City of Osawatomie employees include the following:

- ~~a) The City Manager, Assistant City Manager, Director of Public Safety and the Police Chief and Assistant Police Chief shall live within the city limits.~~

New a)

- b) Police ~~Officer~~ Personnel shall live within 30 minutes of the Osawatomie Police Station, as determined by the Police Chief.

New b)

- c) Certain employees of the Department of Utilities and Public Works, who collect standby pay or are subject to call out for emergencies, shall live within ~~the Osawatomie School District, or an equivalent response time from another location with the area.~~ 30 minutes of their assigned work address. ~~Employees who live outside of the Osawatomie School District and wish to participate in these positions shall submit a request for consideration of their response time/distance.~~

New c)

- d) Each department within the City maintains the right to establish emergency response times for certain positions that may be more stringent than this established minimum.
- ~~e) Any City employee whose primary residency does not meet the criteria for the current position as set out above, as of January 1, 2015 is "grandfathered" at their existing residential address and not subject to this section unless: (1) a previous requirement to relocate to the City already exists as a condition of employment; or (2) upon promotion or transfer to a new position has residency requirements as set forth in subsections a thru d above."~~

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas, this 26th day of August, 2021, a majority voting in favor of.

**APPROVED** and signed by the Mayor.

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L. Mark Govea, Mayor

(SEAL)

ATTEST:

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Tammy Seamands, City Clerk