ORDINANCE #69193
Board Bill No. 107
Committee Substitute

An ordinance to regulate employer and employee working relationships between the City of St. Louis Medical Examiner's Office including a compensation plan, terms and conditions of employment, benefits, leaves of absence, repealing Ordinance 68710; allocating certain other employees to a grade with rate and including an emergency clause. The provisions of the sections contained in this ordinance shall be effective with the start of the first pay period following approval by the Mayor.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. ALPHABETICAL LIST OF CLASSES

(a) Beginning with the effective date of this ordinance, the following positions in the Medical Examiner's Office with bi-weekly rates are hereby allocated as listed below in accordance with the classification plan by the Chief Medical Examiner to a grade and overtime code in the following section with rates established in Section 2 of this ordinance.

GRADE/TITLE	CODE	SCHEDULE	OVTM
Administrative Secretary	1137	13G	3
Autopsy Technician I	5411	09G	3
Autopsy Technician III	5413	12G	3
Autopsy Technician Supervisor	5414	13G	3
Computer Operator I	1323	10G	3
Computer Operator II	1324	11G	3
Computer Operator III	1325	12G	3
Computer Programmer I	1331	13G	3
Computer Programmer II	1332	14G	3
Computer Programmer III	1333	15G	3
Custodian/Courier	3711	06G	3
Document Specialist I	5643	11G	3
Document Specialist II	5644	12G	3
Executive Asst. to the Chief Medical Examiner	1735	18M	1
Executive Secretary	1136	14G	3
Forensic Office Administrator I	1621	18M	3
Forensic Office Administrator II	1622	20M	1
Forensic Office Administrator III	1623	22M	1
Medical Transcriptionist	1122	12G	3
Medicolegal Investigation Supervisor	2355	16M	2
Medicolegal Investigator I	2351	13G	3
Medicolegal Investigator II	2352	14G	3
Medicolegal Investigator III	2353	16G	3
Medicolegal Investigator IV	2354	17G	1
Morgue Attendant	5410	08G	3
Record File Clerk	1111	09G	3
Secretary	1132	10G	3
Typist Clerk I	1121	08G	3
Typist Clerk II	1122	09G	3
Typist Clerk III	1123	10G	3
Telephone Operator	1161	06G	3
X-ray Technician	5441	11G	3
Intern - Level 1	9991	00I	3
Intern - Level 2	9992	00I	3
Intern - Level 3	9993	00I	3
Intern - Level 4	9994	00I	3
Intern - Level 5	9995	00I	3
Intern - Level 6	9996	00I	3

SECTION TWO. OFFICIAL PAY SCHEDULE FOR CLASSIFICATION GRADES

The Chief Medical Examiner is hereby recommending as the compensation schedule for all pay grades established in Section One of this ordinance, the following ranges of salary.

(a) GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE:

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix "G" or "M" shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance:

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

GRADE	MINIMUM	MAXIMUM
5	713	1070
6	773	1163
7	840	1239
8	912	1374
9	989	1492
10	1074	1625
11	1169	1768
12	1270	1923
13	1400	2124
14	1605	2436
15	1839	2796
16	2110	3207
17	2421	3683
18	2777	4230
19	3189	4858
20	3662	5580
21	3951	5624
22	4263	6503
23	4601	7021

(b) SHIFT DIFFERENTIAL: Shift differential shall be paid for certain work assignments. The Chief Medical Examiner shall determine the work assignments for which shift differential will be paid. The assignment or removal of an employee from a work assignment having a shift differential shall be determined by the Chief Medical Examiner and will not constitute a promotion, demotion, advancement or reduction in pay. The shift differential shall be added to the employee's regular bi-weekly rate.

(1) In order for an employee to be eligible for shift differential compensation for a work shift, the employee must regularly work a shift that requires the completion of four (4) hours of work between the hours of 4:00 p.m. and 8:00 a.m. the following morning. Employees who are regularly assigned to work schedules that require them to rotate among three shifts (day, evening, night) on a bi-monthly or more frequent basis shall be eligible for shift differential compensation for all three shifts worked.

For employees whose pay range is established in Section 2(a)(1) the shift differential premium shall be one percent (1%) of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period.

(2) Except as otherwise provided in this ordinance, shift differential shall not be paid to employees compensated on an hourly or per performance basis, or bi-weekly paid employees who work part-time. Neither shall shift differential be paid to full-time regular employees docked for any portion of an eligible shift.

(3) An employee whose pay range is established in Section 2(a)(1), shall receive shift differential for working a portion of an eligible shift. Shift differential shall only be paid for whole hours worked, providing the portion of the shift not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. An employee whose pay range is established in Section 2(a)(1), shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

(c) WEEKEND DIFFERENTIAL: When employees whose pay range is established in Section 2(a)(1), work on a Saturday and/or a Sunday they may be eligible for weekend differential. This differential shall be one percent (1%) of an employee's base bi-weekly rate and shall not be paid for any overtime worked that is not part of an employee's regular schedule. An employee shall receive weekend differential for working any portion of an eligible day. Weekend differential shall not be paid to employees compensated on an hourly or per performance basis or bi-weekly paid employees who work part-time. Neither will the weekend differential be paid to full-time regular employees docked for any portion of a day on which the differential would otherwise be paid.

(d) The Chief Medical Examiner may establish per performance rates of pay, hourly rates of pay, or rates of pay for units of work and the conditions for making of any such payments. Such per performance, hourly, or unit-of-work rates may be computed from the bi-weekly scales established in this ordinance. Per performance, hourly, or unit-of-work rates shall be established considering the nature of employment, community practices in compensating similar employment, and the purpose of the program for which the rate is established. Employees paid per performance, hourly, or unit-of-work rates of pay shall not be entitled to vacation, sick leave or holiday leave with pay or other benefits accorded employees paid a bi-weekly rate except that a manager or supervisor, with the prior approval of the Chief Medical Examiner, and when sufficient funds have been appropriated for the fiscal year, may establish a modified level or type of benefit program when the provision of such benefit is needed in order to attract and retain sufficiently qualified employees to work in specific per performance, hourly, or unit-of-work assignments.

