

ORDINANCE #68702
Board Bill No. 76

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate the 5600 block of Page Avenue as "Rev. Herman Gore Sr. Boulevard."

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

SECTION ONE. Pursuant to the provisions of Ordinance 65233, the 5600 block of Page Avenue shall hereafter be honorarily designated as "Rev. Herman Gore Sr. Boulevard" in honor of Rev. Herman Gore Sr. The Director of Streets shall erect an honorary street-name sign, which sign shall read "Rev. Herman Gore Sr. Boulevard."

Approved: July 9, 2010

ORDINANCE #68703
Board Bill No. 77

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate the 1200 block of Temple Avenue as "Rev. Herman Gore Jr. Place."

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

SECTION ONE. Pursuant to the provisions of Ordinance 65233, the 1200 block of Temple Avenue shall hereafter be honorarily designated as "Rev. Herman Gore Jr. Place" in honor of Rev. Herman Gore Jr. The Director of Streets shall erect an honorary street-name sign, which sign shall read "Rev. Herman Gore Jr. Place."

Approved: July 9, 2010

ORDINANCE #68704
Board Bill No. 78

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate the 5500 block of Cates Avenue as "Virvus Jones Way."

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

SECTION ONE. Pursuant to the provisions of Ordinance 65233, the 5500 block of Cates Avenue shall hereafter be honorarily designated as "Virvus Jones Way" in honor of Mr. Virvus Jones. The Director of Streets shall erect an honorary street-name sign, which sign shall read "Virvus Jones Way."

Approved: July 9, 2010

ORDINANCE #68705
Board Bill No. 114

An ordinance relating to the appointment of and salaries of certain Employees in the Collector of Revenue's Office pursuant to Section 82.610, Revised Statutes of Missouri, by repealing Ordinance 68541 (Chapter 4.44, Rev. Code, St. Louis, 1994 Anno), and adopting eleven (11) new sections and containing an emergency clause.

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

SECTION ONE. Ordinance 68541 (Chapter 4.44, Rev. Code, St. Louis, Anno), is hereby repealed and a new ordinance and chapter is hereby enacted, to read as follows:

SECTION TWO. Pursuant to Section 82.610, Revised Statutes of Missouri, the Collector of Revenue is hereby authorized to appoint and employ the following officers and employees with bi-weekly rates, in accordance with the following classification plan, to a grade with rates established in Section Three of this ordinance.

Title	Grade
Accounting Clerk	11G
Accounting Manager	15M
Accounting Supervisor	14G
Administrative Assistant	13G
Assistant Collector	17M
Assistant Collector, Finance	18M
Cashier Manager	15M
Collections Manager	15M
Compliance Clerk	8G
Compliance Manager	15M
Compliance Officer	12G
Court Clerk	9G
Court Clerk Supervisor	13G
Custodian	6G
Data Processing Clerk	9G
Deputy Collector of Revenue	20M
Human Resources Manager	16M
IRS Auditor	15M
Mail Clerk	8G
Office Coordinator	13G
Paralegal	12G
Payroll Clerk	10G
Processing Clerk	8G
Purchasing Support Services	11G
Revenue Clerk I	8G
Revenue Clerk II	9G
Revenue Clerk III	10G
Revenue Clerk IV	11G
Revenue Clerk V	12G
Revenue Manager	15M
Senior Operations Manager	16M
Special Projects Coordinator	14G
Supervisor I	12G
Supervisor II	13G
Supervisor III	14G
Supervisor, Mail Processing	12G
Supervisor, Taxpayer Services	13G
Supervisor Tax Revenue Auditors	15M
Tax Revenue Auditor	14G
Taxpayer Cashier	9G
Taxpayer Customer Service Representative	13G
Taxpayer Specialist	9G
Tax Suit Coordinator	13G
Technology/Data Processing Manager	15M
Technology/Website Coordinator	13G
TIF/CID Coordinator	13G
Training and Development Manager	15M

SECTION THREE. GENERAL PAY SCHEDULE

(1) There is hereby adopted as the compensations schedule for all pay grades which are denoted by the suffix "G" and "M" in Section two of this ordinance, the following ranges of salary beginning with the bi-weekly pay period concurrent with the effective date of this ordinance.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

GRADE	MINIMUM	MAXIMUM
6	785	1,250
7	855	1,363
8	933	1,485
9	1,015	1,618
10	1,106	1,766
11	1,207	1,924
12	1,315	2,098
13	1,455	2,322
14	1,675	2,670
15	1,925	2,932
16	2,215	3,369
17	2,547	3,876
18	2,737	4,107
19	3,010	4,518
20	3,621	5,431

SECTION FOUR. These salaries shall be paid out of fees collected, deducted and retained by the Collector of Revenue as provided by Section 82.650 and 82.670, Revised Statutes of Missouri.

SECTION FIVE. (a) All pay schedules established in Ordinance 68541 shall continue in effect.

SECTION SIX.

(a) An appointing authority may evaluate the performance of an employee whose salary is established in Section 3(a) of this ordinance for the purpose of a salary adjustment.

- (1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstand qualifications may, advance the employee by not more than ten percent (10%).

(2) Substandard performance of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range. The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen percent (15%) of the current salary range. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly periods.

SECTION SEVEN. Whenever the Collector of Revenue finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the Collector shall allocate or reallocate the class to an appropriate grade in this ordinance and notify the Board of Aldermen of his action.

SECTION EIGHT. FURLOUGHS. Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the Collector of Revenue shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The Collector of Revenue will still be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the Collector of Revenue's control.

All employees, except for employees on duty on the following dates in offices where the Collector of Revenue's responsibilities require designated employees to be on duty on the following dates, shall be "furloughed" for eight (8) hours on the following dates:

February 21st
 October 11th
 December 31st

May 9th
 November 26th

The Collector of Revenue shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The Collector of Revenue shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as "furlough" in addition to the "furlough" dates specifically listed above.

SECTION NINE. HOLIDAYS

The Collector of Revenue 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

The Collector of Revenue shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY 11, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in 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 Collector of Revenue 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.

The holiday compensation procedures established by this section shall apply to full-time 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.

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 TEN. The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

SECTION ELEVEN. Ordinance 68541 and all other ordinances or parts of ordinance conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Approved: July 9, 2010

**ORDINANCE #68706
Board Bill No. 115
Committee Substitute**

An ordinance to repeal Ordinance #68118 relating to the appointment and rates of compensation of certain employees of the License Collector of the City of St. Louis and enacting in lieu thereof a new ordinance dealing with the same subject matter and containing an emergency clause.

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

SECTION ONE. ALPHABETICAL LIST OF CLASSES

The following positions of the License Collector's Office, whose duties shall be those indicated by their respective titles are hereby allocated as listed below and adopted as the classification plan for the License Collector's office:

<u>Class Title</u>	<u>Grade</u>
Accountant I	6G
Accountant II	8G
Accountant III	9G
Administrative Assistant I	6G
Administrative Assistant II	8G
Administrative Assistant III	9G
Administrative Officer I	11M
Administrative Officer II	12M
Administrative Officer III	13M
Assistant Deputy License Collector	16M
Chief Deputy License Collector	17M
Field Representative I	6G
Field Representative II	8G
Field Representative III	9G
License Clerk I	6G
License Clerk II	8G
License Clerk III	9G

SECTION TWO. OFFICE PAY SCHEDULE

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

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
6	747	1121
8	889	1332
9	968	1452
11	1151	1726
12	1254	1882
13	1387	2082

16	2111	3166
17	2428	3643

SECTION THREE. Appointments

The License Collector is authorized to appoint and employ accountants, administrative assistants, administrative officers, assistant deputy license collector, field representatives, and license clerks and such other personnel as are deemed necessary in addition to those enumerated in Section 82.390 of the Revised Statutes of Missouri; however, the salaries shall not exceed the amount as set forth in this ordinance.

SECTION FOUR. STARTING SALARY

The License Collector may establish a recruitment rate for a single position or all positions and authorize employment at a figure above the minimum but within the range of salary established for the grade.

SECTION FIVE. PROMOTION, DEMOTION, REALLOCATION AND TRANSFER

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

(a) **PROMOTION:** This shall be defined as a change of an employee from a position of one pay grade to a higher pay grade.

(1) When an employee is promoted to a position in the General or Management Schedule the employee's salary shall be set at a rate as deemed appropriate by the License Collector. However, no employee shall be paid less than the minimum rate, nor more than the maximum rate for the new position.

(b) **DEMOTION:** This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position. However, no employee shall be paid less than the minimum, nor more than the maximum rate for the new class of position.

(c) **REALLOCATION:**

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the grade to which his or 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 or she remains in the class of position, except as otherwise provided by this ordinance.

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

(3) The salary of an employee whose position is allocated to 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 grade, or from one position to another position in same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate, nor more than the maximum rate, for the new position.

SECTION SIX. SALARY ADJUSTMENT

Salary adjustments for all employees shall be based on considerations of merit or success in fulfilling predetermined performance factors as established by the License Collector.

(a) No employee shall be eligible to receive a merit increase.

(b) Any employee, whose salary is established in Section 2(1), 2(2), or 2(3) - General and Management Pay Schedule,

achieving an Overall Performance Rating of Below Standards after fifty two (52) weeks of continuous service shall not be eligible to receive a merit increase and must agree to a Mandatory Improvement Plan.

The License Collector may authorize different anniversary dates for an employee or groups of employees.

The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period following approval of such salary action, by the License Collector,

SECTION SEVEN. INCOME SOURCES

Any salary paid to an employee of the License Collector 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 License Collector 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 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 68118 shall continue in effect.
- (b) The License Collector shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

SECTION NINE. FURLOUGHS.

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the License Collector shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The License Collector will still be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the License Collector's control.

All employees, except for employees on duty on the following dates in offices where the License Collector's responsibilities require designated employees to be on duty on the following dates, shall be "furloughed" for eight (8) hours on the following dates:

February 21st	May 9th
October 11th	November 26th
December 31st	

The License Collector shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The License Collector shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as "furlough" in addition to the "furlough" dates specifically listed above.

SECTION TEN. HOLIDAYS

The License Collector 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

The License Collector shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY 11, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in 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 License Collector 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.

The holiday compensation procedures established by this section shall apply to full-time 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.

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 ELEVEN. VACATION

Vacation leave with pay shall be granted to bi-weekly paid employees in permanent positions working one-half (50%) time or more. The License Collector may establish additional guidelines and policies to govern the administration of vacation leave benefits.

SECTION TWELVE. MEDICAL LEAVE

Medical leave with pay shall be granted to bi-weekly paid employees in permanent positions working one-half (50%) time or more in accordance with regulations and procedures established by the License Collector.

SECTION THIRTEEN. CLASSIFICATION

Whenever the License Collector finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the License Collector shall allocate or reallocate the class to an appropriate grade in this ordinance and notify the Board of Aldermen of his action.

SECTION FOURTEEN. PASSAGE OF ORDINANCE

By the enactment of this ordinance, Ordinance #68118 is hereby repealed.

SECTION FIFTEEN. EMERGENCY CLAUSE

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health, and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

Approved: July 9, 2010

**ORDINANCE #68707
Board Bill No 116
Committee Substitute**

An ordinance relating to position classifications and salaries of employees in the Parking Division of the Treasurer's Office and holidays and furlough days for employees of the Parking Division of the Treasurer's Office; repealing Ordinance 68120 and enacting in lieu thereof certain new sections relating to the same subject matter and additional sections relating to holidays and furlough days; containing an emergency clause.

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

SECTION ONE. Ordinance 68120 is hereby repealed and a new ordinance is hereby enacted in lieu thereof to read as follows.

SECTION TWO. Position Classes.

(a) Schedule A: The following positions of the Parking Division of the Treasurer's Office whose duties shall be those indicated by their respective titles and codes, are hereby allocated as listed below and adopted as the classification of the Parking Division of the Treasurer's Office:

Class Title	Code	Grade
Parking Superintendent	T220	17M
Administrative Assistant IV	T624	17M
Director of Professional Services	T221	17M
Parking Facilities Manager		14M
Ass't Parking Facilities Manager		12M
Fleet Maintenance Supervisor	T421	15G
Personnel Manager	T515	14M
Parking System Analyst		14G
Internal Auditor	T471	14G
Parking Supervisor		13G
Program Analyst	T501	13G
Budget Compliance Officer	T461	13G
Communication Assistant	T185	13G
Parking Enforcement Supervisor	T192	12G
Accountant I		12G
Assistant Supervisor	T191	11G
Account Clerk III	T143	11G
Administrative Clerk II	T137	11G
Parking Enforcement Officer IV		10G
Parking Facilities Attendant IV		10G
Parking Enforcement Officer III	T203	10G
Assistant Parking Enforcement Supv.	T194	10G
Parking Crew Worker III	T165	10G
Account Clerk II	T142	10G
Parking Facilities Attendant III		9G

Administrative Clerk I	T136	9G
Clerk/Secretary III	T133	9G
Parking Enforcement Officer II	T202	8G
Parking Crew Worker II		8G
Security Officer		8G
Clerk/Secretary II	T132	8G
Account Clerk I	T141	8G
Parking Facilities Attendant II		8G
Parking Crew Worker I		7G
Security Guard		6G
Parking Enforcement Officer I	T201	6G
Clerk/Secretary I	T131	6G
Parking Facilities Attendant I		6G
Parking Assistant		5G
Custodian		5G
Parking Aide		5G

(b) Schedule B: For employees of the Parking Division in the classes set forth below, and with an appointment date on or after January 1, 1995, excepting those employees eligible for reemployment under personnel rules approved by the Parking Commission, their positions will be reallocated as specified below:

Class Title	Code	Grade
Parking Superintendent	T220	15M
Administrative Assistant IV	T624	15M
Director of Professional Services	T221	15M
Parking Facilities Manager		14M
Personnel Manager	T515	14M
Fleet Maintenance Supervisor	T421	14G
Parking System Analyst		13G
Internal Auditor	T185	12G

SECTION THREE. Pay Schedule

GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE:

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix "G", "P", 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	706	995
6	766	1083
7	832	1181
8	903	1287
9	980	1403
10	1064	1610
11	1157	1715
12	1258	1902
13	1387	2098
14	1590	2405
15	1821	2754
16	2090	3164
17	2397	3627
18	2750	4163
19	3158	4779
20	3626	5485

21	3912	5916
22	4222	6385
23	4556	6891

SECTION FOUR. Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the City Treasurer (hereinafter the "appointing authority") finds that it is impractical to recruit employees with adequate qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all positions in a class and authorized employment at a figure above the minimum but within the regular range of salary established for the class.

SECTION FIVE. Promotion, Demotion, Reallocation and Transfer

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

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade.

(1) When an employee is promoted to a position which is only one grade higher, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination 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.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) 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 or 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 or she remains in the class of position, except as otherwise provided by this ordinance.

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

(3) 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, regardless of pay schedule, 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.

SECTION SIX. Salary Adjustment

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(1) Exceptional performance of duties: The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may advance the employee by not more than ten percent (10%) after twenty-six weeks of employment at the same rate in the salary range.

(2) Substandard performance of duties: The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. 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 appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty-six (26) weeks.

(c) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service in the armed forces, and leaves of absence for study to improve performance in an employee's City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

SECTION SEVEN. Income Sources

Any salary paid to an employee in the city service 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. The Parking Division of the Treasurer's Office shall reimburse the City's General Revenue Fund from the Parking Fund \$33,000.00 annually on or about the end of each fiscal year for the Chief Fiscal Officer's services for that year.

SECTION EIGHT. Conversion

(a) All pay schedules in Section 3(1) shall continue in effect.

(b) No employee shall be compensated at a rate above the maximum of the new salary range except as provided in below.

(c) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance. The Appointing Authority may establish a special conversion procedure for a class or position in the event that the Appointing Authority determines that a serious inequity would be created by the application of the conversion procedures established in this Section.

SECTION NINE. FURLOUGHS

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the City Treasurer shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The City Treasurer will still be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the City Treasurer's control.

All employees, except for employees on duty on the following dates in offices where the City Treasurer's responsibilities

require designated employees to be on duty on the following dates, shall be “furloughed” for eight (8) hours on the following dates:

February 21st	May 9th
October 11th	November 26th
December 31st	

The City Treasurer shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The City Treasurer shall prepare a list of dates from which such exempt employees may choose additional “furlough” dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as “furlough” in addition to the “furlough” dates specifically listed above.

SECTION TEN. HOLIDAYS

The City Treasurer 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

The City Treasurer shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY 11, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in 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 City Treasurer 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.

The holiday compensation procedures established by this section shall apply to full-time 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.

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 ELEVEN. Whenever the Appointing Authority finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the appointing authority shall allocate or reallocate the class to an appropriate grade in this ordinance, and notify the Board of Aldermen or Parking commission of his action.

SECTION TWELVE. The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

Approved: July 9, 2010

**ORDINANCE #68708
Board Bill No. 118
Committee Substitute**

An Ordinance to repeal Ordinance No. 68123, establishing the salaries of employees in the Sheriff's Office and enacting in lieu thereof a new Ordinance fixing the annual rate of compensation of command personnel and deputies appointed to assist in the performance of the duties of the Sheriff and containing an emergency clause.

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

SECTION ONE. Ordinance 68123 is hereby repealed and a new ordinance is hereby enacted, to read as follows.

SECTION TWO. The following command personnel and deputies in the Sheriff's Office as may be appointed under provisions of Section 57.530 Missouri revised Statutes, 1978 shall be compensated not in excess of compensation as established in accordance with Section Three and subsequent sections of this ordinance.

<u>TITLE</u>	<u>GRADE</u>
Chief Executive Deputy - Attorney	16G
Lieutenant Colonel - Administrative Aid Captains	18G
Majors	17G
Captains	16G
Lieutenants	14G
Sergeants	13G
Senior Deputies	12G
Deputy Sheriffs Level 1	11G
Deputy Sheriff Level 2	10G

SECTION THREE. OFFICIAL PAY SCHEDULE OF GRADES.

There is hereby adopted as the compensation schedule for all pay ranks established in Section Two beginning with the bi-weekly pay period starting with the effective date of this ordinance.

The following schedule is hereby adopted as the salary pay schedule for all classification grades of positions in Section One of this ordinance, beginning with the bi-weekly pay period concurrent with the effective date of this ordinance.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	686	1,030
6	747	1,121
7	816	1,222
8	889	1,332
9	968	1,452
10	1,055	1,584
11	1,151	1,726
12	1,254	1,882
13	1,387	2,082

14	1,596	2,394
15	1,835	2,754
16	2,111	3,166
17	2,428	3,643
18	2,791	4,189
19	3,212	4,817
20	3,694	5,539
21	3,989	5,982
22	4,308	6,460
23	4,651	6,979

SECTION FOUR. (A) A shift differential compensation for certain work assignments may be paid. The Appointing Authority shall determine the work assignments or activities performed for which shift differential compensation shall be paid.

Before shift differential compensation may be made an employee must have completed (5) hours of regular employment before 7:00 A.M. or five hours after 3:00 P.M. in the twenty four hour period which begins at the employee's normal reporting time.

