



ORDINANCE NO. 28575

1 BY REQUEST OF COUNCIL MEMBER HUNTER

2 AN ORDINANCE relating to employee health and safety; amending Chapter 1.12
3 of the Tacoma Municipal Code, relating to the authority of the City Manager
4 and Director of Utilities to grant leave during severe inclement weather or
5 conditions, by adding thereto a new Section 1.12.280, entitled "Inclement
6 weather or conditions," retroactive to February 11, 2019.

7 WHEREAS difficult commuting conditions caused by flooding, snow, ice,
8 windstorm, or other severe weather conditions may create unsafe or hazardous
9 commuting conditions for City employees to report to scheduled work locations,
10 and

11 WHEREAS the City Manager, for general government departments, and the
12 Director of Utilities, for the divisions of the Department of Public Utilities, are vested
13 with the authority to control the work schedules of employees and to grant requests
14 for leave, and

15 WHEREAS, due to the recent major snow event, the City Manager and
16 Director of Utilities, to safeguard the health and safety of employees, delayed the
17 opening of City administrative offices on February 11, 2019, which has resulted in
18 the potential loss of pay for hourly paid employees who are not covered by
19 collective bargaining units, and

21 WHEREAS the City Manager and Director of Utilities desire to clarify this
22 authority as related to inclement weather and conditions by expressly authorizing
23 the City Manager and Director of Utilities, or designees, to issue a formal notice
24 declaring an inclement weather condition to exist and upon that declaration,
25 approve leave of absences for employees who are unable to report for scheduled
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work because of such inclement weather or conditions, including the authority of the City Manager and Director of Utilities, or designees, to grant jointly, but not separately, up to two hours of paid time for tardiness and/or early departure when inclement weather conditions warrant, and

WHEREAS, to address the impact of pay inequities among employee groups resulting from the delayed opening of City administrative offices, the City Council finds that this ordinance should be retroactive to February 11, 2019, to authorize the City Manager and Director of Utilities to provide wages to these impacted employees; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 1.12 of the Tacoma Municipal Code is hereby amended by the addition thereto of a new Section 1.12.280, entitled "Inclement weather or conditions," retroactive to February 11, 2019, as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



EXHIBIT "A"

Chapter 1.12 Compensation Plan

Sections:

* * *

LEAVES OF ABSENCE

- 1.12.200 Holidays with pay.
- 1.12.210 Holidays – Belt Line Railway.
- 1.12.220 Vacation allowance with pay.
- 1.12.229 VEBA Accounts.
- 1.12.230 Sick allowance with pay.
- 1.12.231 Sick allowance with pay – Locomotive Engineer, Railway Switch Operator, Railway Switching Supervisor, and Railway Yardmaster.
- 1.12.232 Sick allowance with pay – LEOFF I Police and Fire personnel.
- 1.12.240 Sick leave without pay.
- 1.12.242 *Repealed.*
- 1.12.245 Leave sharing.
- 1.12.246 Leave-Based Contribution Program.
- 1.12.248 Personal Time Off plan.
- 1.12.250 Leave with pay.
- 1.12.260 Military leave without pay.
- 1.12.265 Leave without pay.
- 1.12.270 Cancellation of leaves of absence.
- 1.12.280 Inclement weather or conditions.

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1.12.280 Inclement weather or conditions.

A. In the event of difficult commuting conditions caused by flooding, snow, ice, windstorm, or other severe weather condition which may create unsafe or hazardous commuting conditions, the City Manager, for general government departments, and Director of Utilities, for the divisions of the Department of Public Utilities, or designees, may issue a formal notice declaring an inclement weather condition to exist. Upon that declaration, an absence due to an employee's inability to report for scheduled work because of severe inclement weather or conditions shall be charged to the following leave categories:

1. Any accrued compensatory time;
2. Any accrued personal time off;
3. Any accrued vacation leave;
4. Accrued sick leave up to a maximum of three days in any calendar year;
5. Leave without pay.

B. The City Manager and Director of Utilities, or designees, may jointly, but not separately, authorize up to two hours of paid time for tardiness and/or early departure when inclement weather conditions warrant. Inclement weather tardiness or early departure in excess of the time authorized by the City Manager and Director of Utilities, or designees, shall be charged as provided in Subsection A, above.