Administrative staff is not permitted to utilize per performance and hourly employees as a method of replacing bi-weekly rate employees who would be entitled to employee benefits. Therefore, per performance and hourly employees will be limited to an equivalent of ten (10) months of full time employment per year.

(e) The Chief Medical Examiner may establish trainee rates of pay. Such trainee rates may be established on an hourly, per performance or bi-weekly basis and shall be less than the rate paid to a regular employee.

(f) The Chief Medical Examiner may establish rates and conditions under which compensation may be granted for periods of time during which an employee is away from the job site but restricted in his/her activities because of an assignment by a manager or supervisor to be available for a call to return to the work site to perform emergency duties. Pay rates and conditions established under the provisions of this Section 2(f) may include reasonable minimum pay guarantees for employees required to return to the work site to perform emergency duties.

The provisions of this Section 2(f) shall not be construed to restrict the right of any manager or supervisor to establish call back procedures for employees as an established condition of employment.

(g) The Chief Medical Examiner may authorize payment of special recruitment bonuses, travel, moving and related expenses to recruit employees for positions when funds for this purpose are appropriated to the Medical Examiner.

(h) The Chief Medical Examiner may approve the payment of hiring incentives to current employees to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual salary of the position for which the recruitment is made.

(i) (1) The Chief Medical Examiner, may establish cash awards or other incentives for an employee or group of employees to recognize and reward increased productivity or effectiveness. The incentives offered may include cash, paid time off, and such other reasonable incentives as the Chief Medical Examiner may determine. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose.

(2) The Chief Medical Examiner may establish a program of cash awards or other incentives, not to exceed ten percent (10%) of annual salary, paid as an addition to pay, for the purpose of providing additional compensation for employees who are fluent in a foreign language and who use this skill in the necessary and regular recurring performance of the duties of their position. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose. Cash awards and incentives under this program shall be made in accordance with guidelines established by the Chief Medical Examiner.

(3) Notwithstanding any other provision in this ordinance, the Chief Medical Examiner is authorized to establish a program of incentives not to exceed twenty-four percent (24%) of the maximum of the pay range for the purpose of compensating positions which are extremely hard to fill.

(4) The Chief Medical Examiner may provide an Employee Suggestion Program, which grants cash and other awards to recognize employee suggestions, which improve Medical Examiner's Offices, operations or facilities. Cash awards to employees for suggestions resulting in tangible savings to the City shall not exceed ten percent (10%) of the annual tangible net savings. Cash awards and payments for other awards shall be made from an appropriation for a suggestion program or other appropriate account. Additionally, cash awards for suggestions shall be granted as an addition to pay, which does not change an employee's bi-weekly rate. The Employee Suggestion Program shall be administered in accordance with regulations established by the Chief Medical Examiner. The Chief Medical Examiner may establish an authority to evaluate suggestions and determine awards; the decisions of this authority shall be final.

(j) An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten percent (10%) higher than prescribed for the class in Section 2 of this ordinance on recommendation of a manager or supervisor with the prior approval of the Chief Medical Examiner. This shall be granted as an addition to pay, which does not change an employee's bi-weekly rate. Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position or that the employee is registered or certified by an organization or board recognized by the Chief Medical Examiner to be especially suited, considering the duties of the position, and when such academic qualification, registration, or certification is not deemed a necessary qualification for the class of position.

The Chief Medical Examiner may also establish other bonus, incentive, or reimbursement programs to encourage current employees to attain registration, licensure, certification, or proof of professional mastery when it is deemed to be in the best interest of the Medical Examiner's Office, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements awarded under such programs do not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

(k) Temporary assignment differential will be paid for certain assignments when a vacancy exists for any reason (e.g., separations, extended vacation, leave of absence, military leave, etc.) in a position with a higher pay grade, and shall be granted for at least one (1) pay period but not more than thirteen (13) pay periods. The Chief Medical Examiner will determine the assignments for which the temporary assignment differential will be paid. The assignment or removal of an employee from said assignment having a temporary assignment differential will be determined by a manager or supervisor and will not constitute a promotion, demotion, advancement, or reduction in pay. The intended employee must meet the minimum qualifications for the position to be assigned. The temporary assignment differential shall be computed as an addition to pay and not affect the employee's regular bi-weekly rate.

For an employee whose pay range is established in Section 2(a)(1), with the prior approval of the Chief Medical Examiner, the temporary assignment differential will be ten percent (10%) of the employee's regular base bi-weekly rate added as an addition to pay for each bi-weekly period worked, not to exceed thirteen (13) pay periods.

(l) Medical Examiner employees who are required by their manager or supervisor to routinely use their personal vehicle in the performance of their duties shall be compensated with a vehicle maintenance and use allowance in accordance with guidelines approved by the Chief Medical Examiner.

SECTION THREE. SALARY RANGE LIMITATIONS

No employee in the Medical Examiner's Office shall be paid at a rate lower than the minimum or higher than the maximum of the salary range established for the class to which his/her position has been allocated, except as otherwise provided in this ordinance.

SECTION FOUR. STARTING SALARY

(a) The rate of pay to be paid upon original appointment to the class shall be determined by the Chief Medical Examiner for the position.

(b) Except as otherwise provided in this ordinance, the minimum rate of pay for a position shall be paid upon original appointment to the class unless the Chief Medical Examiner finds that it is difficult to secure the services of persons with minimum qualifications or experienced qualified persons at the minimum rate. The Chief Medical Examiner may appoint an individual at a step above the range minimum for the reasons stated above.

The Chief Medical Examiner may establish a recruitment rate for a single position or all positions in a class and authorize employment at an amount above the minimum but at a step within the regular range of salary established for the class. When a

recruitment rate is established for an entire class, employees in such class may have their salaries adjusted to appropriate rates in the new range resulting from the establishment of the recruitment rate.