An employee shall be paid 1.00% of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period. An employee shall work a complete eligible shift to receive shift differential compensation.

Shift differential shall not be paid to employees who work part-time, or full-time regular employees docked for any portion of a shift. An employee 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 shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

Employees who work on a Saturday and/or Sunday shall be paid a weekend differential. This differential shall be 1.00% 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 a portion of an eligible day. This differential shall only be paid for whole hours worked, providing the portion of the day not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. Weekend differential shall not be paid to employees compensated on an hourly or per-performance basis or to bi-weekly paid employees who work part-time or full-time regular employees docked for any portion of a day. The Appointing Authority may approve the payment of hiring incentives 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 incentive is to be paid.

An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten (10%) higher than prescribed for the class. Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position. The Appointing Authority 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 service, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements conveyed under such programs would not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

The Appointing Authority may establish a location allowance for positions which are difficult to fill at specific duty stations. This allowance shall be in an amount up to ten percent of the median of the pay range of the position for which the allowance is to be paid. The location allowance shall be considered an addition to pay and shall not change the employee's base rate.

(B) No employee shall be paid at the 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.

(C) When a new employee is approved under Section 57.530 Missouri Revised Statutes, 1978, the annual rate of compensation shall be twenty-six (26) times the first or lowest step within each rank or position.

(D) Deputies and assistants in the Sheriff's Office may receive such hourly, daily or other rate as may be allowed by the Circuit Court, for special services authorized by the Circuit Court, and assigned by the Sheriff, when such special services are for additional work over and above the regularly assigned working hours and payment of such special service is being taxed as costs in the particular case or circumstance and deposit of such cost is made in advance of such special services.

SECTION FIVE. Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the appointing authority finds that it is impossible to recruit employees with adequate Qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all position in a class and authorize employment at a figure above the minimum but within the regular range of salary established for the class.

SECTION SIX. Promotion, Demotion, Reallocation and Transfer

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

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with higher pay grade.

(1) When an employee is promoted to a position in the General Schedule, the employee's salary shall be set at a rate which is five (5%) higher than the rate received immediately prior to promotion. The Appointing Authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination 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 Promotions: Promotions of employees regardless of status, made for a limited duration, shall result in a salary adjustment as is Paragraph (a) (1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former rate of pay, 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.

(b) Demotion: This shall be defined as a change of an employee to a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position. The appointing authority may approve up to a ten percent (10%) salary decrease upon demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) 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 or 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 or she remains in the class of position, except as otherwise provided by this ordinance.

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

(3) 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 6(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, regardless of pay schedule, 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.

SECTION SEVEN. Salary Adjustment.

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which

does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(1) Exceptional performance of duties: The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may advance the employee, by not more than ten percent (10%) after twenty-six (26) weeks of employment at a rate in the salary range.

(2) Substandard performance of duties: The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(b) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen (15%) percent of the employee's current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty six (26) weeks.

(c) The Appointing Authority may establish procedures for the review and approval of within-range salary adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustment under this provision shall preclude adjustments to compensate or reward employees for long-term or meritorious service.

(d) The Appointing Authority 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.

(e) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service as a result of vacation, sick leave, jury/witness leave, suspension, non-paid absence, leave of absence for service in the armed forces, and leaves of absence for study to improve performance in an employee's City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

SECTION EIGHT. Income Sources.

Any salary paid to an employee in the City service 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 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 NINE. Conversion

(a) All pay schedules in Section 3(1)(a) 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.

SECTION TEN. Changes to Pay Plan

Whenever the appointing Authority finds it necessary to add a new class to the Pay plan, the Appointing Authority shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Aldermen of this action.

Whenever the appointing Authority finds it necessary to change the pay schedule of an existing class within the Pay plan, the Appointing Authority shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Aldermen of this action.

SECTION ELEVEN. Military Leave

(a) 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 appointing authority 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 TWELVE. Leave of Absence and Family/Medical Leave

Employees may request a leave of absence for any reason under the leave policy, or may be eligible for a "Family/Medical Leave of Absence" for certain qualifying reasons under provisions of the federal "Family and Medical Leave Act of 1993" as provided in this ordinance.

(a) An appointing authority may grant an employee in a competitive position a general leave of absence without pay for a period not to exceed twelve (12) months, whenever such leave is considered to be in the best interest of the City Service. Such non-paid leaves are granted at the discretion of the appointing authority and may be for any reason including an employee's personal illness when the circumstances do not qualify for family/medical leave, or when eligibility for family/medical leave has been exhausted.

Upon the expiration of such leave of absence, the employee shall be reinstated to the competitive position he or she occupied at the time the leave was granted provided he or she is able to perform the duties of the position. The employee shall be reinstated to the 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 appointing authority to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice would terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The federal "Family and Medical Leave Act of 1993" entitles eligible employees to up to 12 weeks of unpaid leave in any 12-month period for the birth, adoption or placement of a child, to care for a spouse or an immediate family member with a serious health condition, or when the employee is unable to work because of a serious health condition. While an employee is on a qualifying family/medical leave of absence, the City of St. Louis will continue to pay the employee's health care premiums, if any, during the leave period. Once the leave is concluded, the employee shall be reinstated to the same or an equivalent job.

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

(c) Employees who are granted general leaves of absence and other non-paid leaves of absence, except family/medical leaves of absence, must take all accrued vacation and authorized sick leave at the start of the leave of absence. Employees who are granted a non-paid leave of absence will not accrue vacation or 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 12 and any other applicable regulations and procedures as established by the Appointing Authority.

(d) An appointing authority may place an employee on investigative leave of absence without pay pending the outcome of criminal charges pending against the employee.

SECTION THIRTEEN. FURLOUGHES

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the Sheriff shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The Sheriff will still

be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the Sheriff's control.

All employees, except for employees on duty on the following dates in offices where the Sheriff's responsibilities require designated employees to be on duty on the following dates, shall be "furloughed" for eight (8) hours on the following dates:

February 21st	May 9th
October 11th	November 26th
December 31st	

The Sheriff shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The Sheriff shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as "furlough" in addition to the "furlough" dates specifically listed above.

SECTION FOURTEEN. HOLIDAYS

The Sheriff 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

The Sheriff shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY11, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in 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 Sheriff 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.

The holiday compensation procedures established by this section shall apply to full-time 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.

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 FIFTEEN. Jury and Witness Leave

(a) Jury leave with pay shall be granted to bi-weekly paid employees working one-half (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or Federal District Court in St. Louis. Any bi-weekly paid employee, when so summoned for jury service, shall report such fact within seventy-two (72) hours to his/her appointing authority and display to the appointing authority the summons which the employee has received and shall give the appointing authority in writing the date and the time of such jury service. No bi-weekly paid employee shall receive any compensation from the Jury Commissioner or the Federal District Court system for jury service for days the employee receives compensation from the City. A bi-weekly paid employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.) Upon being excused from serving as a juror by the Court or the Jury Commissioner, the employee shall report forthwith to his/her appointing authority and shall submit to his/her appointing authority a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The appointing authority 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 paid employees for such time when the employee's presence is required by the prosecutor as a part of a 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 appointing authority and shall give the appointing authority in writing the date and time his/her presence is required for such criminal prosecution. Each appointing authority shall establish controls to assure that any paid leave is actually required by the prosecuting authority. An appointing authority 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 SIXTEEN. The "Sheriff's Attorney" as provided under Section 57.540, Missouri Revised Statutes, 1978, shall receive in addition to the compensation for his services as provided there under the sum of three thousand dollars per annum in bi-weekly installments. In no event shall the total of said salary exceed fifteen thousand dollars.

SECTION SEVENTEEN. Emergency Clause.

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

SECTION EIGHTEEN. Previous Ordinance

Ordinance 68123 and all other ordinances or parts of ordinance conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Approved: July 9, 2010

**ORDINANCE #68709
Board Bill No. 119
Committee Substitute**

An ordinance relating to position classifications and salaries of employees in the Treasurer's Office and holidays and furlough days for employees of the Treasurer's Office; repealing Ordinance 68121 and enacting in lieu thereof certain new sections relating to the same subject matter and additional sections relating to holidays and furlough days; containing an emergency clause.

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

SECTION ONE. Ordinance 68121 is hereby repealed and a new ordinance is hereby enacted in lieu thereof to read as follows..

SECTION TWO. Position Classes

(a) Schedule A: The following positions of the Treasurer's Office whose duties shall be those indicated by their respective titles and codes, are hereby allocated as listed below and adopted as the classification of the Treasurer's Office:

Class Title	Code	Grade
Administrative Assistant IV	1184	17M
Deputy Treasurer	1185	17M
Chief Fiscal Officer	1183	17M
Accounting Manager I	1445	15M
Investment Specialist	1182	14G
Investment Control Accountant II	1183	14G
Investment Control Accountant I	1180	13G
Account Clerk III	1159	11G
Administrative Clerk II	1162	11G
Secretary III	1133	11G
Account Clerk II	1142	10G
Secretary II	1132	10G
Cashier	1190	9G
Clerk/Secretary III	1133	9G
Administrative Clerk I	1161	9G
Clerk IV	1141	9G
Payroll Clerk	1121	9G
Secretary I	1131	8G
Account Clerk I	1193	8G
Clerk/Secretary II	1132	8G
Clerk III	1113	7G
Clerk/Secretary I	1131	6G
Clerk II	1112	6G
Clerk I	1111	5G

SECTION THREE. Pay Schedule.**GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE**

(1) The following bi-weekly pay schedule for all grades denoted with the suffix "G", "P", 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

<u>GRADE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
5	706	1067
6	766	1159
7	832	1261
8	903	1365
9	980	1480
10	1064	1610
11	1157	1715
12	1258	1902
13	1387	2098
14	1590	2405
15	1821	2754
16	2090	3164
17	2397	3627
18	2750	4163
19	3158	4779
20	3626	5485

21	3912	5916
22	4222	6385
23	4556	6891

SECTION FOUR. Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the appointing authority finds that it is impractical to recruit employees with adequate qualifications at the minimum rate.

If an advanced starting salary is necessary, the City Treasurer (hereinafter referred to as the "appointing authority") may establish a recruitment rate for a single position or all positions in a class and authorize employment at a figure above the minimum but within the regular range of salary established for the class.

SECTION FIVE. Promotion, Demotion, Reallocation and Transfer

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

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with a higher pay grade.

(1) When an employee is promoted to a position in the General and Management Schedule which is only one grade higher, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination 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.

(b) Demotion: This shall be defined as a change of an employee from a position of one class to a position of another class which has a lower pay grade.

(1) If an employee is demoted for disciplinary reasons his or her rate of pay shall be established at a rate within the range for the new position to be determined by the appointing authority.

(2) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) 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 or 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 or she remains in the class of position, except as otherwise provided by this ordinance.

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

(3) 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.

SECTION SIX. Salary Adjustment

Salary adjustments for all employees shall be based on considerations of merit, equity, or success in fulfilling predetermined goals and objectives as herein provided:

(a) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(b) The appointing authority may adjust the salary of an employee whose salary is established in this ordinance only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, advance the employee by not more than ten percent (10%) after twenty-six weeks of employment at the same rate in the salary range.

(2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(c) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. 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 appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing, however, that such decrease shall not be effective for more than twenty-six (26) weeks.

(d) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

SECTION SEVEN. Income Sources

Any salary paid to an employee in the city service 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 Section 3(1) shall continue in effect. No employee shall be compensated at a rate above the maximum of the new salary range except as provided below.

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

SECTION NINE. FURLOUGHS.

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the City Treasurer shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health

insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The City Treasurer will still be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the City Treasurer's control.

All employees, except for employees on duty on the following dates in offices where the City Treasurer's responsibilities require designated employees to be on duty on the following dates, shall be "furloughed" for eight (8) hours on the following dates:

February 21st	May 9th
October 11th	November 26th
December 31st	

The City Treasurer shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The City Treasurer shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as "furlough" in addition to the "furlough" dates specifically listed above.

SECTION TEN. HOLIDAYS

The City Treasurer 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

The City Treasurer shall not grant holiday leave with pay, holiday pay, or compensatory holiday time off except as provided in this Section. At the end of FY 11, the paid holiday schedule will revert back.

Employees working full-time and paid a bi-weekly rate whose pay is established in 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 City Treasurer 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.

The holiday compensation procedures established by this section shall apply to full-time 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.

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 ELEVEN. Whenever the Appointing Authority finds it necessary to add a new class or reallocate the grade of a class of position in the classification plan, the appointing authority shall allocate or reallocate the class to an appropriate grade in this ordinance, and notify the Board of Aldermen of this action.

SECTION TWELVE. The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

Approved: July 9, 2010

**ORDINANCE #68710
Board Bill No. 120
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 68122; 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	09 G	3
Autopsy Technician II	5412	11 G	3
Autopsy Technician III	5413	12 G	3
Autopsy Technician Supervisor	5414	10 G	3
Computer Operator I	1323	10 G	3
Computer Operator II	1324	11 G	3
Computer Operator III	1325	12 G	3
Computer Programmer I	1331	13 G	3
Computer Programmer II	1332	14 G	3
Computer Programmer III	1333	15 G	3
Custodian/Courier	3711	06 G	3
Document Specialist I	5643	11 G	3
Document Specialist II	5644	12 G	3
Executive Asst. to the Chief Medical Examiner	1735	18M	1
Executive Secretary	1136	14 G	3
Forensic Office Administrator I	1621	18 M	3
Forensic Office Administrator II	1622	20 M	1
Forensic Office Administrator III	1623	22 M	1
Medical Transcriptionist	1122	12 G	3
Medicolegal Investigation Supervisor	2355	15 M	2
Medicolegal Investigator I	2351	13 G	3
Medicolegal Investigator II	2352	14 G	3
Medicolegal Investigator III	2353	16 G	3

Medicolegal Investigator IV	2354	17 G	1
Morgue Attendant	5410	08 G	3
Record File Clerk	1111	09 G	3
Secretary	1132	10 G	3
Typist Clerk I	1121	8 G	3
Typist Clerk II	1122	9 G	3
Typist Clerk III	1123	10 G	3
Telephone Operator	1161	06 G	3
X-ray Technician	5441	11 G	3
Intern - Level 1	9991	00 I	3
Intern - Level 2	992	00 I	3
Intern - Level 3	9993	00 I	3
Intern - Level 4	9994	00 I	3
Intern - Level 5	9995	00 I	3
Intern - Level 6	9996	00 I	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	MIMUMUM	MAXIMUM
5	713	1049
6	773	1140
7	840	1239
8	912	1347
9	989	1463
10	1074	1593
11	1169	1733
12	1270	1885
13	1400	2082
14	1605	2388
15	1839	2741
16	2110	3144
17	2421	3612
18	2777	4147
19	3189	4763
20	3662	5471
21	3951	5906
22	4263	6375
23	4601	6883

(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.

(2) A non-exempt Overtime Code 3 (or 4) 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.

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 68122 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 (1.5x) 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:

<u>DATE</u>	<u>HOLIDAY</u>
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
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 Thirteen 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 FY 11, 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 accrue vacation at the rate 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 rate 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 a 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. FURLOUGHS

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay. In the event furloughs are implemented, the Chief Medical Examiner shall issue, consistent with this ordinance, such guidelines as are necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee service rating or eligibility for promotion. The Chief Medical Examiner will still be required to make all appropriate deductions for health insurance and pensions from the accounts for employees under the Chief Medical Examiner's control.

All employees, except for employees on duty on the following dates in offices where the Chief Medical Examiner's responsibilities require designated employees to be on duty on the following dates, shall be "furloughed" for eight (8) hours on the following dates:

February 21st	May 9th
October 11th	November 26th
December 31st	

The Chief Medical Examiner shall pay employees required to work on the above-referenced days for such work and shall require such employees to take eight (8) hours of furlough on an alternate day. All employees in positions which have been determined to be exempt pursuant to the Fair Labor Standards Act shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The Chief Medical Examiner shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates in eight (8) hour increments, and shall require each exempt employee to take a minimum of five (5) eight (8) hour increments as "furlough" in addition to the "furlough" dates specifically listed above.

SECTION TWENTY-TWO. 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-THREE. 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.

(c) 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.

(d) 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.

(e) 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-FOUR. 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-FIVE. RETIREMENT.

The provisions of Ordinance No. _____ (Board Bill 122 Committee Substitute) shall apply to employees of the Medical Examiner's Office.

SECTION TWENTY-SIX. 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-SEVEN. REPEAL OF PREVIOUS ORDINANCES

Ordinance 68122 and all other ordinances or amendments, or parts thereof conflicting with the provisions of this ordinance are hereby repealed.

SECTION TWENTY-EIGHT. 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 9, 2010

**ORDINANCE #68711
Board Bill No. 121**

An ordinance to regulate employer and employee working relationships between the City of St. Louis and all employees under the Classified Service, including a compensation plan, terms and conditions of employment, benefits, leaves of absence, and authorization for a Deferred Compensation Plan; repealing Ordinance 68540; 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 1.
ALPHABETICAL LIST OF CLASSES**

(a) Beginning with the effective date of this ordinance, the following positions in the City Service with bi-weekly rates are hereby allocated as listed below in accordance with the classification plan by the Director of Personnel to a grade and overtime code in the following section with rates established in Section 2 of this ordinance in accordance with Section 3(a) and Section 9(e) of Article XVIII of the City Charter.

