

ORDINANCE NO. 1969

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 9, SECTION 9 BY ADDING SUBSECTION (D), PROVIDING FOR THE ACCUMULATION AND PAYMENT OF SICK TIME FOR EMPLOYEES IN THE CLASSIFIED SERVICE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Terrell, Texas, has adopted the Texas Municipal Civil Service Act; and,

WHEREAS, the Texas Local Government Code in Section 143.045 provides for the accumulation and payment of sick time and upon severance of employee; and,

WHEREAS, the City has determined it is in the best interest of the employee/employer relationship to define the terms and conditions of such sick time. **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

SECTION 1. That Chapter 9, Section 9 of the Code of Ordinances of the City of Terrell shall be amended by adding Subsection (D) and shall read as follows:

"(D) SICK TIME.

(1) A fire fighter or police officer, whose appointment is in substantial compliance Chapter 143 *et. seq.*, Texas Local Government Code, as amended, is allowed sick leave with pay accumulated at a rate of one and one-quarter (1 1/4) full working days for each full month employed in a calendar year, so as to total fifteen (15) working days to a persons credit each twelve (12) months.

(2) A fire fighter or police officer may accumulate sick leave without limit and may use the sick leave if unable to work because of a bona fide illness.

(3) A fire fighter or police officer who leaves the classified service for any reason is entitled to receive a lump sum payment in the full amount of the persons salary for the accumulated sick leave if the person has accumulated not more than ninety (90) days of sick leave. If the fire fighter or police officer has more than ninety (90) working days of sick leave, the city shall limit payment to the amount that the person would have received if the person had been allowed to use the ninety (90) days of accumulated sick leave during the last six months of their employment. For the purposes of determining the lump sum payment, each accumulated sick day is considered to be a shift, as defined by State law."

SECTION 2. SAVINGS CLAUSE The Code of Ordinances of the City of Terrell, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. SEVERABILITY CLAUSE If any article, paragraph, subdivision, clause or provision of this ordinance, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provide.

PASSED AND APPROVED ON THIS 4TH DAY OF MAY, 1999.
PASSED AND ADOPTED ON THIS 18TH DAY OF MAY, 1999.

HENRY C. MADGWICK, SR., MAYOR

ATTEST:

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

MARY GAYLE RAMSEY, CITY ATTORNEY