In the event that the Chief Medical Examiner finds that it is difficult to secure the services of sufficient numbers of employees for a class or occupational series after a diligent recruitment effort, the Chief Medical Examiner may establish a new maximum rate for the class(es) which will not exceed twenty-five percent (25%) above the maximum established in this ordinance and convert that extension according to existing matrix structure.

SECTION FIVE. PROMOTION, DEMOTION, REALLOCATION, TRANSFER AND TEMPORARY PROMOTION

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his/her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee in the Medical Examiner's Office from a position of one class to a position of another class with a higher pay grade or a higher starting minimum salary.

(1) When an employee is promoted to a position in the General or Management Pay Schedule, the employee's current salary shall be increased by five percent (5%) higher than the rate received immediately prior to promotion but not less than the adjusted current rate. A manager or supervisor, with the prior approval of the Chief Medical Examiner, may pay an employee up to twenty percent (20%) when such action is needed to attract experienced, qualified candidates for a position. The Chief Medical Examiner shall determine the appropriate pay in such instances. Such salary determinations shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(2) Temporary Promotion: Promotions of Medical Examiner employees whose salary ranges are established in Section 2(a)(1), regardless of status, made for a limited duration, shall result in a salary adjustment as in Paragraph (a)(1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former step, adjusted by any increases the employee may have received in the absence of the temporary promotion. In no case shall the employee's salary be above the maximum of the salary range, unless otherwise provide for in this ordinance.

(b) Demotion: This shall be defined as a change of an employee in the Medical Examiner's Office from a position of one class to a position of another class which has a lower pay grade and a lower starting minimum salary.

(1) If an employee is demoted for disciplinary reasons in accordance with the Rules of the Medical Examiner's Office and established disciplinary procedures, his/her rate of pay shall be established at a step within the range for the new position to be determined by the Chief Medical Examiner.

(2) If an employee accepts a voluntary demotion, his/her current rate of pay shall first be reduced by five percent (5%) and then set to a step within the lower pay range that may be equal to but not greater than the adjusted rate. Employees who are in a working test period and demote to their previous class of position or pay grade, will return to the rate received immediately prior to the promotion, plus any adjustments as otherwise provided in this ordinance. No employee shall be paid less than the minimum nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(3) When an employee is demoted for reasons in the best interest of the Medical Examiner's Office as determined by the Chief Medical Examiner, his/her salary shall not be reduced by reason of the new salary range and grade. If the salary of such employee is above the maximum for the new position the employee's salary shall not be increased so long as he/she remains in the position, except as otherwise provided by this ordinance.

(c) Reallocation:

(1) If the employee's position is reallocated to a class in a lower pay grade and the employee's rate of pay for the previous position is within the salary range of the new position, his/her salary shall remain unchanged.

(2) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 5 (a)(1) relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(e) Over Maximum: The salary of an employee, which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his/her position has been allocated or may be reallocated, shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he/she remains in the class of position, except as otherwise provided by this ordinance.

SECTION SIX. SALARY ADJUSTMENT

Salary adjustments for all employees in competitive positions shall be based on considerations of merit or success in fulfilling predetermined goals and objectives as herein provided.

(a) Full time positions for which salary is established in Section 2(a)(1) - General and Management Schedule:

(1) Any employee whose salary is established in the General, Professional, and Management Pay Schedule shall receive a service rating in accordance with their Service Rating Manual.

(3) A non-exempt Overtime Code 3 employee whose pay is established in Section 2(a)(1) of this ordinance who receives an Overall Rating of "Unsuccessful" as defined by the Service Rating Manual, shall have his/her salary reduced as determined by the standards established in the Service Rating Manual, but not less than the minimum of the pay grade range.

(b) As used in this ordinance, "anniversary date" means the date following fifty-two (52) weeks of continuous service from the date of original appointment or from the date of the last salary adjustment, if other than a temporary reduction in pay for disciplinary reasons, a demotion or an across-the-board ordinance increase, an increase resulting from an authorized incentive program, or an upgrade of the classification concurrent with adoption of the ordinance. Absence from service as a result of any authorized paid leave, suspensions, military leave, or family/medical leave will not interrupt continuous service. Absence from service for any other cause shall result in breaking continuity of service and establishment of a new anniversary date, except as otherwise provided in this ordinance. The Chief Medical Examiner may authorize different anniversary dates for an employee or groups of employees.

(c) A manager or supervisor may evaluate the performance of an employee whose salary is established in Section 2(a)(1) of this ordinance for the purpose of a salary adjustment only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The manager or supervisor of an employee who demonstrates exceptional performance of duties in accordance with the City's Service Rating Manual, with the prior approval of the Chief Medical Examiner, may advance the employee by not more than ten percent (10%) after twenty-six (26) weeks of employment at the same rate in the salary range, providing the manager or supervisor submits to the Chief Medical Examiner the full details and reasons for the advancement in salary, which may be in addition to any merit increase received.

(2) Substandard performance of duties:

The manager or supervisor of an employee whose level of performance is significantly diminished and no longer warrants payment at the current step of the range may have his/her salary reduced, in accordance with the Service Rating Manual provided the employee is above the minimum of the range, is not allocated to Overtime Code 1 or Overtime Code 2.

The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period, as determined by the Chief Medical Examiner, following approval of such salary action.

(d) The Chief Medical Examiner may approve, at the request of a manager or supervisor, adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustments under this provision shall preclude adjustments to

compensate or reward employees for long-term or meritorious service.

(e) The pay of any employee may be decreased as a disciplinary action by a manager or supervisor to a lower step within a salary range. Any such decrease shall be made in accordance with the Medical Examiner's Service Rules and established disciplinary procedures. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The Chief Medical Examiner may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods provided, however, that such decrease shall not be effective for more than thirteen (13) bi-weekly pay periods.

(f) An employee who is temporarily promoted shall be eligible for within range salary adjustments under provisions of this Section 6.

(g) The Chief Medical Examiner may approve a within range salary adjustment or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

(h) All maximum of the ranges have been increased by 2%.