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Abatement and Exemption Analyst	1424	15	M	1
Account Clerk I	1141	10	G	3
Account Clerk II	1142	11	G	3
Accountant I	1441	13	G	2
Accountant II	1442	14	G	2
Accounting Coordinator	1444	15	P	1
Accounting Manager I	1445	16	M	1
Accounting Manager II	1446	17	M	1
Accounting Officer	1447	16	M	1
Accounting Supervisor	1443	15	P	1
Administrative Assistant I	1621	13	G	3
Administrative Assistant II	1622	14	M	1
Administrative Assistant III	1623	15	M	1
Administrative Assistant to the Mayor	1721	14	M	1
Air Pollution Engineer I	4251	14	P	2
Air Pollution Engineer II	4252	15	P	1
Air Pollution Engineer Supervisor	4253	16	P	1
Air Pollution Inspection Supervisor	3925	14	M	1
Air Pollution Inspector I	3921	12	G	3
Air Pollution Inspector II	3922	13	G	3
Air Pollution Specialist I	3926	12	G	3
Air Pollution Specialist II	3927	14	P	2
Air Pollution Technical Services Manager	3928	16	M	1
Airfield Maintenance Foreman	3322	14	G	3
Airfield Maintenance Supervisor	1638	15	G	2
Airfield Maintenance Worker	3324	12	G	3
Airfield Maintenance Worker (Lead)	3327	13	G	3
Airfield Operations Specialist	1631	13	G	3
Airfield Operations Specialist (Lead)	1635	14	G	3
Airfield Painter/Maintenance Worker	3247	36	T	3
Airfield Painter/Maintenance Worker (Lead)	3248	37	T	3
Airport Assistant Director Air Service and Business Development	1688	19	M	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Airport Assistant Director Community Programs	1655	19 M	1
Airport Assistant Director Finance and Accounting	1651	19 M	1
Airport Assistant Director Planning and Engineering	1653	19 M	1
Airport Assistant Director/Operations & Maintenance	1634	19 M	1
Airport Building Maintenance Supervisor	1684	14 G	2
Airport Deputy Director Finance and Administration	1686	21 M	1
Airport Deputy Director Planning and Development	1652	21 M	1
Airport Emergency Preparedness Coordinator	1630	14 G	3
Airport Engineering Contracts Manager	1633	18 M	1
Airport Facilities Maintenance Manager	1685	16 M	1
Airport Facility Inspector	3951	37 T	3
Airport Fleet Maintenance Manager	3273	16 M	1
Airport Operations Supervisor	1636	15 M	1
Airport Planning Manager	1656	18 M	1
Airport Police Captain	2145	15 M	1
Airport Police Chief	2147	17 M	1
Airport Police Lieutenant	2144	14 P	2
Airport Police Officer	2141	12 P	3
Airport Police Sergeant	2143	13 P	3
Airport Power Plant Manager	1687	15 M	1
Airport Properties Division Manager	1654	18 M	1
Airport Properties Inspector	4221	11 G	3
Airport Properties Inspector (Lead)	4222	13 G	3
Airport Properties Specialist	1681	14 G	2
Airport Properties Supervisor	1682	15 P	1
Airport Risk Manager	1683	15 M	1
Airport Senior Deputy Director	1657	22 M	1
Airport Traffic Officer	2172	9 G	3
Animal Care and Control Officer	2113	11 G	3
Animal Regulation Center Supervisor	2116	14 G	2
Arborist	3654	15 P	1
Architect I	4431	13 P	2
Architect II	4432	14 P	1
Architect III	4433	15 P	1
Architectural Manager	4434	17 M	1
Assessor	1439	20 M	1
Asset Manager I	1485	17 M	1
Asset Manager II	1486	19 M	1
Assistant Fire Chief	2235	81 F	1
Assistant Mechanical Maintenance Worker	3412	9 G	3
Attorney I	2361	15 P	1
Attorney II	2362	17 P	1
Attorney III	2363	18 P	1
Attorney IV	2367	20 M	1
Attorney Manager	2364	20 M	1
Audit Manager	1475	17 M	1
Audit Supervisor	1473	16 P	1
Auditor I	1471	13 G	2
Auditor II	1472	14 G	2
Battalion Fire Chief	2227	77 F	1
Benefits Clerk	1541	10 G	3
Benefits Specialist	1545	12 G	3
Billing Supervisor	1192	14 G	2
Blacksmith	3231	36 T	3
Budget Analyst	1461	14 G	3
Budget Analyst (Senior)	1462	15 P	3
Budget Director	1468	21 M	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Building Inspection Manager	3857	17 M	1
Building Inspection Supervisor I	3855	39 T	3
Building Inspection Supervisor II	3856	15 M	1
Building Inspector I	3851	36 T	3
Building Inspector II	3852	37 T	3
Building Maintenance and Operations Supervisor	3753	14 G	2
Building Maintenance Worker	3411	10 G	3
Building Records Clerk	1114	9 G	3
Buyer	1223	14 G	2
CAD Technician	4422	12 G	3
Capital Improvement Project Liaison	4344	15 P	2
Carpenter	3211	36 T	3
Carpenter (Lead)	3212	37 T	3
Carpenter Foreman	3213	39 T	3
Cashier	1182	9 G	3
Cashier Supervisor	1184	11 G	3
Chemist I	3551	13 P	2
Chemist II	3552	14 P	2
Chemistry Supervisor	3553	16 P	1
Chief Deputy Marshal	2123	14 M	1
Chief Horticulturist	3638	17 M	1
Chief of Staff	1737	23 M	1
Chief Paramedic	5721	17 M	1
Chief Parole and Probation Officer	2322	15 M	1
Chief Plan Examiner	4233	17 M	1
Chief Staff Officer	1483	21 M	1
City Counselor	2368	22 M	1
City Court Administrator	1676	16 M	1
City Court Judge	2369	17 P	1
City Marshal	2129	15 M	1
City Planning Executive	4143	19 M	1
City Register	1661	14 M	1
City Surveyor	4293	15 P	2
Civil Engineer I	4241	14 P	2
Civil Engineer II	4242	15 P	1
Civil Engineer III	4243	16 P	1
Civil Engineer III/Computer Network Coordinator	4244	16 P	1
Civil Engineer Supervisor	4245	16 P	1
Clerical Aide	1111	5 G	3
Clerical Supervisor	1115	13 G	2
Clerk I	1112	8 G	3
Clerk II	1113	9 G	3
Clerk Typist I	1121	8 G	3
Clerk Typist II	1122	9 G	3
Clerk Typist III	1123	10 G	3
Client Service Coordinator I	6147	13 G	3
Client Service Coordinator II	6148	14 G	3
Clinical Nurse Specialist	5656	15 P	1
Commissioner of Buildings	3858	20 M	1
Commissioner of Communications	1811	17 M	1
Commissioner of Corrections	2373	20 M	1
Commissioner of Emergency Management	2181	17 M	1
Commissioner of Equipment Services	3277	19 M	1
Commissioner of Excise	2193	17 M	1
Commissioner of Facilities Management	3755	19 M	1
Commissioner of Forestry	3644	19 M	1
Commissioner of Health	5688	21 M	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Commissioner of Parks	3645	19 M	1
Commissioner of Recreation	7137	19 M	1
Commissioner of Refuse	3135	19 M	1
Commissioner of Streets	4248	19 M	1
Commissioner of Supply	1229	18 M	1
Commissioner of Traffic	4283	19 M	1
Commissioner of Water	4329	20 M	1
Commissioner on the Disabled	6163	17 M	1
Communications Center Coordinator	2161	14 G	3
Communications Regulatory Manager	1813	16 M	1
Community Development Planner I	4121	13 G	3
Community Development Planner II	4122	14 G	2
Community Development Planner III	4126	15 P	1
Community Development Research Analyst	4184	15 P	1
Community Development Specialist I	4123	13 G	3
Community Development Specialist II	4124	14 G	2
Community Development Supervisor	4127	15 M	1
Community Health Aide	5624	10 G	3
Community Program Aide	6171	10 G	3
Comptroller	1489	2 E	1
Computer Operations Supervisor	1327	13 M	1
Computer Operator I	1323	10 G	3
Computer Operator II	1324	11 G	3
Computer Programmer I	1331	13 G	3
Computer Programmer II	1332	14 G	3
Computerized Graphics Typesetter	2411	11 G	3
Concrete Finisher	3283	36 T	3
Construction and Maintenance Manager	3759	17 M	1
Construction and Maintenance Superintendent	3758	16 M	1
Construction Equipment Foreman I	3328	39 T	3
Construction Equipment Foreman II	3329	40 T	2
Construction Equipment Operator I	3332	35 T	3
Construction Equipment Operator II	3333	36 T	3
Construction Project Leader	4346	15 P	2
Contract and Inventory Specialist	3754	16 M	1
Contract Compliance Officer	1662	14 G	2
Contract Specialist	1663	11 G	3
Contract Supervisor	1664	15 M	1
Correctional Case Worker	2337	12 G	3
Correctional Case Worker Assistant	2336	11 G	3
Correctional Center Superintendent	2372	19 M	1
Correctional Chief of Security	2338	15 M	1
Correctional Classification Assistant	2333	11 G	3
Correctional Investigator	2339	12 G	3
Correctional Officer I	2331	11 G	3
Correctional Officer II	2332	12 G	3
Correctional Program Manager	2374	16 M	1
Correctional Program Supervisor	2342	13 G	2
Correctional Shift Supervisor	2335	14 G	3
Correctional Training Coordinator	2381	14 G	2
Correctional Unit Manager	2375	15 M	1
Counseling and Testing Coordinator	5641	14 P	2
Court Officer	2334	10 G	3
Court Room Clerk	1118	9 G	3
Court Room Clerk Coordinator	1119	10 G	3
Cultural Resources Director	1674	18 M	1
Custodian	3711	6 G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Custodian (Lead)	3712	7	G	3
Customer Service Manager	1726	16	M	1
Customer Service Representative I	1116	10	G	3
Customer Service Representative II	1117	11	G	3
Customer Service Supervisor	1185	13	G	2
Data Entry Operator	1312	8	G	3
Data Entry Operator (Lead)	1314	10	G	3
Data Entry Supervisor	1315	11	G	3
Data Processing Manager	1365	18	M	1
Deputy Airport Police Chief	2146	16	M	1
Deputy Assessor	1435	17	M	1
Deputy Budget Director	1467	17	M	1
Deputy City Counselor	2366	21	M	1
Deputy City Engineer	4316	21	M	1
Deputy Commissioner of Buildings	3859	19	M	1
Deputy Commissioner of Equipment Services	3275	17	M	1
Deputy Commissioner of Parks	3646	17	M	1
Deputy Commissioner of Refuse	3134	17	M	1
Deputy Commissioner of Streets	4247	17	M	1
Deputy Commissioner of Supply	1228	17	M	1
Deputy Comptroller	1488	21	M	1
Deputy Director of Civil Rights Enforcement Agency	6138	16	M	1
Deputy Director of Community Development	4145	20	M	1
Deputy Director of Employment and Training	6228	18	M	1
Deputy Director of Personnel	1528	20	M	1
Deputy Director of Planning and Urban Design	4188	19	M	1
Deputy Director of Public Safety	2152	20	M	1
Deputy Fire Chief	2231	78	F	1
Deputy Marshal	2121	10	G	3
Detention Center Superintendent	2371	18	M	1
Director of Airports	1658	23	M	1
Director of Civil Rights Enforcement Agency	6139	18	M	1
Director of Community Development	4144	22	M	1
Director of Employment and Training	6229	20	M	1
Director of Health and Hospitals	5589	23	M	1
Director of Human Services	6169	21	M	1
Director of Information Technology	1367	21	M	1
Director of Parks, Recreation and Forestry	3649	21	M	1
Director of Personnel	1529	22	M	1
Director of Planning and Urban Design	4186	20	M	1
Director of Public Safety	2151	22	M	1
Director of Public Utilities	4349	21	M	1
Director of Streets	4249	21	M	1
Disabled Services Representative	6173	11	G	3
Document Specialist I	5643	11	G	3
Document Specialist II	5644	12	G	3
Drafting Supervisor	4425	13	G	3
Duplicating Equipment Operator	2412	31	T	3
Electrical Engineer	4261	15	P	1
Electrical Engineer (Senior)	4262	16	P	1
Electrical Inspection Supervisor	3815	15	M	1
Electrical Inspector I	3811	36	T	3
Electrical Inspector II	3812	38	T	3
Electrical Supervisor	3226	15	G	2
Electrician	3223	36	T	3
Electrician (Lead)	3224	38	T	3
Electrician Foreman	3225	39	T	3

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Electronic Control Systems Technician	3442	36 T	3
Electronic Instrument Technician	3443	36 T	3
Electronic Technician Supervisor	3444	39 T	3
Emergency Management Specialist	2183	15 M	1
Emergency Management System Technician	2182	36 T	3
Employee Benefits Manager	1526	18 M	1
Employment and Training Representative	6211	12 G	3
Employment and Training Specialist I	6213	13 G	3
Employment and Training Specialist II	6214	14 G	3
Employment and Training Specialist III	6215	15 P	3
Employment and Training Specialist IV	6218	17 P	1
EMS Chief	5726	16 M	1
EMS Communications Supervisor	5723	14 G	2
EMS Deputy Chief	5725	15 M	1
EMS Dispatcher	5731	11 G	3
EMS Inventory Supervisor	5722	12 G	3
EMS Lead Dispatcher	5732	12 G	3
EMS Training Specialist	5719	14 G	3
EMT (Emergency Medical Technician)	5714	11 G	4
Engineering Manager I	4312	17 M	1
Engineering Manager II	4313	18 M	1
Engineering Technician I	4224	13 G	3
Engineering Technician II	4225	14 G	3
Engineering Technician Supervisor	4226	15 P	2
Environmental Court Coordinator	3881	15 M	1
Environmental Health Officer	5622	13 G	3
Environmental Health Specialist	5628	13 G	3
Environmental Health Supervisor	5638	14 G	2
Environmental Regulatory Compliance and Safety Manager	1659	19 M	1
Epidemiologist	5642	16 P	1
Equipment Operator	3321	9 G	3
Estimator	4223	13 G	3
Executive Assistant I	1628	16 M	1
Executive Assistant II	1629	17 M	1
Executive Assistant to the Mayor	1725	20 M	1
Executive Director for Development	1728	23 M	1
Executive Director for Operations	1736	23 M	1
Executive Director of the Affordable Housing Commission	1722	19 M	1
Executive Secretary I	1134	12 G	3
Executive Secretary II	1135	14 G	2
Executive Secretary to the Comptroller	1136	14 G	2
Executive Secretary to the Mayor	1727	21 M	1
Financial Analyst	1482	15 P	1
Financial Supervisor/Information Systems Coordinator	1484	16 M	1
Fire Alarm Manager	2216	74 F	1
Fire Captain	2226	72 F	3
Fire Chief	2239	83 F	1
Fire Equipment Dispatcher	2212	69 F	3
Fire Private	2222	69 F	3
Fiscal Manager	1448	18 M	1
Fiscal Officer	1490	16 P	1
Fiscal Operations Support Manager	1491	19 M	1
Fleet Maintenance Foreman I	3266	38 T	3
Fleet Maintenance Foreman II	3267	39 T	3
Fleet Maintenance Manager	3274	16 M	1
Fleet Maintenance Parts Specialist	3287	31 T	3
Fleet Maintenance Parts Supervisor I	3284	33 T	3

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Fleet Maintenance Parts Supervisor II	3285	35 T	3
Fleet Maintenance Technician I	3261	31 T	3
Fleet Maintenance Technician II	3262	35 T	3
Fleet Maintenance Technician III	3263	36 T	3
Fleet Maintenance Technician IV	3265	37 T	3
Food Establishment Inspector	5631	13 G	3
Forest Park Executive	3642	17 M	1
Forestry Foreman	3641	11 G	3
Forestry Supervisor	3622	13 G	3
Gardener	3632	10 G	3
Gardener Supervisor	3633	11 G	3
GED Instructor/Employer Job Profiler	6219	13 G	2
Gerontologist	6146	15 P	2
GIS Specialist I/Graphic Designer	4111	13 G	3
GIS Specialist II/Graphic Designer	4112	14 G	3
GIS/Graphic Design Manager	4113	15 M	1
Government Services Administrator	1627	17 P	1
Government Services Analyst	1625	16 P	1
Grants Administrator	1453	15 M	1
Grants Manager	1455	17 M	1
Grants Specialist	1452	10 G	3
Grants Writer	1451	13 G	3
Graphic Artist	4181	11 G	3
Graphic Arts Technician	4187	37 T	3
Graphic Designer	4182	12 G	3
Health Care Compliance Specialist	5515	14 G	3
Health Education Planner	5696	12 G	3
Health Marketing Administrator	5685	16 P	1
Health Planning Executive	5571	17 M	1
Health Services Manager I	5681	17 M	1
Health Services Manager II	5682	18 M	1
Heavy Equipment Operator I	3325	10 G	3
Heavy Equipment Operator II	3326	11 G	3
Historic Preservation Planner I	4192	13 G	3
Historic Preservation Planner II	4193	14 P	2
Horticulturist	3637	13 P	2
Housekeeping Manager	3719	14 G	2
Housekeeping Supervisor I	3715	11 G	3
Housekeeping Supervisor II	3716	13 G	3
Housing Development Analyst	4125	14 G	2
Housing Development Analyst (Senior)	4128	15 P	1
Human Relations Specialist	6131	13 G	3
Human Resources Assistant	1511	11 G	3
Human Resources Generalist I	1518	14 P	3
Human Resources Generalist II	1519	16 P	1
Human Resources Manager	1523	18 M	1
Human Resources Specialist I	1513	13 G	3
Human Resources Specialist II	1514	14 G	3
Human Resources Specialist III	1515	15 P	3
Human Resources Specialist IV	1516	16 P	1
HVAC Foreman	3418	39 T	3
HVAC Mechanic	3417	36 T	3
Industrial Hygienist	5629	14 P	2
Information Security Administrator	1369	17 P	1
Information Systems Administrator	1362	20 M	1
Information Systems Audit Supervisor	1474	17 P	1
Information Systems Coordinator	1322	13 P	2

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Information Systems Support Manager	1363	19 M	1
Internal Audit Executive	1476	20 M	1
Internet Services Manager	1368	18 M	1
Interpreter for the Deaf	6174	12 G	3
Inventory Control Specialist	1214	8 G	3
Inventory Control Technician I	1211	8 G	3
Inventory Control Technician II	1212	9 G	3
Inventory Coordinator	1215	10 G	3
Inventory Supervisor	1213	11 G	3
Ironworker	3232	36 T	3
Labor Foreman I	3121	12 G	3
Labor Foreman II	3125	13 G	3
Labor Supervisor	3128	14 G	2
Laboratory Aide	5421	8 G	3
Laboratory Assistant	5422	11 G	3
Laboratory Director	3555	17 M	1
Laboratory Supervisor	5463	16 M	1
Laboratory Technician	3554	11 G	3
Laborer	3111	8 G	3
Laborer (Lead)	3112	9 G	3
Land Acquisition Specialist	3952	11 G	3
Landscape Manager	3635	15 M	1
Lead Abatement Inspector	5626	13 G	3
Lead Abatement Worker	5625	11 G	3
Lead Abatement Worker (Lead)	5627	12 G	3
Lead Program Aide	5611	9 G	3
Legal Investigator I	2351	13 G	3
Legal Investigator II	2352	14 G	2
Legal Secretary	1151	12 G	3
Licensed Practical Nurse	5181	11 G	3
Lifeguard	7111	5 G	3
Lifeguard Supervisor	7112	7 G	3
Liquor Control Officer	2191	11 G	3
Liquor Control Supervisor	2192	14 G	3
Machine Shop Foreman	3238	38 T	3
Machinist	3233	36 T	3
Mail Room Supervisor	1186	14 G	3
Maintenance/Bulk Labor Foreman	3126	13 G	3
Mayor	1739	3 E	1
Mechanical Engineer	4271	15 P	1
Mechanical Engineer (Senior)	4272	16 P	1
Mechanical Equipment Inspection Supervisor	3845	15 M	1
Mechanical Inspector I	3841	36 T	3
Mechanical Inspector II	3843	38 T	3
Mechanical Maintenance Foreman	3415	38 T	3
Mechanical Maintenance Worker	3413	35 T	3
Mechanical Maintenance Worker (Lead)	3414	37 T	3
Medical Record Administrator	5513	13 G	3
Medical Service Coordinator	6149	14 G	3
Medical Technologist	5461	13 G	3
Medical Technologist (Lead)	5462	14 G	3
Messenger/Mail Clerk	1181	5 G	3
Microcomputer Support Specialist	1328	11 G	3
Municipal Parking Garage Manager	3133	14 M	1
Neighborhood Development Executive	3872	17 M	1
Neighborhood Improvement Specialist	3871	14 G	2
Network Systems Manager	1364	18 M	1