(i) Any employee shall receive a service rating in accordance with the Medical Examiner’s Service Rating System. The rating together with the standards of performance established within the rating system shall determine eligibility for a 2% within-range (merit) increase at intervals as outlined in the Medical Examiner’s Rating System or other pay regulations as determined by the Medical Examiner.

(j) In the event this ordinance does not become effective in time for the first bi-weekly pay period in Fiscal Year ’13, employees whose service ratings would be due at that time and thereafter and whose rating would warrant receiving a 2% increase, will receive the increase on the first pay period following passage.

SECTION SEVEN. INCOME SOURCES

Any salary paid to an employee in the Medical Examiner's Office shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days a week or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

SECTION EIGHT. CONVERSION

(a) All pay schedules in Ordinance 68710 shall continue in effect.

(b) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(c) The salary of an employee serving in a trainee position, which remains above the new trainee rate for his/her position, shall remain unchanged.

(d) The Chief Medical Examiner shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

SECTION NINE. PAYMENT OF SALARIES

All compensation for positions in the Medical Examiner's Office shall be paid bi-weekly. The payment due each employee for service, except as otherwise provided, shall be made not later than sixteen (16) days after the end of the bi-weekly pay period. In the event that an employee is dismissed or has been employed for occasional or emergency work, the Comptroller may immediately pay the employee upon termination of service without waiting for the regular bi-weekly pay date of the Department, Division, Section, or Office where the employee worked.

SECTION TEN. CHANGES TO CLASSIFICATION PLAN

Whenever the Chief Medical Examiner finds it necessary to add a new class to the classification plan, the Chief Medical Examiner shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Aldermen of this action.

Whenever the Chief Medical Examiner finds it necessary to change the pay schedule of an existing class within the classification plan, the Chief Medical Examiner shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Aldermen of this action.

The pay grade allocated to a class of position within the classification plan shall remain unchanged for the duration of the existing compensation ordinance. Whenever the Chief Medical Examiner considers it necessary to change the pay grade of an established class of position, such adjustment can only be made concurrent with the adoption of a new compensation ordinance. Recommendation for the allocation of a new pay grade shall be made by the Chief Medical Examiner for final approval by the Board of Aldermen.

SECTION ELEVEN. CERTIFICATION OF PAYROLL

The Chief Medical Examiner shall certify on each payroll or a subsidiary document that each person whose name appears on the payroll has been lawfully appointed at a salary provided by this ordinance and that the employee has actually worked the time for which he/she will be paid, subject to the provisions of this ordinance governing hours of work and leaves of absence in the Medical Examiner's Office.

SECTION TWELVE. OVERTIME

(a) The Chief Medical Examiner shall determine those positions in the Medical Examiner's Office of the City of St. Louis which are exempt from overtime compensation and those positions which are not exempt from overtime compensation. The overtime codes established for each class in Section 1(a) of this ordinance shall be interpreted as follows:

OVERTIME CODE:

1 These classes are primarily managerial in nature, but may also include some professional or administrative classes that are ineligible for overtime pay under all but emergency conditions as described in Section 15(d) of this ordinance.

2 These are supervisory, professional, and administrative classes that are exempt from overtime compensation, but which the City compensates for overtime at the straight (1.0x) time rate.

3 These are non-exempt classes that receive overtime compensation at the one and one-half (1.5x) time rate.

Any employee in a class which has been allocated to Overtime Code 3 (non-exempt) in this ordinance shall be compensated for overtime work in accordance with the provisions of this section. Each manager or supervisor shall designate and submit to the Chief Medical Examiner the official work week and schedule or work cycle for all non-exempt positions in the work unit. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. Whenever an Overtime Code 3 employee works hours in excess of the maximum established for an official work week or work cycle, usually forty (40) hours in a work week, such hours shall be paid at the one-and-one-half time (1.5 xs) rate. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, and holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation.

Section Supervisors and Managers are prohibited from changing employee work schedules to avoid the payment of overtime.

For purposes of determining overtime pay rates for non-exempt employees, the regular hourly rate of pay shall be used.

(b) Any employee in a class which has been allocated to Overtime Code 2 in Section 1(a) of this ordinance shall be compensated for overtime by granting the employee pay or compensatory time off at the straight (1.0x) time rate. Each manager or supervisor shall designate and submit to the Chief Medical Examiner the official work week or work cycle, which is usually forty (40) hours, for all exempt (Code 2) positions in the work unit. Whenever a full-time employee in an exempt (Code 2) position is directed by management, with the approval of the manager or supervisor, to work hours in excess of the maximum established for an official work week or work cycle it shall be considered overtime. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, and holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation. Straight time (1.0x) overtime shall be compensated at the employee's regular hourly rate of pay, or by granting the eligible employee compensatory time off at the rate of one hour for each hour of overtime worked. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. The regular hourly rate of pay for an exempt (Code 2) bi-weekly paid employee shall be determined by dividing the employee's regular bi-weekly rate of pay by the average number of regularly scheduled hours of work in a bi-weekly pay period.

(c) Part-time bi-weekly paid employees and employees paid on an hourly or per performance basis shall be compensated for overtime work in accordance with the overtime provisions of this section and with consideration for community practices in compensating similar employment.

(d) A manager or supervisor may compensate Overtime Code 1 employees at the straight-time (1.0x) rate, when both of the following conditions exist: 1) the Mayor of the City of St. Louis declares an emergency due to serious and protracted conditions which threaten continuous Medical Examiner's Office, preservation of public peace, health, or safety, and 2) the manager or supervisor directs an employee or group of employees to work in excess of forty (40) hours per week. The manager or supervisor shall maintain attendance records of the assignment(s) and submit such records at the request of the Chief Medical Examiner.

(e) Pay shall be the regular method of compensation for recorded overtime hours of work for employees in classes with Overtime and Code 3. A manager or supervisor may compensate a non-exempt bi-weekly paid employee for overtime work by granting the employee compensatory time off in lieu of pay only if the employee requests compensatory time.

Employees engaged in public safety, emergency response or seasonal activity may have a maximum balance of two hundred forty (240) hours of compensatory time; all other employees are allowed a maximum balance of one hundred twenty (120) hours of compensatory time. These maximum balances of compensatory time shall apply to employees working an average work week of forty (40) hours; the maximum balance of compensatory time for employees whose average work week is more or less than forty (40) hours shall be proportionate. No provision of this section establishing a maximum balance of compensatory time shall serve to cancel any compensatory time due to an employee or to deny an employee payment for recorded compensatory time earned in accordance with the provisions of the compensation ordinance in effect at the time the compensatory time was earned.

Each manager or supervisor shall establish procedures to assure that non-exempt employees are promptly granted time off when such employees request to use their earned compensatory time. Appointing authorities may not deny non-exempt employees' requests for earned compensatory time off except when such approval would create an extreme business hardship. When a manager or supervisor determines that the work schedule of the organization will not permit the granting of such time off, the manager or supervisor shall pay the employee in that same pay period for all or a portion equivalent to the time requested of the employee's accrued compensatory time. This provision requiring the prompt granting of requested time off applies only to compensatory time that is earned as a result of the employee working overtime; it does not apply to compensatory time earned as a result of an incentive program or bonus award program.

Compensatory time earned by exempt employees shall be granted to an employee at the discretion of the manager or supervisor in one of the following ways: 1) on request of the employee; 2) on termination of services with the City.

(f) Before an employee is transferred, promoted or demoted from a position under one manager or supervisor to a position under another manager or supervisor or to another unit with a different appropriation, all compensatory time shall be granted or paid. Upon the death of an employee, the person or persons entitled by law to receive any compensation due to the employee shall be paid any amount due to the employee on the date of death.

(g) Shall keep daily attendance records of employees and shall submit periodic reports of: 1) unexcused absences and leaves; 2) reports of overtime earned, granted, and paid; or 3) the nonoccurrence of same to the Chief Medical Examiner in the form and on the dates specified.

SECTION THIRTEEN. HOLIDAYS

The Medical Examiner shall grant holiday leave with pay, holiday pay, or compensatory holiday time off in lieu of pay to employees working full-time who are paid a bi-weekly rate on the following days:

DATE	HOLIDAY
First Day in January	New Year's Day
Third Monday in January	Rev. Martin Luther King Jr. Day
February 12	Lincoln's Birthday
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Friday Following the Fourth Thursday In November	Day after Thanksgiving
December 25	Christmas Day

In addition to the above enumerated holidays, full-time Medical Examiner employees shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay as established by this Section 13 on any day or partial day the Mayor declares by proclamation the closing of City Offices.

The Medical Examiner shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY12, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in Sections 2(a)(1) of this compensation ordinance shall receive leave with pay, pay or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day or shift. For example: Employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall be observed as the holiday. When one of the above holidays occurs on Saturday, the preceding Friday shall be observed as the holiday.

The Medical Examiner shall determine the manner of granting holidays. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount proportionate to the number of hours an employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

If an employee is docked from the payroll for one hour or more on the full scheduled workday preceding a holiday, the full scheduled work day following a holiday, or on a scheduled holiday, the employee shall not be compensated for the holiday.

The holiday compensation procedures established by this Section 13 shall apply to full-time Medical Examiner employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation, except as otherwise provided in this ordinance.

In the event that the holiday schedule established in this section is revised, employees who are granted compensatory time

in lieu of all holidays shall have their leave benefits adjusted accordingly.

SECTION FOURTEEN. VACATION

Vacation leave with pay shall be granted to employees paid a bi-weekly rate in permanent competitive positions working fifty percent (50%) time or more. The Chief Medical Examiner may establish additional guidelines and policies to govern the administration of vacation leave benefits in the Medical Examiner's Office.

(a) Vacation shall be granted to employees with appointment date before April 23, 1989, as follows:

PAY ESTABLISHED IN SECTION 2(a)

Length of Cumulative Service	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	5	130
5 but less than 10 years	6	156
10 but less than 15 years	7	182
15 but less than 20 years	8	208
20 but less than 25 years	9	234

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a)(1) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, twenty (20) years or twenty-five (25) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Sections 2(a)(1) shall accrued vacation at the rated established by Section 17(a).

(b) Vacation shall be granted to employees with appointment date on or after April 23, 1989, as follows:

PAY ESTABLISHED IN SECTION 2(a)

Length of Cumulative Service	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	3	78
5 but less than 10 years	5	130
10 but less than 15 years	6	156
15 but less than 20 years	7	182
20 but less than 25 years	8	208

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a)(1) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, twenty (20) years of cumulative service, or twenty-five (25) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Sections 2(a)(1) shall accrue vacation at the rated established by Section 16(b).

(c) All references in this ordinance to accrual rates, additions to, and accrual maximums for vacation are for employees working a scheduled work week of forty (40) hours. Vacation rates, additions and maximums shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. When an eligible employee's scheduled work week is changed, the employee's rate of accrual shall be changed proportionately. All references in this ordinance to cumulative service for vacation shall mean cumulative service without a break in service of more than one year, except as provided otherwise in this ordinance. No employee who works less than fifty percent (50%) time or who is serving in a limited-term position shall be eligible to accrue vacation.

(d) The maximum vacation balance for those working an average work week of forty (40) hours shall be six hundred (600) hours. Vacation accrual maximums for those working more or less than forty (40) hours per week, but at least fifty percent (50%) time, shall be established in accordance with Section 16(c) of this ordinance.

When an employee's full-time average work week is changed, the maximum vacation balance shall be changed proportionately. In addition, the employee shall have his/her current vacation balance adjusted so that the vacation shall maintain the same position relative to the new maximum balance as existed with the employee's previous maximum balance. Accrual of vacation shall cease when an employee accumulates the maximum vacation balance established for the assigned work schedule and shall not resume until the vacation balance is less than the maximum amount.

(e) Accrual of vacation shall begin with the first bi-weekly pay period:

(1) of appointment;

(2) of return to duty from leave of absence;

(3) of restoration to employment of one-half (50%) time or more.