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Nurse Practitioner	5131	16	P	1
Nutrition Program Coordinator	5664	14	P	2
Nutritionist	5663	14	P	2
Operations Assistant-Security	2341	11	G	3
Outreach Worker	5698	11	G	3
Painter	3242	36	T	3
Painter (Lead)	3243	37	T	3
Painter Foreman	3245	39	T	3
Paralegal	2365	12	G	3
Paramedic	5717	13	G	4
Paramedic Crew Chief	5718	14	G	4
Paramedic Supervisor	5716	15	G	4
Park Facilities Maintenance Superintendent	3617	16	M	1
Park Maintenance Manager	3618	16	M	1
Park Ranger	2132	10	G	3
Park Ranger Manager	2135	14	M	1
Park Ranger Supervisor I	2133	11	G	3
Park Ranger Supervisor II	2134	12	G	3
Park Supervisor I	3612	12	G	3
Park Supervisor II	3613	13	G	3
Parking Garage Attendant	3114	6	G	3
Parking Garage Attendant (Lead)	3115	8	G	3
Parkkeeper	3611	11	G	3
Parole and Probation Officer	2321	13	G	3
Parole and Probation Officer (Lead)	2323	14	G	3
Parole and Probation Supervisor	2324	15	M	1
Paving Machine Assistant	3119	9	G	3
Payroll Manager	1449	16	M	1
Payroll Specialist I	1171	10	G	3
Payroll Specialist II	1172	11	G	3
Payroll Supervisor	1173	14	M	1
Permit Supervisor	1673	14	M	1
Personal Property Appraisal Manager	1415	15	M	1
Personal Property Appraisal Supervisor	1413	14	G	2
Personal Property Appraiser I	1411	11	G	3
Personal Property Appraiser II	1412	12	G	3
Pest Control Worker	5699	9	G	3
Physician	5553	18	P	1
Physician Manager	5554	21	M	1
Plan Examiner	4232	14	P	2
Planning and Programming Executive	4318	19	M	1
Plumber	3251	36	T	3
Plumber Foreman	3253	39	T	3
Plumbing Inspection Supervisor	3824	15	M	1
Plumbing Inspector I	3821	36	T	3
Plumbing Inspector II	3822	38	T	3
President, Board of Aldermen	1748	1	E	1
President, Board of Public Service	4348	23	M	1
Printing and Duplicating Graphics Manager	2413	15	M	1
Printing Supervisor	2414	13	G	2
Probationary Fire Equipment Dispatcher	2211	69	F	3
Probationary Fire Private	2221	69	F	3
Process Control Specialist	4265	15	P	1
Procurement/Purchasing Manager I	1226	16	M	1
Procurement/Purchasing Manager II	1227	17	M	1
Procurement Specialist	1225	13	G	2
Program Aide	7311	10	G	3

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Program Architect	4435	16 P	1
Program Coordinator	1698	14 P	2
Program Engineer	4345	17 P	1
Program Manager I	1693	15 M	1
Program Manager II	1694	16 M	1
Program Specialist I	1696	11 G	3
Program Specialist II	1691	12 G	3
Program Supervisor	1692	13 M	1
Program Worker I	7312	5 G	3
Program Worker II	7313	6 G	3
Program Worker III	7314	7 G	3
Programmer/Analyst I	1341	15 P	2
Programmer/Analyst II	1342	16 P	2
Programmer/Analyst III	1343	17 P	2
Public Health Counselor	5645	13 G	2
Public Health Education Coordinator	5648	15 P	2
Public Health Educator	5695	15 P	1
Public Health Intake Supervisor	5646	15 G	2
Public Health Intake Worker	5647	12 G	3
Public Health Nurse I	5651	14 G	3
Public Health Nurse II	5653	15 G	3
Public Health Nurse III	5654	16 P	2
Public Health Nursing Supervisor	5655	17 M	1
Public Health Program Representative	5693	13 G	3
Public Health Program Specialist	5691	14 G	3
Public Health Program Supervisor	5694	15 G	2
Public Information Assistant	1612	12 G	3
Public Information Manager	1617	18 M	1
Public Information Officer I	1614	13 G	2
Public Information Officer II	1615	15 P	1
Public Information Officer Supervisor	1616	15 M	1
Public Information Officer to the Comptroller	1618	15 P	1
Public Information Officer to the Mayor	1613	16 M	1
Public Nuisance Inspector	3861	10 G	3
Public Safety Specialist	2136	15 P	1
Real Estate Development Specialist	1665	14 G	3
Real Estate Records Clerk I	1666	9 G	3
Real Estate Records Clerk II	1668	10 G	3
Real Estate Records Manager	1426	14 M	1
Real Estate Specialist	1667	13 G	3
Real Property Appraisal Manager	1429	16 M	1
Real Property Appraisal Supervisor	1428	15 M	1
Real Property Appraiser I	1421	13 G	3
Real Property Appraiser II	1422	14 G	3
Receptionist	1161	8 G	3
Receptionist to the Mayor	1162	9 G	3
Records Retention Supervisor	1187	14 G	2
Recreation Area Manager	7118	16 M	1
Recreation Assistant	7116	7 G	3
Recreation Leader	7117	10 G	3
Recreation Supervisor I	7114	12 G	3
Recreation Supervisor II	7115	14 G	2
Refuse Route and Safety Coordinator	3931	11 G	3
Refuse Superintendent	3131	16 M	1
Registered Nurse I	5121	14 G	3
Registered Nurse II	5122	15 G	3
Research Analyst to the Mayor	1729	16 P	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Safety Officer I	1531	13 G	3
Safety Officer II	1532	14 G	3
Safety Officer III	1533	15 P	1
School Crossing Guard	2174	5 G	3
Secretary and Stenographer to the Mayor	1175	11 G	3
Secretary I	1131	9 G	3
Secretary II	1132	10 G	3
Secretary to the Board of Estimate and Apportionment	1137	12 G	3
Secretary to the Board of Public Service	1671	14 M	1
Security Officer	2131	10 G	3
Senior Engineering Executive	4347	20 M	1
Senior Fire Equipment Dispatcher	2215	72 F	3
Senior Plan Examiner	4234	15 P	1
Senior Plan Examiner/Code Development Specialist	4235	16 P	1
Sign Shop Supervisor	3246	38 T	3
Solid Waste Route Foreman	3127	13 G	3
Soulard Market Manager	3757	15 M	1
Special Assistant for Development	1724	17 M	1
Special Assistant to the Comptroller	1672	16 M	1
Special Assistant to the Mayor	1723	17 M	1
Special Assistant to the Water Commissioner	3538	17 M	1
Special Events Program Executive	1697	18 P	1
Special Projects Manager	2382	17 M	1
Specialist on Aging I	6121	13 G	3
Specialist on Aging II	6122	14 G	2
Stationary Engineer	3423	36 T	3
Street and Traffic Inspection Supervisor I	3955	13 G	3
Street and Traffic Inspection Supervisor II	3956	14 M	1
Street and Traffic Inspector	3954	11 G	3
Street and Traffic Liaison	1643	14 M	1
Street Lighting Superintendent	3229	16 M	1
Street Maintenance Superintendent	3132	16 M	1
Superintendent of Soldiers' Memorial	3756	14 M	1
Supervising Deputy Marshal	2124	11 G	3
Supervising Stationary Engineer I	3427	39 T	3
Supervising Stationary Engineer II	3428	15 M	1
Supervisor-STD Intervention and Outreach Program	5649	15 P	2
Survey Projects Coordinator	4246	15 P	1
Surveyor	4292	14 G	3
Systems Analyst	1351	15 P	2
Systems Development Manager	1366	19 M	1
Systems Project Leader	1352	18 M	1
Technical Support Specialist I	1371	15 P	2
Technical Support Specialist II	1372	16 P	1
Telecommunications Inspector	1824	13 G	3
Telecommunications Maintenance Supervisor	1854	13 G	3
Telecommunications Specialist	1853	14 G	3
Telecommunications Supervisor	2173	12 G	3
Telecommunications Technician	1855	12 G	3
Telecommunicator	2171	10 G	3
Tow Truck Operator	3311	10 G	3
Towing Services Foreman	3313	11 G	3
Towing Services Manager	3317	15 M	1
Towing Services Supervisor	3314	14 G	2
Trades Helper	3281	31 T	3
Traffic Control Superintendent	3438	16 M	1
Traffic Engineer	4281	15 P	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Traffic Engineer (Senior)	4282	16 P	1
Traffic Engineering Manager	4284	17 M	1
Traffic Violation Bureau Supervisor	1677	13 G	3
Transportation Center Operation Specialist	3752	11 G	3
Transportation Center Operation Supervisor	3751	16 M	1
Tree Trimmer	3621	10 G	3
Truck Tire Service Worker	3264	9 G	3
Urban Designer	4185	14 P	2
Urban Forester	3652	14 P	2
Urban Forestry Assistant	3651	11 G	3
Urban Forestry Superintendent	3656	16 M	1
Utility Worker	3117	9 G	3
Utility Worker (Lead)	3118	10 G	3
Veterans Service Officer	1695	14 M	1
Veterinarian	2119	16 P	1
Veterinarian Technician	2118	9 G	3
Video Engineer	1823	40 T	3
Video Production Manager	1812	16 M	1
Video Production Specialist	1822	36 T	3
Video Production Supervisor	1821	40 T	3
Water Department Liaison	3533	16 P	1
Water Distribution Executive	4314	19 M	1
Water Distribution Superintendent	3535	16 M	1
Water Distribution Supervisor	3534	14 G	2
Water Maintenance Foreman	3517	13 G	3
Water Maintenance Worker	3512	11 G	3
Water Meter and Tap Supervisor	3526	14 M	1
Water Meter Repair Foreman	3525	13 G	3
Water Meter Repair Worker	3523	10 G	3
Water Meter Worker	3521	10 G	3
Water Meter Worker Supervisor	3522	13 G	3
Water Plant Maintenance Foreman	3543	39 T	3
Water Plant Maintenance Manager	3531	17 M	1
Water Plant Maintenance Mechanic	3541	36 T	3
Water Plant Maintenance Mechanic (Lead)	3542	38 T	3
Water Production Engineer	3536	17 M	1
Water Production Executive	4315	19 M	1
Water Services Manager	3537	14 M	1
Water System Inspector	3524	11 G	3
Water Treatment Plant Operations Assistant	3511	32 T	3
Water Treatment Plant Operator	3515	36 T	3
Water Treatment Plant Supervisor I	3514	38 T	3
Water Treatment Plant Supervisor II	3519	39 T	3
Water Utility Worker	3513	10 G	3
Web Development Specialist I	1345	14 P	2
Web Development Specialist II	1346	15 P	1
Welder	3235	36 T	3
Workers Compensation Specialist	1543	13 G	3
X-ray Technician	5441	11 G	3
Zoning Administrator	4165	16 M	1
Zoning Inspector	4163	10 G	3
Zoning Specialist	4162	12 G	3
Zoning Specialist (Lead)	4164	14 G	3

(b) ELECTED OFFICIAL STAFF POSITIONS:

The following non-competitive staff positions appointed by the President, Board of Aldermen are hereby allocated as listed

below by the Director of Personnel to a grade with rates as established in Section 2 of this ordinance in accordance with Section 3(a) and Section 9(e) of Article XVIII of the City Charter.

TITLE	CODE	GRADE/ SCHEDULE
Secretary to the President, Board of Aldermen	1741	13 G
Administrative Aide to the President, Board of Aldermen	1743	14 M
Administrative Assistant to the President, Board of Aldermen	1745	16 M
Special Assistant to the President, Board of Aldermen	1746	17 M

**SECTION 2.
OFFICIAL PAY SCHEDULE FOR CLASSIFICATION GRADES**

The Civil Service Commission, in accordance with Section 7(b)(1) of Article XVIII of the City Charter, recommended pay schedules for all pay grades denoted in Section 1(a) of the classification plan prepared and revised by the Department of Personnel. The official pay schedules and their corresponding salary ranges as hereby adopted in this Section 2 are as follows: (a) - General, Professional, and Management Schedule, (b) - Trades Schedule, (c) - Fire Department Schedule, and (d) - Elected Official Schedule.

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

The following bi-weekly pay schedule for all pay grades denoted with the suffix "G," "P," 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	1049
6	773	1140
7	840	1239
8	912	1347
9	989	1463
10	1074	1593
11	1169	1733
12	1270	1885
13	1400	2082
14	1605	2388
15	1839	2741
16	2110	3144
17	2421	3612
18	2777	4147
19	3189	4763
20	3662	5471
21	3951	5906
22	4263	6375
23	4601	6883

(b) TRADES PAY SCHEDULE:

The following bi-weekly pay schedule for all pay grades denoted with the suffix "T" 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
31	1119	1773
32	1171	1854
33	1223	1941
34	1281	2033
35	1340	2123
36	1403	2227
37	1470	2331
38	1536	2435

39	1609	2556
40	1685	2672

(c) FIRE DEPARTMENT PAY SCHEDULE:

The bi-weekly pay schedule for all pay grades denoted by the suffix "F" will be adopted in accordance with Section 31 of Article XVIII of the City Charter.

		BI-WEEKLY RANGE OF PAY							
Class Code		2211	2212	2215	2216	2227	2231	2235	2239
		2221	2222	2226					
Current Years of Service		69F	69F	72F	74F	77F	78F	81F	83F
0		1442.85							
1-2			1493.32						
2-3			1540.03						
3-4			1626.74						
4-5			1669.63						
5-6			1725.36						
6-7			1781.10						
7-8			1888.00	2421.86					
8-9			1964.70	2519.74					
9-10			2044.16	2620.86	2849.15				
10-11			2051.25	2627.88	2856.21				
11-12			2073.45	2634.86	2863.27	3125.59			
12-13			2080.83	2641.96	2870.29	3132.65	3214.22	3835.07	3994.87
13-14			2087.81	2648.97	2877.35	3139.58	3321.12	3848.50	4008.86
14-15			2094.79	2655.99	2884.33	3146.65	3328.10	3861.97	4022.89
15-16			2101.89	2663.01	2891.34	3153.66	3335.20	3875.45	4036.93
16-17			2108.87	2669.98	2898.37	3160.73	3342.16	3888.96	4051.01
17-18			2115.97	2677.08	2905.42	3167.78	3349.28	3902.43	4065.04
18-19			2122.95	2684.11	2915.42	3174.72	3356.22	3915.87	4079.03
19-20			2129.92	2691.20	2919.45	3181.77	3363.23	3929.42	4093.15
20-21			2136.98	2698.15	2926.48	3188.84	3370.29	3942.93	4107.23
21-22			2144.00	2705.19	2933.48	3195.86	3377.30	3956.37	4121.22
22-23			2151.01	2712.26	2940.55	3202.83	3384.40	3969.84	4135.25
23-24			2158.07	2719.28	2947.61	3209.85	3391.34	3983.36	4149.34
24-25			2165.06	2726.33	2954.63	3216.87	3398.48	3996.75	4163.28
25-26			2172.11	2733.32	2961.69	3223.97	3405.41	4010.31	4177.41
26-27			2179.14	2740.33	2968.71	3230.99	3412.44	4023.82	4191.49
27-28			2186.23	2747.39	2975.68	3237.96	3419.54	4037.37	4205.60
28-29			2193.21	2754.41	2982.74	3244.94	3426.48	4050.85	4219.64
29-30			2200.18	2761.34	2989.76	3252.04	3433.58	4064.24	4233.59
30			2207.20	2768.44	2996.69	3259.06	3440.51	4077.79	4247.71

(d) ELECTED OFFICIAL PAY SCHEDULE:

(1) The following bi-weekly pay schedule for each Executive pay grade, denoted by the suffix "E," is currently in effect and extends through the term of office for each elected official:

GRADE	BI-WEEKLY RATE
1E	\$3237
2E	\$4315
3E	\$5070

(2) The following bi-weekly pay schedule for each Executive pay grade, denoted by the suffix "E," shall become effective beginning with any term of office starting in 2011:

GRADE	BI-WEEKLY RATE
1E	\$3491
2E	\$4315
3E	\$5070

(3) The salary of an elected official shall not be increased during the term of office.

(e) **SHIFT DIFFERENTIAL:** Shift differential shall be paid for certain work assignments. The Director of Personnel 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 appointing authority 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) or 2(b) 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.

Shift differential premium shall be \$2.00 per hour for each hour worked between 11:00 p.m. and 7:00 a.m. during an eligible shift to be paid to Overtime Code 3 Fire Equipment Dispatcher classifications whose pay range is established in Section 2(c).

(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) or 2(b) 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) or 2(b) shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

At the end of FY11 the shift for employees whose pay is established in Section 2(c) will revert back to Section 2(e)(1) and 2(e)(4) of Ordinance 68540.

(f) **WEEKEND DIFFERENTIAL:** When employees whose pay range is established in Section 2(a) or 2(b) 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. This differential shall only be paid for whole hours worked, providing the portion of the day not worked is charged to paid leave. 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.

(g) **COMMUTING ALLOWANCE:** Employees residing in the City of St. Louis who are regularly assigned to a position located in a City institution, agency, or facility located outside the corporate limits of the City of St. Louis, and who are regularly assigned to a five-day, forty-hour weekly work schedule, shall be entitled to a commuting allowance in the amount of one hundred forty-one dollars (\$141.00) bi-weekly on the effective date of this ordinance. Eligible full-time employees who are assigned to an alternate form of work schedule which reduces the frequency of commuting to work shall be entitled to a commuting allowance which is reduced in proportion to the reduced frequency of commuting. City employees who are temporarily assigned duty to a facility located outside the corporate limits of the City of St. Louis shall be entitled to a per diem rate for the duration of the assignment.

Only full-time employees who are paid a bi-weekly rate and are regularly employed ten (10) or more working days in a bi-weekly pay period shall be eligible for the commuting allowance. A period of absence of ten (10) working days or more shall result in suspension of eligibility for the commuting allowance. Suspension of the commuting allowance shall begin during the pay period in which the tenth (10th) day of absence occurs and shall continue for any subsequent full or partial pay periods during the period of absence. Upon return to duty from such absence, an employee again shall be eligible for commuting allowance upon completion of the first full pay period of service for which the allowance would normally be paid.

Employees for whom any form of free transportation (car, truck, bus, etc.) is provided by the City from a place within the corporate limits of the City of St. Louis to the work site and back shall not be entitled to the commuting allowance.

(h) BOARD AND COMMISSION STIPENDS:

<u>Title</u>	<u>Code</u>	<u>Stipend</u>
Member, Airport Commission	1980-00-B	\$53 per meeting, up to 24 meetings a year
Member, Board of Adjustment	1981-00-B	\$75 per meeting
Member, Board of Air Pollution Appeals and Variance Review	1982-00-B	\$60 per meeting
Member, Board of Equalization	1983-00-B	\$150 per day
Member, Board of Engineers	1984-00-B	\$45 per meeting, up to 2 meetings a week
Member, Board of Examiners of Plumbers	1985-00-B	\$60 per month
Member, Board of Examiners of Fumigators	1986-00-B	\$45 per meeting, up to 3 meetings a month
Member, Board of Examiners of Sign Erectors	1987-00-B	\$45 per meeting, up to 3 meetings a month
Member, Board of Tax Appeals	1988-00-B	\$60 per meeting
Member, Civil Service Commission	1989-00-B	\$55 per meeting, up to 30 meetings a year
Member, Board of Building Appeals	1990-00-B	\$60 per meeting, up to 50 meetings a year
Member, Board of Building Code Review	1991-00-B	\$60 per meeting, up to 1 meeting a week
Member, Boiler Rules Committee	1992-00-B	\$45 per meeting
Member, Committee of Electrical Examiners	1993-00-B	\$45 per meeting, up to 15 meetings a year
Member, Committee on Plumbing Review	1994-00-B	\$45 per meeting, up to 15 meetings a year
Member, Demolition Contractors' Certification Board	1995-00-B	\$45 per meeting, up to 15 meetings a year
Member, Board of Merchants' and Manufacturers' Tax Equalization	1996-00-B	\$83 per day in session, up to 60 meetings during regular 12 week session, but not to exceed 105 meetings a year
Member, Board of Examiners of Sprinkler System Contractors	1997-00-B	\$83 per meeting, up to 15 meetings a year
Member, Board of Examiners for Mechanical Contractors	1998-00-B	\$45 per meeting
Member, Board of Noise Control Appeals	1999-00-B	\$53 per meeting

A person occupying a position as a member of a Board, Commission or Committee shall be paid at the per day, per meeting or per month rate established above.

(i) The Director of Personnel 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, medical leave or holiday leave with pay or other benefits accorded employees paid a bi-weekly rate except that an appointing authority, with the prior approval of the Director of Personnel, 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.

Appointing authorities are 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.

(j) The Director of Personnel 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.

(k) The Director of Personnel, with the assistance of appointing authorities concerned, 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 the appointing authority 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(k) 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(k) shall not be construed to restrict the right of an appointing authority to establish call back procedures for employees as an established condition of employment.

(l) The Director of Personnel 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 Department of Personnel.

(m) The Director of Personnel 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.

(n) (1) An appointing authority, with the prior approval of the Director of Personnel, 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 Director of Personnel 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 Director of Personnel, upon the request of the appropriate appointing authority, 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 Director of Personnel.

(3) Notwithstanding any other provision in this ordinance, the Director of Personnel is authorized to establish a program of incentives not to exceed twenty-five percent (25%) of the maximum of the pay range for the purpose of compensating positions which are extremely hard to fill.

(4) The Director of Personnel may provide an Employee Suggestion Program, which grants cash and other awards to recognize employee suggestions, which improve City services, 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 Director of Personnel. The Director of Personnel may establish an authority to evaluate suggestions and determine awards; the decisions of this authority shall be final.

(o) (1) An appointing authority may, with the prior approval of the Director of Personnel, establish a program to reimburse, in whole or in part, expenses incurred by employees for the purchase of uniform apparel required in the performance of the duties of their positions, when funds have been budgeted therefore.

An appointing authority may exercise the option to furnish such uniform as may be required in the employee's performance of his/her duties.

The Director of Personnel may establish regulations relating to employees' eligibility for reimbursement for uniforms.

Further, when funds have been budgeted therefore, an appointing authority may authorize reimbursement to uniformed security or correctional employees of up to fifty dollars (\$50) per incident for damage to personal property sustained while the employee was directly engaged in quelling a disturbance while performing assigned and/or authorized duties during a shift.

(2) In addition, an appointing authority who requires employees to provide and maintain their own tools shall provide a tool replacement program and/or annual maintenance allowance, with the prior approval of the Director of Personnel.

(p) 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 the appointing authority with the prior approval of the Director of Personnel. 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 Director of Personnel 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 Director of Personnel 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 Classified Service, 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.

(q) (1) Contingency Assignment Differentials will be paid for certain assignments when immediate position coverage is needed for any reason (e.g. separations, extended vacation, leave of absence, etc.) in a higher pay grade, and shall be granted at the onset of the assignment, not to extend more than one pay period. The Director of Personnel will determine the assignments for which Contingency Assignment Differential will be paid. The assignment of an employee to said assignment having a contingency assignment differential will be determined by the appointing authority from an existing eligible list and will not constitute a promotion or advancement in pay. In addition, the removal of an employee from said assignment shall not constitute a demotion or reduction in pay. If an eligible list is not available, an appointing authority may submit to the Director of Personnel the name of the employee being considered for the assignment to determine if they meet the necessary minimum qualifications for the position being considered.

For an employee whose pay range is established in Section 2(a), 2(b) or 2(c), with the prior approval of the Director of Personnel, the contingency 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 or one percent (1%) of the employee's regular base bi-weekly rate for each shift assignment covered, not to exceed one (1) pay period.

(2) 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 Director of Personnel 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 the appointing authority 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), 2(b) or 2(c), with the prior approval of the Director of Personnel, 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.

(r) City employees who are required by their appointing authority to routinely use their personal vehicle in the performance of their duties shall be compensated by using a vehicle maintenance and use allowance of two-hundred seventy dollars (\$270.00) per month.

SECTION 3. SUBSISTENCE AND MAINTENANCE CHARGES

Except as otherwise provided in this ordinance, a deduction shall be made on the payroll or a cash charge shall be collected for subsistence and maintenance provided to employees at a rate to be determined by the employee's department or agency head and the Comptroller of the City of St. Louis. The department or agency head shall establish reasonable charges or deductions which have been calculated and assessed with due consideration for all identifiable costs, including labor and overhead, but shall not exceed the actual cost of the items to the City. When the Department of Personnel determines that the duties and responsibilities of a position require an employee to occupy a room or apartment, there shall be no charge for such accommodations.

Employees residing in City-owned houses or apartments shall be charged for housing and maintenance at the rate established by the Comptroller of the City of St. Louis and deductions at the rate established by the Comptroller shall be made on the payroll. The Comptroller, upon request of the Director of Personnel, shall immediately provide the rates established for City-owned houses or apartments and/or maintenance for employees in the Classified Service. All such charges shall be deducted from the employee's salary on the regular payroll.

SECTION 4. SALARY RANGE LIMITATIONS

No employee in the Classified Service 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 5.
STARTING SALARY**

- (a) The rate of pay for an excepted position to be paid upon original appointment to the class shall be determined by the appointing authority for the excepted 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 Director of Personnel finds that it is difficult to secure the services of persons with minimum qualifications or experienced qualified persons at the minimum rate.

The Director 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 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 Director of Personnel 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 Director of Personnel may, with the approval of the Civil Service Commission, establish a new maximum rate for the class(es) which is not more than twenty-five percent (25%) above the maximum established in this ordinance.

- (c) In Skilled Trades classes, defined as those that have bona fide apprenticeship programs registered with the Department of Labor, new hires who have completed such apprenticeship programs and attained journeyman status shall start at the recruitment rate for the class. New hires in classes in the Trades Pay Schedule who have completed alternative training programs established and approved by the Director of Personnel, and attained journeyman status shall also be eligible for a starting salary at the recruitment rate.
- (d) Employees with permanent status who are eligible for reemployment as determined by the Rules of the Department of Personnel and Civil Service Commission shall be reemployed at an appropriate rate within the new salary range which takes into consideration the employee's prior service in the position, as determined by the Director of Personnel.

**SECTION 6.
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 Classified Service 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, Professional, Management, or Trades Pay Schedule, the employee's current salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to the promotion. An appointing authority, with the prior approval of the Director of Personnel, may pay an employee up to twenty percent (20%) when such action is needed to attract experienced, qualified candidates for a position. 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: When an employee, whose salary range is established in Section 2(a) or 2(b), is certified and temporarily promoted to a vacant position, for a limited duration, the employee's current salary shall be adjusted as provided in Paragraph (a)(1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former rate of pay, 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 provided for in this ordinance.

Employees whose salary ranges are established in Section 2(c) of this ordinance, upon receipt of a temporary promotion, shall be granted the new rank with a salary adjustment based on appropriate years of service in accordance with procedures established for a regular promotion. At the end of the temporary promotion, the employee shall be returned to the rank held immediately prior to the temporary promotion. The employee's new rate of pay shall be based on the appropriate years of service.

(b) Demotion: This shall be defined as a change of an employee in the Classified Service 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 Department of Personnel and Civil Service Commission and established disciplinary procedures, his/her rate of pay shall be established at a rate within the range for the new position to be determined by the appointing authority, with the approval of the Director of Personnel.

(2) If an employee accepts a voluntary demotion, his/her current rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion, except that 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 City Service as determined by the Director of Personnel, 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 6 (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 7. 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) Competitive positions for which salary is established in Section 2(a) - General, Professional, and Management Schedule; or Section 2(b) - Trades Schedule:

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

(2) Employees who are appointed to a position at the recruitment rate in their respective pay range in the Trades Pay Schedule as a result of the completion of a bona fide apprenticeship program and attainment of journeyman status or alternative training program established and approved by the Director of Personnel, shall be advanced to the advanced salary rate of their respective grade upon completion of the working test period with satisfactory service as determined by the standards established in the Service Rating Manual.

(3) A non-exempt (Overtime Code 3 or 4) employee whose pay is established in Section 2(a) or 2(b) of this ordinance who receives an Overall Rating of "Unsuccessful" as defined by the City's Service Rating Manual, shall have his/her salary reduced as determined by the standards established in the City's 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 Director of Personnel may authorize different anniversary dates for an employee or groups of employees.

(c) An appointing authority may evaluate the performance of an employee whose salary is established in Section 2(a) or 2(b) 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 appointing authority, with the prior approval of the Director of Personnel, of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, with the approval of the department or agency head, 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, which may be in addition to any merit increase received.

(2) Substandard performance of duties:

An appointing authority may reduce the salary of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range as provided in the City's Service Rating Manual; providing the employee's salary is above the minimum of the range, established in Section 2(a) or 2(b) and allocated to Overtime Code 3 or Overtime Code 4.

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

(d) Competitive positions for which salary is established in Section 2(c) - Fire Department Schedule:

All employees in the Fire Department Pay Schedule shall have a service rating completed in accordance with the City's Service Rating Manual.

Probationary Fire Private shall be advanced to the rate for Fire Private at the beginning of the first bi-weekly pay period following one year of service. Probationary Fire Equipment Dispatcher shall follow the same schedule. All other employees whose salaries are established in Section 2(c) of this ordinance will be frozen at their Current Years of Service effective the first pay period after passage of this pay ordinance for one year.

(e) Excepted Positions: The pay of an employee in an excepted position shall be adjusted to any rate within the pay range at the discretion of the appointing authority for the excepted position.

(f) The Director of Personnel may approve, at the request of an appointing authority, 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.

(g) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate within a salary range. Any such decrease shall be made in accordance with the Civil 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 appointing authority 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.

(h) An employee who is temporarily promoted shall be eligible for within range salary adjustments under provisions of this Section 7.

(i) The Director of Personnel 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.

SECTION 8. INCOME SOURCES

Any salary paid to an employee in the Classified Service 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 9. CONVERSION

(a) All pay schedules in Ordinance 68540 shall continue in effect until the beginning of the bi-weekly pay period starting concurrently with or after the effective date of this ordinance, and then the rates to be paid to employee in positions of any classes for which a rate is established or changed in Section 2(a) and 2(b) of this ordinance shall become effective and be adjusted as follows:

(1) The salary of each employee whose pay range is established in Section 2(a) or 2(b) of this ordinance whose class has been allocated to a higher pay grade in the appropriate pay schedule as determined by the Director of Personnel shall have their current salary increased to a rate, rounded to the nearest whole dollar, which provides a five percent (5%) adjustment in accordance with Section 6(a)(1) of this pay ordinance, but not less than the minimum of the pay range, whichever is the greater.

(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 Director of Personnel may establish a special conversion procedure for a class or position in the event that the Director determines that a serious inequity would be created by the application of the conversion procedures established in this Section 9.

(e) The Director of Personnel shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

SECTION 10. PAYMENT OF SALARIES

All compensation for positions in the Classified Service shall be paid bi-weekly. The Director of Personnel and Comptroller shall establish the procedure for listing employees on the various payrolls. 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, Office, Agency, Board or Commission where the employee worked.

SECTION 11. CHANGES TO CLASSIFICATION PLAN

Whenever the Department of Personnel finds it necessary to add a new class to the classification plan, the Director of Personnel shall allocate the class to an appropriate grade and schedule in this ordinance, recommend such change to the Civil Service Commission, and notify the Board of Aldermen of this action.

Whenever the Department of Personnel finds it necessary to change the pay schedule of an existing class within the classification plan, the Director of Personnel shall allocate the class to the appropriate schedule in this ordinance, recommend such change to the Civil Service Commission, 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 Department of Personnel 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 Director of Personnel to the Civil Service Commission for final approval by the Board of Aldermen.

SECTION 12. PAYROLL FORMS

The Director of Personnel shall prescribe forms on which appointing authorities shall certify to the fact that a vacancy exists in a lawfully created position and to the lawful appointment of a person to fill the position. The Director of Personnel shall indicate on these forms the proper allocation of the position and the rate at which payment is to be made. When approved by the Director of Personnel and submitted to the Comptroller, these forms shall constitute authorization for the initial placing of a person's name on the payroll. The Comptroller shall not authorize any change in the rate of pay of an individual on the payroll unless approved by the Department of Personnel. The Comptroller shall provide the Department of Personnel with a copy of each payroll audited and found correct within twenty-one (21) days after audit and approval of the payroll by the Comptroller's Office.

SECTION 13. CERTIFICATION OF PAYROLL

The appointing authority 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 Classified Service.

SECTION 14. MINIMUM WORK HOURS

Each appointing authority shall establish procedures to assure that the employees under his/her supervision are actively engaged in the performance of the duties of their positions in accordance with the provisions of this section.

(a) Employees whose salaries are established in Section 2(a) or 2(b): Forty (40) hours shall constitute the average minimum required weekly hours of service in an employment cycle under regular full-time employment for all City employees paid on a bi-weekly basis occupying competitive positions in the Classified Service. The minimum daily and annual service required of such employees shall be in proportion to the average minimum weekly hours established.

Appointing authorities shall so arrange the time for reporting for work, for luncheon intermission, and for quitting work of the various employees under their jurisdiction so that the employees will actually be engaged in active performance of their duties for not less than the average minimum number of hours required.

(b) Management and Professional Employees: Appointing authorities for employees occupying full-time positions whose salaries are established in Section 2(a) of this ordinance shall initiate procedures to see that such employees are engaged in the performance of their duties on a full-time basis. Full-time employment for any employee whose classification is denoted in the Management Schedule or Professional Schedule shall be defined as an average of forty (40) hours per week of time devoted to the duties of the position on an annual basis.

(c) Uniformed Fire Personnel: Fifty-two (52) hours shall constitute the average required weekly hours of service in an employment cycle under regular full-time employment for all employees in the Division of Fire and Fire Prevention whose salaries are established in accordance with the provisions of Section 31 of Article XVIII of the City Charter, except that the appointing authority, with the approval of the Director of Personnel, may determine that the minimum work hours provision of Section 14(a) shall apply to employees in certain positions due to the nature of the assignment and/or scheduling requirements. The appointing authority shall so arrange the time for reporting for work and for quitting work of the various employees under the appointing authority's jurisdiction so that the employees will actually be engaged in the active performance of their duties for not less than the average number of hours required.

Each appointing authority shall submit to the Department of Personnel the work schedule established for each position in the work unit. Work schedule reports shall be submitted upon request of the Director of Personnel or whenever the appointing authority proposes to change the work schedule of a position. The work schedule submitted by the appointing authority shall constitute the normal work schedule for the position when approved by the Director of Personnel.

All employees in the Classified Service shall be in attendance at their work in accordance with schedules established under the provisions of this Section 14, subject to other provisions of this ordinance with respect to hours, holidays, vacation, medical leave, furloughs, sick leave, military, and special leaves of absence with or without pay herein stated.

SECTION 15. OVERTIME

(a) The Department of Personnel shall determine those positions in the Classified Service 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 (OVTM):

- 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.
- 4 These non-exempt classes work an average bi-weekly work schedule of 84 hours and, therefore, 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 appointing authority shall designate and submit to the Director of Personnel 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 (1.5x) rate. In addition to the actual hours worked, authorized scheduled paid time off (vacation, compensatory time, holidays), and any incurred furlough on a regularly scheduled work day shall count as hours worked for the purpose of determining eligibility for overtime compensation. Medical leave, sick leave, compassion leave, jury leave, and any unscheduled time off (call in) will not count toward actual hours worked in determining eligibility for overtime compensation.

Any employee in a class which has been allocated to Overtime Code 4 (non-exempt) in Section 1(a) of this ordinance shall be compensated for overtime by granting the employee pay or compensatory time off at the one-and one half (1.5x) time rate. Each appointing authority shall designate and submit to the Director of Personnel the official work week or work cycle for all non-exempt (Code 4) positions in the work unit. Whenever a non-exempt (Code 4) employee works in excess of forty (40) hours in a work week, the employee will be paid at the one and one half time (1.5x) rate. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty-four (84) for full-time employment. The regular hourly rate of pay for a non-exempt (Code 4) 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. In addition to the actual hours worked, authorized scheduled paid time off (vacation, compensatory time, holidays) and any incurred furlough on a regularly scheduled work day shall count as hours worked for the purpose of determining eligibility for overtime compensation. Medical leave, sick leave, compassion leave, jury leave, and any unscheduled time off (call in) will not count toward actual hours worked in determining eligibility for overtime compensation.

Appointing authorities 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.

Overtime Code 3 employees under Section 2(c) of this ordinance who are working a nineteen (19) day work cycle are eligible to receive overtime after one hundred forty-four (144) hours are worked in a work cycle, except that the Fire Department shall pay overtime for emergency work at the end of a shift or emergency work required on a separate, non-scheduled day, even if the total number of hours worked in the work cycle is not in excess of one hundred forty-four (144) hours. However, these employees shall not receive additional compensation for regularly scheduled hours in excess of one hundred forty-four (144) hours if they do not actually work more than one hundred forty-four (144) hours in the work cycle because of paid leave. Days scheduled off to reduce average work week to fifty-two (52) hours, compensatory time, vacation, and holiday time shall be scheduled consistent with

a reasonable vacation and holiday leave policy to avoid the necessity of actually working more than one hundred forty-four (144) hours during any work cycle.

(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 appointing authority shall designate and submit to the Director of Personnel 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 appointing authority, 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, compensatory time, holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation. Medical leave, sick leave, compassion leave, jury leave and any unscheduled time off (call in) will not count for actual hours worked in the calculation of overtime. 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) An appointing authority 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 City Service, preservation of public peace, health, or safety, and 2) the appointing authority directs an employee or group of employees to work in excess of forty (40) hours per week. The appointing authority shall maintain attendance records of the assignment(s) and submit such records at the request of the Director of Personnel.