Vacation leave shall be granted in whole hour units. On termination of service, any fractional hour shall be made whole. The accrual of vacation leave shall cease at the beginning of terminal leave.

(f) Appointing authorities shall be responsible for establishing all vacation leave schedules, but may not discipline employees by imposing unusual vacation schedules. Vacation shall be granted to the employee at the discretion of the manager or supervisor as provided by this ordinance in one of the following ways:

(1) When the employee requests vacation leave in accordance with departmental policies.

(2) When directed to take paid time off by the manager or supervisor.

(3) When an employee is terminated or resigns from the Medical Examiner's Office.

(4) When an employee whose salary is established in Sections 2(a)(1) reaches the established maximum accrual and would cease accruing vacation, the employee may notify the manager or supervisor in writing of his/her intention to schedule vacation. Such notice shall be at least seven (7) days prior to the first work day the employee intends to take off. If the manager or supervisor fails to establish a different vacation schedule, the employee may, at will and without assuming liability for disciplinary action, take the paid leave, which was proposed in writing.

(g) During the first twelve (12) months of employment, accrued vacation may be granted to an employee provided that the employee has completed six (6) months of continuous service.

When the service of an employee is terminated after twelve (12) months of continuous service, any accumulated vacation that is due the employee shall be paid. When employment is terminated before completing twelve (12) months of continuous service, any previously advanced vacation leave shall be deducted from the employee's final pay.

(h) Employees who separate from the Medical Examiner's Office, who are certified from a reemployment list, and who return to the Medical Examiner's Office within twenty-four (24) months of the separation, will be given credit for prior continuous service in determining the vacation accrual rate in accordance with Section 16(a) or 16(b) of this ordinance and based on the date of the employee's original appointment.

(i) Employees who move to the Medical Examiner's Office from the Classified Service shall be given credit for the years of service in the Classified Service in determining the vacation accrual rate in accordance with Section 16(a) or 16(b) of this ordinance and based on the date of the employee's original appointment.

(j) Employees who return to work from a "reemployment from layoff" eligible list shall be eligible to use vacation as soon as it is accrued provided the employee has completed six (6) months of continuous service prior to the layoff and with approval of the manager or supervisor. An employee who has completed less than six (6) months of continuous service will be required to complete the remaining portion of the six (6) months period before being eligible to use vacation.

Any such reemployed worker shall be given credit for prior continuous service in determining the employee's vacation accrual rate in accordance with the schedule established in Section 16(a) or 16(b) of this ordinance and based on the employee's original appointment.

(k) Appointing authorities shall be responsible for the management of their vacation schedules so as to most effectively administer their organizations and fulfill the desire of employees in the establishment of leave schedules.

(l) Accrued vacation shall be carried with an employee when transferred, promoted, or demoted from a position under one manager or supervisor to a position under another manager or supervisor without a break in service or change in method of pay. Upon the death of an employee, the person or persons entitled by law to receive any compensation due the employee shall be paid the amount due the employee for accrued vacation.

(m) With the approval of the manager or supervisor, a retiring employee may be paid on the payroll for accrued vacation in the month prior to retirement without inclusion in the employee's final average compensation. A manager or supervisor may pay previously accrued vacation off in a lump sum to an employee whose service with the City has terminated. Such payment shall be made on the employee's last regular paycheck. The lump sum payment shall include compensation for any holidays occurring during the employee's terminal vacation leave period.

(n) Appointing authorities shall report leave with pay for vacation and such other authorized absences as the Chief Medical Examiner shall designate to the Comptroller in such form and at such time as the Chief Medical Examiner may require.

SECTION FIFTEEN. SICK LEAVE

Employees will cease accruing sick leave with the start of the first pay period following approval by the Mayor of this ordinance. Thereafter, an employee may choose, but may not be required, to use his/her sick leave in accordance with regulations established by the Chief Medical Examiner.

An active employee who is a member of the Employees Retirement System of the City of St. Louis, and who applies for retirement and immediately retires from active service, shall receive payment for his/her sick leave balance less any sick leave credited or paid to a member or used in the calculation of retirement benefits under this or any other ordinances(s). If the Employees Retirement System provides for sick leave to be credited or paid to a member or used in the calculation of retirement benefits, this payment shall be limited to a maximum of fifty percent (50%) of the value of the employee’s sick leave balance.

If a member of the Employees Retirement System of the City of St. Louis who had been otherwise eligible for Normal or Early Service Retirement dies his/her estate may receive payment based on the calculation above on the employee’s sick leave balance, if any. Payment shall be made in accordance with the procedures established by the Chief Medical Examiner.

SECTION SIXTEEN. MEDICAL LEAVE

(a) Medical leave with pay shall be granted to bi-weekly rate employees in permanent competitive positions working fifty percent (50%) time or more in accordance with regulations and procedures established by the Chief Medical Examiner.

(1) All employees shall accrue three (3) hours of medical leave for each bi-weekly pay period of employment. This accrual rate is established for employees working an average work week of forty (40) hours. Medical leave shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. An eligible employee may be granted paid medical leave by his/her manager or supervisor after completing twenty-six (26) weeks of continuous service.

If a member of the Employees Retirement System of the City of St. Louis, who had been otherwise eligible for Normal or Early Service Retirement, dies, his/her estate may receive payment based on the calculation above. Payment shall be made in accordance with the procedures established by the Chief Medical Examiner.

(b) The Chief Medical Examiner may establish a system of cash awards, paid time off or other incentives to reward employees for perfect and near perfect attendance.

(c) When an employee is docked from the payroll under the provisions of this section, the amount deducted from his/her regular bi-weekly rate of pay shall be one times (1.0x) the regular hourly rate as defined in this ordinance for each hour of unexcused absence. If an employee is docked from the payroll for one (1) hour or less in a bi-weekly pay period, he/she will continue to accrue medical leave.

If management decides to send their employees or a group of employees' home due to inclement weather, they will not lose

their medical leave accrual for that pay period.