(e) Pay shall be the regular method of compensation for recorded overtime hours of work for employees in classes with Overtime Code 3 and Overtime Code 4. An appointing authority 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 appointing authority 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 an appointing authority determines that the work schedule of the organization will not permit the granting of such time off, the appointing authority 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 appointing authority 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 appointing authority to a position under another appointing authority 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) All departments shall keep daily attendance records of classified 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 Director of Personnel in the form and on the dates specified.

At the end of FY11 Section 15 Overtime of this Ordinance will revert to Section 15 Overtime of Ordinance 68540 but all references in Ordinance 68540 shall be changed from sick leave to medical and/or sick leave.

SECTION 16. HOLIDAYS

(a) Classified employees working full-time who are paid a bi-weekly rate shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay or paid leave for regularly scheduled work on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
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
December 25	Christmas Day

At the end of FY11 the holiday schedule will revert back to the original ten (10) holidays as designated in Ordinance 68540.

In addition to the above enumerated holidays, full-time classified employees shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay as established by this Section 16 on any day or partial day the Mayor declares by proclamation the closing of City offices.

Employees working full-time and paid a bi-weekly rate whose pay is established in Sections 2(a) or 2(b) 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.

(b) Each appointing authority shall determine the manner of granting holidays and shall report his/her determination to the Department of Personnel, if required by the Director of Personnel. 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.

Employees of the EMS Service, whose position are classified as EMS Dispatcher, EMS Lead Dispatcher, EMT, Paramedic, or Paramedic Crew Chief, will be compensated with pay in lieu of compensatory time for all holidays.

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 16 shall apply to full-time classified 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 16 is revised, employees who are granted compensatory

time in lieu of all holidays shall have their leave benefits adjusted accordingly. The Director of Personnel may establish additional or alternate holiday leave policies for employees occupying public safety positions which qualify for the special overtime pay provisions under Federal law or for employees with official work schedules authorized by the Director of Personnel which exceed the normal forty (40) hour weekly work schedule. Procedures developed in compliance with this Section 16 shall be designed to treat employees in the same manner who work substantially equivalent work schedules.

(c) Employees whose pay is established in Section 2(c) of this ordinance and are Overtime Code 3 shall be entitled to seventy-two (72) hours of leave with pay or compensatory time off in lieu of all holidays occurring in a calendar year. Employees whose pay is established in Section 2(c) of this ordinance and are Overtime Code 1 or 2 shall be entitled to thirty-two (32) hours of leave with pay or compensatory time off in lieu of all holidays occurring in a calendar year. Because of the necessity of maintaining the work schedule of such employees, the Director of Personnel, in cooperation with appointing authorities concerned, shall establish procedures for holiday compensation for such employees who are regularly required to work on holidays. Such procedures shall be designed to treat all employees in the class who work a substantially equivalent schedule in the same manner.

At the end of FY11 the employees whose pay is established in Section 2(c) will revert back to one hundred twelve (112) hours of leave with pay or compensatory time off in lieu of holiday in Section 16 of Ordinance 68540.

Employees whose pay is established in Section 2(c) of this ordinance shall receive five (5) days of paid leave which shall be referred to as "O" Days.

**SECTION 17.
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 Director of Personnel may establish additional guidelines and policies to govern the administration of vacation leave benefits in the Classified Service.

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

Length of Cumulative Service	PAY ESTABLISHED IN SECTION 2(a) or 2(b)		PAY ESTABLISHED IN SECTION 2(c)	
	Bi-Weekly Accrual Rates	Annual Equivalent	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	5	130	3	78
5 but less than 10 years	6	156	5	130
10 but less than 15 years	7	182	6	156
15 but less than 20 years	8	208	7	182
20 or more years	9	234	8	208

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a), 2(b) or 2(c) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, or twenty (20) years of cumulative service shall have forty (40) hours of vacation added to their existing balance.

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

Length of Cumulative Service	PAY ESTABLISHED IN SECTION 2(a) or 2(b) or 2(c)	
	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	3	78
5 but less than 10 year	5	130
10 but less than 15 years	6	156
15 but less than 20 years	7	182
20 or more years	8	208

Employees employed before the passage of this ordinance whose pay is established in Sections 2(a), 2(b) or 2(c) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative

service, or twenty (20) years of cumulative service shall have forty (40) hours of vacation added to their existing balance.

(c) Vacation shall be accrued by employees whose pay is established in Section 2(c) January 1, 2010, through December 31, 2010, as follows:

Length of Cumulative Service	PAY ESTABLISHED IN SECTION 2(c) OVTM 3		PAY ESTABLISHED IN SECTION 2(c) OVTM 1	
	Bi-Weekly Accrual Rates	Annual Equivalent	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	1.82	47.3	.64	16.64
5 but less than 10 years	3.82	99.3	2.64	68.64
10 but less than 15 years	4.82	125.3	3.64	94.64
15 but less than 20 years	5.82	151.3	4.64	120.64
20 or more years	6.82	177.3	5.64	146.64

Employees employed before the passage of this ordinance whose pay is established in Section 2(c) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, or twenty (20) years of cumulative service shall have forty (40) hours of vacation added to their existing balance.

Effective January 1, 2011, employees whose vacation was accrued in accordance with this Section 17(c) shall, based on their appointment date, revert to and accrue vacation as established in Section 17(a) or 17(b).

(d) 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.

(e) 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 17 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.

(f) 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.

(g) 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 appointing authority 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 appointing authority.

- (3) When an employee is terminated or resigns from the Classified Service.
- (4) When an employee whose salary is established in Sections 2(a), 2(b) or 2(c) reaches the established maximum accrual and would cease accruing vacation, the employee may notify the appointing authority 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 appointing authority 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.
- (5) All employees may request payment from the appointing authority for forty (40) hours of vacation accrual in lieu of scheduling paid leave provided that the full vacation allowance for that year is not exceeded. This may be done a maximum of once in each calendar year. Management employees may request payment from the appointing authority for up to an additional forty (40) hours of their vacation accrual balances in lieu of scheduling paid leave if their schedules do not permit them to be absent from work. Employees whose pay is established in Section 2(c) of this ordinance may request payment for up to ninety-six (96) hours of vacation.
- (h) 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.
- (i) Employees who separate from the Classified Service, who are certified from a reemployment list, and who return to the Classified Service 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 17(a), 17(b) or 17(c) of this ordinance and based on the date of the employee's original appointment.
- (j) Employees who move to the Classified Service from the Unclassified Service shall be given credit for the years of service in the Unclassified Service in determining the vacation accrual rate in accordance with Section 17(a), 17(b) or 17(c) of this ordinance and based on the date of the employee's original appointment.
- (k) 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 appointing authority. 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 17(a), 17(b) or 17(c) of this ordinance and based on the employee's original appointment.
- (l) 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.
- (m) Accrued vacation shall be carried with an employee when transferred, promoted, or demoted from a position under one appointing authority to a position under another appointing authority 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.
- (n) With the approval of the appointing authority, 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. An appointing authority 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.
- (o) Employees occupying excepted positions in the Classified Service shall be granted vacation at the discretion of their appointing authority. An employee whose term in an excepted position ends and who is then appointed to a permanent competitive position working fifty percent (50%) time or more shall become eligible to accrue vacation leave with pay upon appointment to the competitive position. Length of cumulative service for the purpose of determining rate of vacation leave accrual shall be based on the employee's original date of appointment to the excepted position, providing there was no break in service between expiration of the excepted position and appointment to the permanent competitive position. The date of appointment to the permanent competitive

position shall be used to determine the appropriate rate of vacation accrual for the corresponding length of cumulative service in accordance with the schedule established in Section 17(b).

(p) Appointing authorities shall report leave with pay for vacation and such other authorized absences as the Director of Personnel shall designate to the Department of Personnel and/or the Comptroller in such form and at such time as the Director of Personnel may require.

SECTION 18. 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 Director of Personnel.

An active employee who is a member of the Employees Retirement System or the Firemen's 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 ordinance(s). If the Employees Retirement System or Firemen's 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 or the Firemen's 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 Director of Personnel.

An employee who is reemployed from an authorized layoff shall have his/her prior sick leave balance if any restored, provided this balance has not be used in the determination of pension benefits paid to the retiree.

SECTION 19. 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 Director of Personnel.

(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 appointing authority after completing twenty-six (26) weeks of continuous service.

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

(c) An appointing authority shall remove an employee from the payroll for unexcused absence in accordance with regulations and procedures established by the Director of Personnel. 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 shall be recorded on the payroll or a subsidiary document in the manner established by the Director of Personnel. 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 26 (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 balance and sick leave balance restored if any, 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 appointing authority shall institute procedures, in accordance with regulations established by the Director of Personnel 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 appointing authority, the employee shall be notified promptly in writing.

(g) 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 ordinance or any other ordinance.

SECTION 20. 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 appointing authority 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 21. EDUCATION REIMBURSEMENT

An appointing authority may, with the prior approval of the Director of Personnel, 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 Department of Personnel may 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 their positions or in higher positions, when funds have been budgeted therefor.

An appointing authority, with the approval of the Director of Personnel, 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 22. LEAVES OF ABSENCE AND FAMILY/MEDICAL LEAVE

An employee may request a leave of absence, or an appointing authority 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 Director of Personnel.

(a) An appointing authority, with the approval of the Director of Personnel, may grant an employee in a competitive position a general leave of absence without pay for a period of one year, which may be extended, with the prior approval of the Director of Personnel.

Upon the expiration of such leave of absence, the employee shall be reinstated to the competitive position he/she occupied at the time the leave was granted provided the position is still in existence and he/she is able to perform the duties of the position. The employee shall be reinstated to the competitive 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 appointing authority, with the approval of the Director of Personnel, 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 Director of Personnel 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) Any employee in a competitive position who is appointed to an excepted position in the Classified Service shall be granted an in-service leave without pay from the competitive position during the term to which he/she is appointed to the excepted position. Such leave shall be for the term of the appointment to the excepted position and until his/her successor qualifies. Upon the expiration of the appointment to the excepted position, the employee shall be reinstated to the competitive position he/she occupied immediately prior to the in-service leave. The employee shall be reinstated to the competitive position as a temporary promotion pursuant to Section 6(a)(2) of this ordinance. Employees who are returned to a competitive position shall retain any vacation, compensatory time or medical leave balance in effect at the time of granting of the leave of absence for appointment to the excepted position. Employees shall be given credit for time spent in an excepted appointment in computing eligibility for additional vacation leave accrual.

(d) In the event that emergency conditions occur which require the closing of City-operated facilities or the temporary cessation of functions carried out by classified 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.

(e) Employees who are granted general leaves of absence and other non-paid leaves of absence, including forced 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 medical 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 22 and any other applicable regulations and procedures as established by the Director of Personnel.

(f) An appointing authority, with the prior approval of the Director of Personnel, may put an employee on forced leave of absence without pay pending the outcome of criminal charges pending against the employee.

SECTION 23. FURLOUGHS

Contingent upon the declaration of the City's Board of Estimate and Apportionment that a fiscal crisis exists in the City so as to warrant the mandatory implementation of furloughs of City officers and employees, the Board of Aldermen hereby authorizes such budget required mandatory implementation of furloughs. As used herein the term "furlough" shall mean time off without pay due to budget requirements. In the event furloughs are implemented, the Director of Personnel shall issue, consistent with this ordinance, such regulations and guidelines necessary for setting out a process for furlough implementation. A "furlough" will not affect any employee's benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employees service rating or eligibility for promotion. Appointing authorities will still be required to make all appropriate deductions for health insurance and pensions from their accounts.

All employees, except for employees designated by his/her appointing authority or designee to be on duty, shall be furloughed on the following dates:

February 21 st	(Washington's Birthday)
May 9 th	(Truman Birthday)
October 11 th	(Columbus Day)
November 26 th	(Day after Thanksgiving)
December 31 st	(New Years Day)

All employees in job classes which have been allocated to Overtime 1 and 2 in this ordinance (with the exception of General Schedule, Overtime Code 2 employees) shall be required to take an additional forty (40) hours of furlough time in addition to the days designated above which must be taken in eight (8) hour increments no later than June 18, 2011. The Appointing Authorities

shall prepare a list of dates from which such exempt employees may choose additional "furlough" dates.

For employees who are scheduled to work, twenty-four (24) hour operations, on Family Medical Leave or otherwise cannot be furloughed on the designated day(s), the appointing authorities shall schedule the furlough at an alternate time before the end of the fiscal year.

SECTION 24. INSURANCE BENEFITS

The City of St. Louis is hereby authorized to devise and establish by contract or otherwise plans for life, health, medical, disability, and other insurance coverage deemed necessary for employees in the Classified Service and other employees for the City and their dependents. The Director of Personnel, with the assistance of the City Health Insurance Committee as established by Ordinance 67665, shall develop and administer programs to provide for such coverage. The Director of Personnel shall confer with the Board of Estimate and Apportionment by February 1st of each year regarding coverage plans and the appropriate funding level. The Director shall then be charged with the responsibility of establishing the applicable funding level and remittance rates for the aforementioned plans and certify same to the Comptroller and Budget Director by March 1st of each year and no officer or employee shall alter or amend such rates.

SECTION 25. 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 Director of Personnel 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 or the Firemen's Retirement System of the City of St. Louis.

SECTION 26. WORKERS' COMPENSATION AND DISABILITY LEAVE

(a) Any employee in the Classified Service whose class title and grade are established in Section 1(a) and denoted by the suffix "G," "P," "M," "T," or "E" 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 appointing authority, all facts concerning the incident to the City Counselor and the Director of Personnel. The appointing authority 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) (1) Any employee in the competitive service whose class title and grade are established in Section 1(a) of this ordinance and denoted by the suffix "F" who shall suffer personal injury by accident or occupational disease while engaged in actual fire suppression or related emergency response activities on or about the premises where these activities are being performed, or during transportation to and from the scene of the fire or emergency, shall promptly report such injury to his/her immediate supervisor. The injury shall be promptly reported through appropriate management personnel to the Director of Personnel and the City Counselor. During the period of temporary disability which has been determined by the City Counselor to be a result of an injury by accident or occupational disease as defined above, the employee may be continued on the payroll at the regular bi-weekly rate less any amount the employee would otherwise pay in taxes on that portion of the benefit found to be exempt from taxation under the Missouri Workers' Compensation Law, or the federal tax code. Paid leave granted a bi-weekly paid employee in accordance with the provisions of this section is disability leave and shall not reduce the employee's sick or medical leave balance. Disability leave may also be granted when an employee suffers injury as a result of participation in Training Simulation of an exceptional and highly

dangerous nature wherein the appointing authority or the Director of the Department of Public Safety has gained the approval of the Director of Personnel prior to such Training Simulation.

(2) Any employee in the competitive service whose class title and grade are established in Section 1(a) of this ordinance and denoted by the suffix "F" 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 his/her duties are being performed, except as otherwise provided in Section 26(b)(1) above shall likewise, promptly report such injury to his/her immediate supervisor, who shall report, through his/her appointing authority, all facts concerning the incident to the City Counselor and the Director of Personnel. During any such period of temporary disability, the employee shall be entitled to workers' compensation benefits as prescribed by State Law.

(c) The City Counselor, the Director of Personnel, or the appointing authority 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.

(d) 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.

(e) The City Counselor and the Director of Personnel shall be responsible for the administration of the provisions of this Section 26 and shall establish and publish procedural regulations for the administration of the program. Each appointing authority shall establish procedures to comply with the provisions of this section and established regulations.

SECTION 27. 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 appointing authority and display to the appointing authority the summons which the employee has received and shall give the appointing authority in writing the date and the time of such jury service. No bi-weekly rate employee shall receive any 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 appointing authority if discharged during their normally scheduled work hours and shall submit to his/her appointing authority a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The appointing authority 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 rate 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 appointing authority and shall give the appointing authority in writing the date and time his/her presence is required for such criminal prosecution. Each appointing authority shall establish controls to assure that any paid leave is actually required by the prosecuting authority. An appointing authority 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 28. DEFERRED COMPENSATION

(a) Authority is hereby granted for the establishment of a deferred compensation plan for the City of St. Louis.

(b) In accordance with the regulations applicable to the plan, as set out herein, the Comptroller is authorized to enter into an agreement with eligible participants, whereby said participants may designate a portion of their future earnings to be deducted by the City and placed in a fund to be designated "City of St. Louis Deferred Compensation Plan Fund" for the purpose of providing tax deferred benefits to the participants upon retirement.

(c) The Board of Estimate and Apportionment is hereby authorized to establish or select a specific plan or plans in accordance

with the requirements set out in this ordinance. In establishing the plan, the Board of Estimate and Apportionment may elect to retain outside parties to provide administrative and/or investment services after following competitive bidding procedures. The Board of Estimate and Apportionment is authorized, after analyzing the various competitive bids submitted in accordance with the requirements of this ordinance, to select the plan or plans it determines to meet the requirements established as a part of the competitive bidding procedures and to be in the best interest of the participants. No investment plan shall be considered unless offered by a duly licensed resident agent representing a company duly licensed and authorized by the State of Missouri and other applicable federal regulatory agencies to offer such insurance or investment programs.

In the event Federal or State legislation is changed in a manner affecting and/or relating to any of the aforementioned Deferred Compensation provisions contained in this Section 28, the Board of Estimate and Apportionment of the City of St. Louis may amend the deferred compensation plan accordingly and may execute any and all documents necessary to achieve and effectuate the recommended changes.

SECTION 29. 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 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 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 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 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 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 30.
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 31.
REPEAL OF PREVIOUS ORDINANCES**

Ordinance 68540 and all other ordinances or amendments, or parts thereof conflicting with the provisions of this ordinance are hereby repealed.

**SECTION 32.
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.

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This index is for general reference purposes and may not reference all provisions of this ordinance. For complete scope refer to specific provisions of this ordinance.

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Approved: July 9, 2010

**ORDINANCE #68712
Board Bill No. 122
Committee Substitute**

An Ordinance pertaining to the Employees Retirement System of the City of St. Louis (the "Retirement System"); repealing Subsection 13 of Section Four and Subsection 1 of Section Six of Ordinance 66511 and enacting in lieu thereof new provisions freezing the amount of sick leave that can be taken into account in calculating the benefits of current members and prohibiting the use of sick leave or medical leave in calculating the benefits of future members hired after the effective date of this Ordinance; and containing a severability clause and an emergency clause.

WHEREAS, the City of St. Louis, Missouri (the "City") established the Retirement System by City ordinance effective April 1, 1960 pursuant to that state statute currently codified as Section 95.540 of Missouri Revised Statutes 2000, as amended, in order to provide for the pensioning of certain City employees and the employees of certain other governmental entities providing services to the inhabitants of the City; and

WHEREAS, the City has determined it is in the best interest of the Retirement System to freeze the amount of sick leave used in calculating benefits for current members who retire after the effective date of this Ordinance; and

WHEREAS, the City has determined it is in the best interest of the Retirement System to prohibit the use of sick leave or medical leave in calculating the benefits of future members hired after the effective date of this Ordinance.

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

SECTION ONE. Subsection 13 of Section Four of Ordinance No. 66511 of the City of St. Louis, Missouri (the "City") is hereby repealed and enacted in lieu thereof is the following:

13. Final Average Compensation.

A. "Final Average Compensation" is equal to one-half of the sum of (i) and (ii) below:

(i) The annual Compensation (as that term is defined in Subsection 7 of Section Four of Ordinance 66511) received by a Member (as that term is defined in Subsection 16 of Ordinance 66511) for the two (2) consecutive years of Creditable Service (as that term is defined in Subsection 8 of Section Four of Ordinance 66511 and as modified by Section Two below) in which the highest Compensation was received preceding the termination of his or her employment; and

(ii) The Member's sick leave balance as accrued on the effective date of this Ordinance, less the sum of the following: (a) sick leave hours used by the Member as for sick leave purposes prior to retirement; (b) sick leave hours paid to the Member upon termination of his or her employment; and (c) sick leave hours considered as Creditable Service for the purpose of determining eligibility for and/or calculation of retirement benefits. Notwithstanding the foregoing, the sick leave balance used in calculating Final Average Compensation shall not exceed twenty-five percent (25%) of a Member's total sick leave balance on the effective date of this Ordinance, less sick leave hours used by the Member for sick leave purposes prior to retirement.

B. If a Member has less than two (2) consecutive years of Creditable Service his or her Final Average Compensation shall be equal to the sum of (i) and (ii) below, divided by (iii) below and then multiplied by (iv) below:

i. The sum of monthly Compensation received by the member for each consecutive month of Creditable Service immediately preceding the termination of his or her employment; and

ii. The Member's sick leave balance on the effective date of this Ordinance less the sum of the following: (a) sick leave hours used by the Member as for sick leave purposes prior to retirement; (b) sick leave hours paid to the Member upon termination of his/her employment; and (c) less sick leave hours considered as Creditable Service for the purpose of determining eligibility for and /or calculation of retirement benefits. Notwithstanding the foregoing, the sick leave balance used in calculating Final Average Compensation shall not exceed twenty-five percent (25%) of a Member's total sick leave balance on the effective date of this Ordinance, less sick leave hours used by the Member for sick leave

purposes prior to retirement.

iii. The number of consecutive months of Creditable Service immediately preceding the termination of his or her employment;

iv. Twelve (12).

C. Notwithstanding anything to the contrary contained herein, for purposes of the calculations set forth in this Section, a Member's sick leave balance at the time of retirement shall not exceed the Member's sick leave balance on the effective date of this Ordinance.

D. Notwithstanding anything to the contrary contained herein, no future Member hired by an Employer (as that term is defined in Subsection 12 of Section Four of Ordinance 66511) after the effective date of this Ordinance shall have any portion of his or her sick leave balance or medical leave balance used in determining such future Member's Final Average Compensation.

E. Notwithstanding anything to the contrary contained herein, if a member does not make written application for retirement prior to termination of employment and does not retire within 90 days after said member terminates employment, the sick leave balance or medical leave balance shall not be used to increase such Member's Final Average Compensation.

SECTION TWO. Subsection 1 of Section Six of Ordinance No. 66511 is hereby repealed and enacted in lieu thereof is the following:

1. Calculation.

The years of Creditable Service of a Member shall be the number of years and full calendar months of service during which he or she receives Compensation from the first day of each employment with an Employer until his or her employment is terminated, subject to the provisions of this Section. The years of Creditable Service of an Employee (as that term is defined in Subsection 11 of Section Four of Ordinance 66511) hired after the Operative Date (as that term is defined in Subsection 18 of Section Four of Ordinance 66511) 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 or 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 or 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 or she was employed by an Employer on April 1, 1960. A Member's sick leave balance as accrued on the effective date of this Ordinance, less the sum of (A), (B) and (C) below, shall be considered as additional Creditable Service in determining eligibility for and calculation of retirement benefits under any provision of Ordinance 66511, as amended:

A. sick leave hours used by the Member for sick leave purposes prior to retirement;

B. sick leave hours paid to the Member upon termination of his or her employment; and

C. sick leave hours used in determining Final Average Compensation.

Notwithstanding anything to the contrary contained herein, for purposes of the calculations set forth in this Section, a Member's sick leave balance at the time of retirement shall not exceed the Member's sick leave balance on the effective date of this Ordinance.

Notwithstanding anything to the contrary contained herein, no future Member hired by an Employer after the effective date of this Ordinance shall have any portion of his or her sick leave balance or medical leave balance used in determining such future Member's Creditable Service.

Notwithstanding anything to the contrary contained herein, if a member does not make written application for retirement prior to termination of employment and does not retire within 90 days after said member terminates employment, the sick leave balance or medical leave balance shall not be used to increase such Member's Creditable Service..

SECTION THREE. SEVERABILITY. Each provision of this ordinance shall be severable. In the event any provision

of this Ordinance is found by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance are valid, unless the court finds the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision(s) that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void one(s); or unless the court finds that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION FOUR. EMERGENCY CLAUSE. This being an Ordinance providing for the public peace, health, or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City of St. Louis' Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

Approved: July 9, 2010

ORDINANCE #68713
Board Bill No. 125

An ordinance submitting to the qualified voters of the City of St. Louis a non-binding preferential vote as authorized by Article II Section 9 of the Charter of the City of St. Louis to assist the Missouri General Assembly in their deliberations regarding the governance of the St. Louis Metropolitan Police Department; providing for an election to be held therefore and the manner of voting thereat; and containing an emergency clause.

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

SECTION ONE. The following non-binding preferential vote as authorized by Article II, Section 9 of the Charter of the City of St. Louis is hereby proposed and submitted to the voters of the City of St. Louis and shall be voted upon at an election as hereinafter provided.

To assist the Missouri General Assembly in their deliberations regarding the governance of the St. Louis Metropolitan Police Department the following non-binding preferential proposal shall be read as follows:

"The Missouri Legislature took governance of the St. Louis Metropolitan Police Department during the Civil War. Do you believe that governance of the St. Louis Metropolitan Police Department should be returned to the City of St. Louis?"

SECTION TWO. The foregoing non-binding preferential vote shall be submitted to the qualified voters of the City of St. Louis at the election scheduled for Tuesday, November 2, 2010. The qualified voters of the City of St. Louis may at the election aforesaid, deposit a printed ballot substantially in the following form:

OFFICIAL BALLOT

Instructions to Voters:

To vote in favor of the proposal submitted upon this ballot, punch through the ballot card by inserting the punching tool into the hole opposite the word "YES" following such proposal; and to vote against any proposal submitted upon this ballot punch through the ballot card by inserting the punching tool into the hole opposite the word "NO" following such proposal.

The proposed non-binding preferential vote shall be listed by number on this ballot accompanied in each instance by a brief summary of the proposal and followed by the words:

YES [] NO []

The proposal shall appear on the ballot substantially, as follows:

"The Missouri Legislature took governance of the St. Louis Metropolitan Police Department during the Civil War. Do you believe that governance of the St. Louis Metropolitan Police Department should be returned to the City of St. Louis?"

SECTION THREE. Upon the approval of this ordinance, it shall be published in the City Journal, the official publication of the City of St. Louis, Missouri. Proof of the publication of this ordinance shall be made by affidavit of the City Register and such affidavit shall be filed in the office of the City Register and a copy of such publication shall be attached thereto.

SECTION FOUR. Emergency Clause. This being an ordinance for the preservation of public peace, health and safety,

it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: July 9, 2010

ORDINANCE #68714
Board Bill No. 31

An Ordinance pertaining to the City Housing Conservation Program; repealing Section Seventeen of Ordinance 67914 and enacting in lieu, thereof, a new section pertaining to the same subject matter.

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

SECTION ONE. Section Seventeen of Ordinance 67914 is hereby repealed and the following is hereby enacted in lieu thereof:

SECTION TWO.

SECTION SEVENTEEN. Implementation.

The provisions of this Ordinance shall take effect on July 1, 2008, for all areas within a previously established Housing Conservation District. The Code Official shall set forth an implementation schedule for the areas of the City not currently within a Housing Conservation District. The implementation schedule and any amendments made to such schedule shall be kept on file with the Code Official in the Building Department. Furthermore, notice of the implementation of the City Housing Conservation Program shall be provided to the impacted areas by publication in the City Journal and the City website four weeks prior to the implementation date for that area. The notice shall set forth the legal boundaries of the area to be included in the Program as well as the implementation date. All areas of the City shall be included in the City Housing Conservation Program no later than July 1, 2009, except for the areas described below. The areas described below shall only be included in the City Housing Conservation Program through amending this Ordinance.

A. Areas Excluded from City Housing Conservation Program:

Tract I:

An area of Ward 4 comprised of two City Blocks describing by beginning at the intersection of N. Euclid Ave. and Leduc St. and proceeding along the centerlines in a generally clockwise direction east along Leduc St to Marcus Ave., south to Cote Brillante Ave., west to N. Euclid Ave., to the point of the beginning, being comprised of an area also known as City Blocks 3780, and 4488.

Tract II:

The entirety of Ward 5 described by beginning at the intersection of the Mississippi River and the centerline of the eastward prolongation of Mullanphy Street and proceeding in a generally clockwise direction along the centerlines west to N. 7th St., south to Interstate 70, south to Cole St., west to N. Tucker Blvd., south to Locust St., west to N. 13th St., north to Lucas Ave., west to 18th St., north to Dr. Martin Luther King Drive, west to Glasgow Ave., north to Gamble St., east to Leffingwell Ave., north to Madison St., west to Glasgow Ave., north to N. Market St., west to Grand Blvd., south to Dr. Martin Luther King Drive, west to N. Vandeventer Ave., north to Maffitt Ave., east to Prairie Ave., north to St. Louis Ave., east to Glasgow Ave., northeast to Greer Ave., east to Elliott Ave., north to Hebert St., east to Parnell St., north to Natural Bridge Ave., east to Palm St., east to Destrehan St., northeast to Branch St., southeast to the Mississippi River and south along the Mississippi River to the point of beginning.

Tract III:

An area of Ward 6 beginning at the intersection of the centerlines of Compton Ave. and Chouteau Ave. and proceeding along the centerlines in a generally clockwise direction north along Compton Ave., to Olive St., east to Leffingwell Ave., north to Delmar Blvd., west to T.E. Huntley Ave., north to Franklin Ave., east to Leffingwell Ave., north to Dr. Martin Luther King Drive, east to Jefferson Avenue, south to Highway 40/I-64, east to 18th St, south to Randolph St., east to 14th St., south to Park Ave., west to S. 18th St., south to Lafayette Ave., west to Waverly Pl., south to Interstate 44, west to Jefferson Ave., north to Chouteau Ave., then west along Chouteau Ave. to the point of beginning.

Tract IV:

An area of Ward 18 beginning at the intersection of the centerlines of Vandeventer Ave. and Lindell Blvd., and proceeding along the centerlines in a generally clockwise direction west to Newstead Ave., north to McPherson Ave., east to N. Boyle Ave., north to Olive St., northwest to Washington Pl., west to Kingshighway Blvd., north to Delmar Blvd., west to Union Blvd., north to Cates Ave., east to Clarendon Ave., north to Raymond Ave., east to Academy Ave., north to Page Blvd., west to Academy Ave., north to Dr. Martin Luther King Drive, west to Academy Ave., north to Cote Brilliante Ave., east to N. Euclid Ave., south to Cote Brilliante Ave., east to Marcus Ave., south to Evans Ave., east to Newstead Ave., south to Finney Ave., east to Vandeventer Ave., south to the point of beginning.

Tract V:

An area of Ward 19 beginning at the intersection of the centerlines of Laclede Ave. and Vandeventer Ave., and proceeding along the centerlines in a generally clockwise direction north to Finney Ave., west to N. Newstead Ave., north to Evans Ave., east to N. Vandeventer Ave., north to Dr. Martin Luther King Drive, east to Grand Blvd., north to N. Market St., east to Glasgow Ave., south to Madison St., east to Leffingwell Ave., south to Gamble St., west to Glasgow Ave., south to Dr. Martin Luther King Drive, southeast to Leffingwell Ave., south to Franklin St., west to T.E. Huntley Ave., south to Delmar Blvd., east to Leffingwell Ave., south to Olive St., west to Compton Ave., south to Highway 40/I-64 west to Grand Ave, north on Grand Ave to Laclede Ave, then west on Laclede Ave. to the point of beginning.

Tract VI:

An area comprising Ward 1 described by the area beginning at the intersection of the centerlines as follows: Beginning at the intersection of the centerlines of N. Euclid Ave. and Northland Ave. and proceeding along the centerlines in a generally clockwise direction west to Union Blvd., south to Northland Pl., west to Arlington Ave., north to Lexington Ave., east and continuing in a straight line to Union Blvd., north to Natural Bridge Ave., east to N. Kingshighway Memorial Blvd., north to Interstate 70, west to Alcott Ave., northeast to Thekla Ave., northwest to Beacon Ave., northeast to Harney Ave., southeast to Alcott Ave., northeast to West Florissant Ave., southeast to Shreve Ave., southwest to Ashland Ave., west to N. Euclid Ave., south to the point of beginning.

Approved: July 13, 2010

ORDINANCE #68715
Board Bill No. 67
Committee Substitute

An ordinance intended to eliminate, reduce and remedy discrimination in housing, employment, education, services, public accommodations, and real property transactions and uses, to provide equal opportunity enforcement, and to bring the laws of the City of St. Louis into substantial compliance with the Federal Fair Housing Act by amending Sections Two, Five, Seven, Eight and Nine of Ordinance 67119, approved June 13, 2006 and containing a severability clause and an emergency clause.

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

SECTION ONE. Section Two of Ordinance 67119, approved June 13, 2006, is hereby amended to read as follows:

Section Two. Definition of Terms.

As used in this ordinance, unless a different meaning clearly appears from the context in which used, the following terms and phrases shall be taken to have the meaning ascribed to them in this section, to wit:

(1) "Academic, professional or vocational school" includes any person who trains and teaches individuals to engage in any trade, business, profession, calling or vocational pursuit.

(2) "Act" means the federal Fair Housing Act, 42 U.S. C. 3601, et seq.

(3) "Age" means an age of forty or more years but less than seventy years, except that it shall not be an unlawful employment practice for an employer to require the compulsory retirement of any person who has attained the age of sixty-five and who, for the two-year period immediately before retirement, is employed in a bona fide executive or high policy-making position, if such person is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit sharing, savings or deferred compensation plan, or any combination of such plans, of the employer, which equals, in the aggregate, at least forty-four thousand

dollars.

- (4) "Agency" means the St. Louis Civil Rights Enforcement Agency.
- (5) "Aggrieved person" includes any person who:
 - (a) claims to have been injured by a discriminatory housing practice; or
 - (b) believes that such person will be injured by a discriminatory housing practice that is about to occur.
- (6) "Commission" means the St. Louis Civil Rights Enforcement Commission;
- (7) "Commissioner" means a member of the St. Louis Civil Rights Enforcement Commission.
- (8) "Complainant" shall mean a person who has filed a complaint with the Agency alleging that another person has engaged in a prohibited discriminatory practice, or a person who has joined in such a complaint after its initial filing.
- (9) "Conciliation" means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent and the Commission and/or the Commission's agent.
- (10) "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.
- (11) As used in '9(C)(2)(c) of this ordinance, the term "Covered Multifamily Dwelling" means:
 - (a) buildings consisting of 4 or more units if such buildings have one or more elevators; and
 - (b) ground floor units in other buildings consisting of 4 or more units.
- (12) "Director" means the Executive Director of the St. Louis Civil Rights Enforcement Agency.
- (13) "Disability" or "Handicap" means, with respect to a person:
 - (a) a physical or mental impairment which substantially limits one or more of such person's major life activities;
 - (b) a record of having such impairment; or
 - (c) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined by Section 195.010 R.S.Mo.), however, a person may be considered to be disabled if that person:
 - (i) Has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of, and is not currently addicted to, a controlled substance or has otherwise been rehabilitated successfully and is no longer engaging in such use and is not currently addicted;
 - (ii) Is participating in a supervised rehabilitation program and is no longer engaging in illegal use of controlled substances; or
 - (iii) Is erroneously regarded as currently illegally using, or being addicted to, a controlled substance.
- (14) "Discriminatory housing practice" or "Discriminatory practice" means an act that is unlawful under section 3604, 3605, 3606, or 3617 of the Fair Housing Act, or is otherwise prohibited by the provisions of this ordinance.
- (15) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

(16) "Employer" included any person who employs six or more persons exclusive of that person's parents, spouse or children.

(17) "Employment agency" includes any person undertaking for compensation to procure opportunities to work or to procure, recruit, refer or place employees.

(18) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with--

(a) a parent or another person having legal custody of such individual or individuals; or

(b) the designee of such parent or other person having such custody, with the written permission of such parent or other person;

The protection afforded by this ordinance against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(19) "Family" includes a single individual.

(20) "Financial Institution" means bank, banking organization, mortgage company, insurance company, investment company or other lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair, maintenance, or improvement of real property, or an individual employed by or acting on behalf of or as agent of any of these.

(21) "Gender Identity or Expression" means an inner sense of being a specific gender, or the expression, intended or unintended, of a gender identity by verbal statement, appearance, or mannerisms, or other gender-related characteristics of an individual with or without regard to the individual's designated sex at birth.

(22) As used in ' 9(C)(3)(c) of this ordinance, the term "Housing for Older Persons" means housing:

(a) provided under any state or federal program that the Secretary of the United States Department of Housing and Urban Development has determined is specifically designed and operated to assist elderly persons;

(b) intended for, and solely occupied by, persons 62 years of age or older; or

(c) intended and operated for occupancy by at least one person 55 years of age or older per unit:

(i) in which at least eighty percent of the units are occupied by at least one person 55 years of age or older; and

(ii) for which management has published and adheres to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

(d) that complies with rules issued by the Secretary for verification of occupancy, which shall:

(i) provide for verification by reliable surveys and affidavits; and

(ii) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii) above. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

(e) housing shall not fail to meet the requirements for housing for older persons by reason of:

(i) persons residing therein as of September 13, 1988 who do not meet the age requirements set out in subparagraphs (b) or (c) of this definition, provided that new occupants of such housing do meet said age requirements; or

(ii) unoccupied units, provided that such units are reserved for persons who meet the relevant

age requirement of subparagraphs (b) or (c) of this definition.

(23) "Individual" means one or more individuals.

(24) "Labor organization" includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.

(25) "Person" includes one or more individuals, partnerships, associations, unincorporated organizations, corporations, mutual companies, joint stock companies, legal representatives, trusts, trustees, labor organizations, fiduciaries, trustees in bankruptcy, and/or receivers.

(26) "Places of Public Accommodation" means all places or businesses offering or holding out to the general public services or facilities for the comfort, health and safety of such general public, including, but not limited to, public places providing food, shelter, recreation and amusement.

(27) "Prevailing party" has the same meaning as such term has in 42 U.S.C. ' 1988 and ' 802(o) of the Act.