(d) All leave with or without pay for illness, injury or physical inability to perform assigned duties (including maternity leave) shall be recorded on the payroll or a subsidiary document in the manner established by the Chief Medical Examiner. Compensation for periods of absence from work when an employee sustains an injury by accident on the job shall be governed by the provisions of Section 24 (Workers' Compensation and Disability Leave) of this ordinance.

(e) An employee who is reemployed from an authorized layoff shall have his/her prior medical leave and sick leave balance restored, provided any sick leave balance has not been credited to the employee's length of service in determining pension benefits paid to the retiree. An employee who is reemployed from an authorized layoff and who has a medical and/or sick leave balance and who completed twenty-six (26) weeks of continuous employment prior to the layoff may take approved medical and/or sick leave upon reemployment.

(f) Each manager or supervisor shall institute procedures, in accordance with regulations established by the Chief Medical Examiner that will discourage the improper use of medical leave with pay. When an employee is removed from the payroll for absence not approved by the manager or supervisor, the employee shall be notified promptly in writing.

(g) The Chief Medical Examiner may establish or authorize the creation of "Sick Leave Bank" programs, and may issue and/or approve such regulations and guidelines as are necessary for implementation.

(h) Employees shall not receive payment for any medical leave balance and it shall not be used in the calculation of retirement benefits or payments under this or any other ordinance.

SECTION SEVENTEEN. MILITARY LEAVE

The City of St. Louis will follow all applicable state and federal laws on the granting of military leave and reemployment rights.

Before military leave without pay is authorized, the employee shall present to the employee's manager or supervisor evidence of such military service.

Upon the expiration of military leave of absence, the employee shall be reinstated to the class of position he/she occupied at the time the leave was granted without breaking continuity of service. Failure of an employee to report for duty within the time pursuant to state or federal law shall be just cause for dismissal. The employee's accumulated leave balance(s) shall be restored to the employee upon his/her return.

SECTION EIGHTEEN. EDUCATION REIMBURSEMENT

The Chief Medical Examiner, authorize salary payments, payments of tuition expenses, fees, books and related material in whole or in part to employees to permit them to attend school, visit other governmental agencies or in any approved manner to devote themselves to improvement of knowledge or skills required in the performance of the duties of their position.

The Chief Medical Examiner may establish a program to reimburse, in whole or in part, expenses incurred by employees in the pursuit of improvement of the knowledge and skills required in the performance of the duties of their positions or to improve their professional, technical or managerial knowledge or skill.

SECTION NINETEEN. LEAVES OF ABSENCE AND FAMILY/MEDICAL LEAVE

An employee may request a leave of absence, or an manager or supervisor may request a leave of absence for an employee, for any reason under the City's general leave policy, or a "Family/Medical Leave of Absence" for certain qualifying reasons under provisions of "The Family and Medical Leave Act of 1993" as provided in this ordinance and under additional provisions and regulations as determined by the Chief Medical Examiner.

(a) A manager or supervisor, with the approval of the Chief Medical Examiner, may grant an employee in a full time position a general leave of absence without pay for a period of one year, which may be extended, with the prior approval of the Chief Medical Examiner.

Upon the expiration of such leave of absence, the employee shall be reinstated to the full time position he/she occupied at the time the leave was granted provided he/she is able to perform the duties of the position. The employee shall be reinstated to the full time position at the same relative rate in the salary range the employee occupied at the time the leave was initiated. Failure of an employee to report for duty promptly at the expiration of the leave shall be just cause for dismissal. If necessary to the efficient conduct of the business of the City, an employee on leave other than military leave or qualifying family/medical leave may be notified by the manager or supervisor, with the approval of the Chief Medical Examiner, to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice shall terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The City of St. Louis will follow all applicable state and federal laws on the granting of family/medical leave.

The Chief Medical Examiner shall establish additional rules, guidelines and procedures for the effective administration of the City's "Family/Medical Leave Policy." The policy shall comply with all provisions of the "Family/Medical Leave Act of 1993" and any amendments thereafter.

(c) In the event that emergency conditions occur which require the closing of City-operated facilities or the temporary cessation of functions carried out by Medical Examiner employees, the Mayor of the City of St. Louis may declare an emergency and require an employee or group of employees to take leaves of absence with or without pay while such emergency conditions exist. In the event that the Mayor requires that the leave of absence be without pay, an employee with vacation or accrued compensatory time may elect to take the accrued time off with pay in lieu of all or a part of such non-paid leave of absence. Such non-paid leave of absence shall not interrupt continuity of service for vacation accrual. An emergency leave of absence declared by the Mayor shall not exceed ninety (90) days.

(d) Employees who are granted general leaves of absence and other non-paid leaves of absence, including investigative leaves of absence, except family/medical leave and military leave, must take all accrued vacation at the start of the leave of absence. Employees who are granted or placed on a non-paid leave of absence will not accrue vacation and sick leave during the period of non-paid leave. Upon the expiration of such leaves of absence, the employee shall follow the procedures as established in this Section 19 and any other applicable regulations and procedures as established by the Chief Medical Examiner.

(e) A manager or supervisor, with the prior approval of the Chief Medical Examiner, may put an employee on investigative leave of absence without pay pending the outcome of criminal charges pending against the employee.

SECTION TWENTY. DEATH BENEFIT

In the event any employee of the City whose pay is established by this ordinance dies as a result of injuries arising out of and in the course of his/her employment by the City, the City shall pay compensation in accordance with the Missouri Workers' Compensation Law. The Chief Medical Examiner and the City Counselor shall establish procedures for making the payments required by the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made. Such compensation shall be in addition to any life insurance benefits paid for by the City or by the employee which is available to the employee's beneficiaries and also in addition to any benefit provided by the Employees Retirement System of the City of St. Louis.

SECTION TWENTY-ONE. WORKERS' COMPENSATION AND DISABILITY LEAVE

(a) Any employee in the Medical Examiner's Office whose class title and grade are established in Section 1(a) and denoted by the suffix "G," or "M," of this ordinance, including employees who are compensated on a per performance or unit of work basis, who shall suffer personal injury by accident or occupational disease arising out of and in the regular course of employment while engaged in or about the premises where an employee's duties are being performed or where an employee's presence is required as part of his/her employment, shall promptly report such injury by accident or occupational disease to his/her immediate supervisor. The supervisor shall in turn report, through the manager, all facts concerning the incident to the City Counselor and the Chief Medical Examiner. The manager shall promptly provide such written information and recommendations as may be requested by the City Counselor to aid in making the determination of the period of disability.

The employee who suffers a personal injury as described in part (a) of this section, and which results in temporary disability, may elect to use sick or medical leave for the first three days of temporary disability. Thereafter, the employee will be compensated at the rate mandated by the Missouri Workers' Compensation Law. If the period of disability extends fourteen (14) calendar days or more, the three days of sick or medical leave used during the first three days of disability will be restored to the

employee's sick or medical leave balance. The City Counselor shall determine the actual amount of compensation and length of time during which payments are made for such temporary disability in accordance with the Missouri Workers' Compensation Law.

(b) The City Counselor, the Chief Medical Examiner, or the manager may require an employee to undergo a physical examination and medical or surgical treatment at the expense of the City to diagnose and treat injuries or illnesses arising out of employment.

(c) The City Counselor and the Comptroller shall establish procedures for paying compensation to employees or former employees who are permanently disabled and due compensation under the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made.

(d) The City Counselor and the Chief Medical Examiner shall be responsible for the administration of the provisions of this Section 22 and shall establish and publish procedural regulations for the administration of the program. Each manager or supervisor shall establish procedures to comply with the provisions of this section and established regulations.

SECTION TWENTY-TWO. JURY AND WITNESS LEAVE

(a) Jury leave with pay shall be granted to bi-weekly rate employees working fifty percent (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or United States District Court in St. Louis. Any bi-weekly rate employee, when so summoned for jury service, shall report such fact within seventy-two (72) hours to his/her manager or supervisor and display to the manager or supervisor the summons which the employee has received and shall give the manager or supervisor in writing the date and the time of such jury service. No bi-weekly rate employee shall receive any compensation from the Jury Commissioner or the United States District Court system for jury service for days the employee receives compensation from the City. A bi-weekly rate employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.). Upon being discharged from serving as a juror by the Court or Jury Commissioner, the employee shall forthwith report to his/her manager or supervisor if discharged during their normally scheduled work hours and shall submit to his/her manager or supervisor a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The manager or supervisor shall, upon receipt of the statement of jury service, credit the employee with paid jury leave for such service.

(b) Leave with pay shall be granted to bi-weekly rate employees for such time when the employee's presence is required by the prosecutor in a criminal proceeding or grand jury procedure, a trial in prosecuting accused criminals (or for jury service in Federal Court). Any bi-weekly paid employee, when so subpoenaed as a prosecution witness or whose presence is required as a part of a grand jury inquiry, shall report such fact within seventy-two (72) hours to his/her manager or supervisor and shall give the manager or supervisor in writing the date and time his/her presence is required for such criminal prosecution. Each manager or supervisor shall establish controls to assure that any paid leave is actually required by the prosecuting authority. A manager or supervisor may require an employee to furnish satisfactory evidence of being required to be off the job and that all time off was in connection with the prosecution of the case. This procedure shall apply for employee participation in criminal prosecution in State or Federal Courts.

SECTION TWENTY-THREE. RETIREMENT

The following provisions shall apply to the Employees Retirement System:

(a) "Final Average Compensation" is equal to one-half of the sum of (1) and (2) below:

(1) The annual compensation received by a member for the two (2) consecutive years of creditable service in which the highest compensation was received preceding the termination of his/her employment, and

(2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.

(b) If a member has less than two (2) consecutive years of creditable service his/her final average compensation shall be equal to the sum of (1) and (2) below, divided by (3) below and then multiplied by (4) below:

(1) The sum of monthly compensation received by the member for each consecutive month of creditable service immediately preceding the termination of his/her employment, and

(2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.

(3) The number of consecutive months of creditable service immediately preceding the termination of his/her employment, and

(4) Twelve (12).

The years of creditable service of a member shall be the number of years and completed months of service during which he/she receives compensation from the first day of the calendar month following the date of the beginning of each employment with an employer until his/her employment is terminated, subject to the provisions of this section. The years of creditable service of an employee hired after the operative date who had attained the age of sixty (60) years at initial employment shall be the number of years and completed months of service during which he/she receives compensation from October 1, 1988, and hereafter, from the first day on or after October 1, 1988, of the beginning of each employment with an employer until his/her employment is terminated. No creditable service shall be granted for any period of employment before October 1, 1988, after the calendar month in which the member attains age seventy (70). No creditable service for prior employment shall be granted an employee who becomes a member after April 1, 1960, unless he/she was employed by an employer on April 1, 1960.

A member may elect to use his/her unused sick leave as additional creditable service for the purpose of determining eligibility for retirement benefits under any provision of this ordinance.

A member's sick leave balance at time of retirement less the sum of (a), (b), and (c) below shall be considered as additional creditable service for calculation of retirement benefits under any provision of this ordinance:

(a) Sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, and

(b) Sick leave hours paid to the member upon termination of his/her employment, and

(c) Sick leave hours used in determining final average compensation.

SECTION TWENTY-FOUR. SEVERABILITY

The sections of this ordinance shall be severable. In the event that any section of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this ordinance are valid, unless the court finds the valid sections of the ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that the Aldermen would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION TWENTY-FIVE. REPEAL OF PREVIOUS ORDINANCES

Ordinance 68710 and all other ordinances or amendments, or parts thereof conflicting with the provisions of this ordinance are hereby repealed.

SECTION TWENTY-SIX. EMERGENCY CLAUSE

This ordinance being deemed necessary for the immediate preservation of the public peace, health and safety is declared to be an emergency ordinance pursuant to Article IV, Section 19 and 20 of the City Charter.

Approved: July 13, 2012