(28) "Real Estate Broker" or "Real Estate Salesman" means any person, whether licensed or not, who, on behalf of others, for a fee, commission, salary or other valuable consideration, or who with the intention or the expectation of receiving or collecting the same, lists, sells, purchases, exchanges, rents or leases real estate, or the improvement thereon, including options, or who negotiates or attempts to negotiate on behalf of others such an activity; or who advertises or holds himself out as engaged in such activities; or who negotiates or attempts to negotiate on behalf of others, a loan secured by mortgage or other encumbrance upon a transfer of real estate, or who is engaged in the business of charging an advance fee or contracting for collection of a fee in connection with a contract whereby he undertakes to promote the sale, purchase, exchange, rental or lease of real estate through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these.

For the purpose of this Section, a person shall be deemed to have engaged in the activities set out above if:

(i) the person has, within the preceding twelve (12) months, participated as a principal in three (3) or more transactions involving such activities; or

(ii) the person has, within the preceding twelve (12) months, participated as agent, other than in connection with the person's own personal residence, in two (2) or more transactions involving such activities; or

(iii) the person is the owner of any Dwelling designed or intended for occupancy by, or occupied by, five (5) or more families.

(29) "Realty" includes real estate, lands, buildings, structures, housing accommodations, dwellings, tenements, leaseholds, cooperatives, condominiums, and hereditaments, corporeal or incorporeal, or any interest in the above.

(30) "Respondent" shall mean a person or other entity who is alleged to have engaged in a prohibited discriminatory practice in a complaint filed with the Agency, or a person or other entity who has been substituted for the originally named respondent, or a person or other entity who has been added as a party respondent, subsequent to the initial filing of the complaint, pursuant to investigation conducted by the Agency; provided, however, that substituted or added persons or entities shall be notified as required in Section 810(a) of the Fair Housing Act.

(31) "Secretary" means the Secretary of Housing and Urban Development.

(32) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

(33) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

SECTION TWO. Section Five of Ordinance 67119, approved June 13, 2006, is hereby amended to read as follows:

Section Five. Function and Duties of the Commission.

(1) The Commission shall act in an advisory capacity to the Mayor, the Board of Aldermen and the Director for the purposes of furthering amicable relations among the various segments of the population, which together comprise the citizenry of the City of St. Louis; to help preserve and further the good name of St. Louis for tolerance and fair play and promote better relations among its people; to help make it possible for each citizen, regardless of race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, **gender identity or expression**, national origin or ancestry, or legal source of income to develop talents and abilities without limitation; and to aid in permitting the community to benefit from the fullest realization of its human resources. In order to accomplish the objectives herein set out, the Commission shall advise and confer with the Mayor and other officers of the City on problems affecting human and inter-group relations; make studies, surveys and investigations to provide accurate data for orderly and constructive community development, and to recommend such measures as are deemed necessary to carry out the objectives for which the commission has been created; consult with and obtain cooperation and coordinated effort on the part of all agencies, both private and public, which function in the field of human relations, schools, law enforcement agencies, welfare organizations, youth and similar groups; utilize the resources of individuals and groups toward the improvement of inter-group relations; enlist all potential community forces in an effort to make more secure and to extend democratic rights, opportunities and practices; influence and encourage community support for educational programs; and where appropriate, draft, propose or support legislation designed to: (a) combat those misconceptions, prejudices and untruths which tend to set group against group; (b) reduce tensions created by ignorance and bigotry; and (c) eliminate discriminatory practices arising from prejudice.

(2) The Commission shall review the record made in a contested case before a hearing officer, consider the recommended findings of fact, conclusions of law and order of said hearing officer and shall thereafter accept or amend the recommended findings of fact, conclusions of law and order. Such action may be taken by a panel of not less than three members of the Commission, and any order made by such panel shall become the final order of the Commission. Neither the retention of hearing officers pursuant to Section Eight hereof nor the appointment of such panel shall be construed as a delegation or contracting out of the Commission's decision-making authority to a non-governmental authority in violation of 24 C.F.R. 115.202(f). In any contested case, the final determination shall be made solely by the Commission.

SECTION THREE. Section Seven of Ordinance 67119, approved June 13, 2006, is hereby amended to read as follows:

Section Seven. Powers and Duties of the Commission.

The commission is hereby empowered:

(1) to recommend action to safeguard all individuals within the jurisdiction from discrimination because of race, marital status, familial status, sexual orientation, **gender identity or expression**, sex, color, age, religion, disability, national origin or ancestry, or legal source of income;

(2) upon recommendation of the Director, to accept grants, gifts, or bequests, public or private, to help finance the activities of the Commission or Civil Rights Enforcement Agency and to enter into cooperative arrangements with other jurisdictions or agencies for the production and dissemination of educational materials and/or programs;

(3) to enact by a majority vote of its members such rules and regulations as it may deem necessary for governance of the Commission and to carry out the functions assigned to it hereunder. Such rules and regulations shall be signed by the Chairman and attested to by the Director. Once so signed and attested, rules and regulations promulgated by the Commission shall be transmitted to the Missouri Commission on Human Rights for review. Upon approval by the Missouri Commission, a copy of said rules and regulations shall be filed with the Register of the City of St. Louis;

(4) to render to the Mayor and the Board of Aldermen a full written report of all of its activities and of its recommendations on an annual basis;

(5) to advise and consult with the Civil Service Commission and local offices controlled by state statute to effectuate the policies of this ordinance and applicable federal laws;

(6) to appoint a panel composed of not less than three members of the Commission, or to act as the Commission as a whole, to review the record made before a hearing officer in a contested hearing, to review that hearing officer's proposed findings of fact, conclusions of law and order, and to accept or amend such proposed findings of fact, conclusions of law and order, which shall become a final order of the Commission; and

(7) to issue such affirmative orders in contested cases as authorized by state statute.

SECTION FOUR. Section Eight of Ordinance 67119, approved June 13, 2006, is hereby amended to read as follows:

Section Eight. Powers and Duties of the Executive Director.

The Executive Director is hereby empowered:

- (1) to provide for execution within the City of St. Louis of the policies embodied in this ordinance, the Federal Civil Rights Act of 1964, as amended, the Federal Fair Housing Act of 1968, as amended and Chapter 213 of the Revised Statutes of the State of Missouri;
- (2) to receive, initiate, investigate, make probable cause findings with regard to, and make recommendations concerning, violations of equal employment, fair housing and/or public accommodation provisions of Chapter 213 of the Revised Statutes of the State of Missouri, as authorized therein, and/or of ordinances, orders, or resolutions forbidding discrimination which have been adopted or enacted by the City;
- (3) issue subpoenas to compel the attendance of witnesses and the production of evidence relevant to the matter in question for investigatory and determinative purposes and to enforce such subpoena in Circuit Court;
- (4) to write, edit and produce educational materials and to arrange, sponsor, promote and/or participate in educational programs intended to reduce or eliminate bias or discrimination against persons or groups based upon the race, color, sex, disability, national origin, ancestry, familial status or size, religion or sexual orientation, **gender identity or expression**, or legal source of income of such person or group;
- (5) to enter into deferral or other cooperative working agreements with the United States Equal Employment Opportunity Commission, United States Department of Housing and Urban Development, Missouri Commission on Human Rights, and/or any other federal, state or local agency which is empowered to take action, enter into agreements, or make grants for the purpose of reducing or eliminating discrimination.
- (6) to refer a matter under its jurisdiction to the Missouri Commission on Human Rights for initial action or review;
- (7) should a finding of probable cause be made and the Director be unable to successfully conciliate the complaint, to issue administrative charges of violation of this ordinance;
- (8) to recommend to the Commission acceptance of grant agreements, gifts and bequests;
- (9) to hire attorneys to act as hearing officers to hold hearings on charges issued by the Director;
- (10) where a hearing is held before the Commission on a charge issued by the Director, to present evidence and testimony before the Commission relative to such charge;
- (11) to refer potential ordinance violations to the City Counselor for prosecution in municipal court;
- (12) if the Director determines at any time subsequent to filing of a complaint that prompt judicial action is necessary to effectuate the purposes of the equal employment, fair housing or public accommodation provisions of Chapter 213 of the Revised Statutes of the State of Missouri and/or of ordinances, orders or resolutions forbidding discrimination which have been adopted or enacted by the City, the Director may authorize the City Counselor to file a civil action seeking issuance of an appropriate temporary restraining order or other injunctive relief. Upon receiving notice of such authorization, the City Counselor shall promptly file and maintain such action in the Missouri Circuit Court. The filing of such an action shall in no way affect or interfere with the initiation of a complaint or continuation of administrative proceedings thereon, pursuant to the provisions of this ordinance;
- (13) to delegate any of his powers or duties provided for by this or any other ordinance to one or more staff employees of the Agency, except that (a) all charges referred to the Commission for hearing must be signed by the Director and (b) all subpoenas issued pursuant hereto must also be signed by the Director.

SECTION FIVE. Section Nine of Ordinance 67119, approved June 13, 2006, is hereby amended to read as follows:

Section Nine. Prohibited Discriminatory Practices.

- (A) Discriminatory practices, as defined and established by this section, are prohibited. Any person engaging in a prohibited discriminatory practice shall be guilty of an ordinance violation, which shall be punishable in the manner set out in Section 17 of this ordinance.

(B) DISCRIMINATION IN EMPLOYMENT. It shall be a prohibited discriminatory employment practice:

(1) For an employer to fail or refuse to hire, to discharge or otherwise to discriminate against any individual with respect to compensation or the terms, conditions or privileges of employment, because of race, color, age, religion, sex, familial status, disability, sexual orientation, **gender identity or expression**, national origin or ancestry.

(2) For a labor organization to exclude or expel from membership, or otherwise to discriminate against any applicant or member, because of race, color, age, religion, sex, familial status, disability, sexual orientation, **gender identity or expression**, national origin or ancestry of any applicant or member;

(3) For an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against any individual because of race, color, age, religion, sex, familial status, disability, sexual orientation, **gender identity or expression**, national origin or ancestry of said individual;

(4) For an employer, labor organization or employment agency to print or circulate or cause to be printed or circulated, any statement, advertisement or publication, or to make any inquiry in connection with prospective employment, which expresses directly or indirectly any preference, limitation, specification or discrimination because of race, color, age, religion, sex, familial status, sexual orientation, **gender identity or expression**, disability, national origin or ancestry, unless based upon a bona fide occupational qualification.

(5) Notwithstanding paragraphs 1, 2, 3 and 4 of subsection B of this section, the age prohibition shall be limited to individuals who are at least forty (40) years of age, but less than seventy years of age.

(6) For an academic, professional or vocational school to exclude or expel from enrollment, or otherwise to discriminate against any applicant or student, because of the race, color, religion, familial status, disability, sexual orientation, gender identity or expression, national origin or ancestry of said applicant or student.

(7) For an academic, professional or vocational school to or circulate or cause to be printed or circulated, a statement, advertisement or publication, or to use any form of application for admission to said school, or to make any inquiry in connection with prospective enrollment in said school, which expresses directly or indirectly any preference, limitation, specification, or discrimination because of race, color, religion, sexual orientation, gender identity or expression, familial status, disability, national origin or ancestry.

(8) It shall not be an unlawful employment practice for a school, college, university or other educational institution which is, in whole or in substantial part, owned, supported, controlled or managed by a particular religion, or by a particular religious corporation, association, or society, if the curriculum of such school, college, university or other educational institution is substantially directed toward the propagation or teaching of a particular religion, for such school, college, university or educational institution to consider the religion of an applicant in making a hiring decision for a teaching or counseling position, a professorship, or a position involving supervision of teachers, counselors or professors.

(9) Nothing contained in this ordinance shall be interpreted to require any employer, employment agency, labor organization, or joint labor management committee subject to this ordinance to grant or accord preferential treatment to any individual or group because of the race, color, national origin or ancestry of such individual or group because or on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, sexual orientation, **gender identity or expression**, familial status, disability, national origin or ancestry employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, religion, sexual orientation, **gender identity or expression**, familial status, disability, national origin or ancestry in this community, or in the available work force in this community.

(C) DISCRIMINATION IN PROVISION OF HOUSING OR REALTY.

(1) Prohibited Discriminatory Housing or Realty Practices. It shall be a prohibited housing or realty practice and shall constitute a discriminatory housing practice:

(a) For any person, including, without limitation any real estate broker, salesman or agent, or any employee thereof, to discriminate against any individual because of race, color, religion, sex, sexual orientation, **gender identity or expression**, familial status, legal source of income, disability, national origin or

ancestry, with respect to the use, enjoyment or transfer, or prospective use, enjoyment or transfer, of any interest whatsoever in realty, or with respect to the terms, conditions, privileges or services granted or rendered in connection therewith, or with respect to the making or purchasing of loans for the purchase or maintenance of residential real estate or loans in the secondary market, or the provision of other financial assistance, or with respect to the terms, conditions, privileges or services granted or rendered in connection with any interest whatsoever in realty, or with respect to the making of loans secured by residential real estate;

(b) For any person, including, without limitation, any banking, money lending, credit securing or other financial institution, or any officer, agent or employee thereof, to discriminate against any individual because of race, marital status, familial status, color, religion, sex, sexual orientation, **gender identity or expression**, disability, national origin or ancestry, with respect to the granting or withholding of credit or financial assistance, or the extending or renewing of credit or financial assistance, or modifying of rates, terms, conditions, privileges or other provisions of credit or financial assistance, or services retained or rendered, in connection with the transfer or prospective transfer of any interest whatsoever in realty, or in connection with the construction, repair, improvement or rehabilitation of realty;

(c) For any real estate broker, salesman or agent, or any employee thereof, or any other person seeking financial gain thereby, directly or indirectly to induce or solicit, or attempt to induce or solicit, the transfer of any interest whatsoever in realty, by making or distributing, or causing to be made or distributed, any statement or representation concerning the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, sexual orientation, gender identity or expression, disability, familial status, national origin or ancestry or with a particular source of lawful income;

(d) For any person to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, familial status, legal source of income, disability, sexual orientation, **gender identity or expression**, national origin or ancestry;

(e) For any person to discriminate against any other person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, legal source of income sexual orientation, **gender identity or expression**, disability, national origin, or ancestry;

(f) For any person to make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion sex, familial status, lawful source of income, sexual orientation, **gender identity or expression**, disability, national origin, or ancestry, or an intention to make any such preference, limitation, or discrimination;

(g) For any person to represent to another person because of race, color, religion sex, familial status, lawful source of income, sexual orientation, **gender identity or expression**, disability, national origin, or ancestry that any dwelling is not available for inspection, sale, or rental when such dwelling is, in fact, so available;

(h) For any person to deny any other person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation on account of race, color, religion sex, familial status, sexual orientation, **gender identity or expression**, disability, national origin, or ancestry.

(i) Notwithstanding the foregoing, a person engaged in the business of furnishing appraisals of real property may take into consideration factors other than race, color, religion, national origin, sex, sexual orientation, **gender identity or expression**, handicap or familial status.

(2) Discrimination Against Persons With Disabilities. For purposes of this subsection, the term "discriminatory practice" includes:

(a) discrimination against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, or in the sale or rental or otherwise making

unavailable or denying a dwelling to any buyer or renter because of a handicap of:

- (i) that person; or
 - (ii) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (iii) any person associated with that person, provided, however, that a refusal to make available a unit for rent shall not be a discriminatory practice if such potential renter, the person with one or more disabilities, or a person on behalf of a person with disabilities seeks modifications to the rental property but the potential renter is unable or unwilling to pay the expense of such modifications or provide the agreement to restore the premises, where it is reasonable to do so, in accordance with the provisions of subparagraph 2(b) below.
- (b) a refusal to permit, at the expense of a person with disabilities, or another person on behalf of a person with disabilities, reasonable modifications of existing premises occupied or to be occupied by such person with disabilities, if such modifications may be necessary or desirable to afford the person with disabilities full enjoyment of the premises, except that, in the case of a rental unit, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
- (c) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodation may be necessary to afford such person an equal opportunity to use and enjoy a dwelling; and
- (d) in connection with the design and construction of a covered multifamily dwelling for first occupancy after March 13, 1991, a failure to design and construct such dwelling, in a manner that complies with the Fair Housing Act and its implementing regulations.

Notwithstanding the above, compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility for persons with physical disabilities (commonly cited as "ANSI A117.1") suffices to satisfy certain requirements of the Fair Housing Act and its implementing regulations, and nothing in this section shall require a dwelling to be made available to a person whose occupancy would cause a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

(3) Exemptions.

(a) None of the provisions of subsection (C) of section 9, except subparagraph (C)(1)(f) thereof, shall apply to:

(i) any single-family house sold or rented by an owner, provided that: such private individual owner does not own more than three single-family dwellings at any one time; that in the case of the sale of any single-family dwelling by a private owner who was not the most recent resident of such house prior to such sale, the exemption granted herein shall apply only with respect to one such sale within any twenty-four month period, if such bona fide private individual owner does not own any interest in, nor is there owned or reserved any interest on his behalf, under any express or voluntary agreement, title to or rental of, or any right to all or a portion of the proceeds from the sale or rental of, more than three single-family dwellings at one time; the sale or rental of any single family dwelling shall be excepted from the application of this subsection only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of paragraph (1)(f) of this subsection; except that nothing herein shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer title; or

(ii) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(b) Nothing in subsection (C) of section 9 shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such person, unless membership in such religion is restricted on account of race, color, national origin or disability. Nor shall anything in this subchapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(c) The provisions of subsection (C) of section 9 regarding familial status shall not apply with respect to housing for older persons.

(D) DISCRIMINATION IN PUBLIC ACCOMMODATIONS.

It shall be a prohibited discriminatory public accommodation practice for any person, including without limitation, any owner, lessee, manager, proprietor, custodian, agent or employee of a place of public accommodation, to discriminate against any individual because of race, color, religion, sexual orientation, **gender identity or expression**, familial status, legal source of income, disability, national origin or ancestry, with respect to the terms, conditions and privileges of access to or with respect to the uses, services and enjoyment of a place of public accommodation.

(E) DISCRIMINATION IN CITY ACTIVITIES OR PROGRAMS.

No person shall, on the ground of race, marital status, color, age, religion, sexual orientation, **gender identity or expression**, familial status, disability, national origin or ancestry, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving funding or other financial assistance or relief directly or indirectly from the City of St. Louis.

(F) UNLAWFUL INTIMIDATION OR RETALIATION.

It shall be a prohibited discriminatory practice for any person, directly or indirectly, to discriminate, coerce, intimidate, threaten, interfere with, or retaliate against any person because he has: opposed any practice made unlawful by this Ordinance; has exercised his rights, or encouraged another to exercise his rights under this Ordinance; or because he has filed a complaint, cooperated with an investigation of an alleged prohibited discriminatory practice, testified at a hearing held by the Commission, or otherwise assisted in any proceeding under this Ordinance.

(G) UNLAWFUL INTERFERENCE.

It shall be unlawful to interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, rights granted and protected by this ordinance.

(H) EXEMPTIONS.

1. Nothing in this Ordinance shall limit the applicability of any reasonable local, State or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling, nor shall any provision of this Ordinance regarding familial status apply with respect to Housing for Older Persons.

2. Nothing in this Ordinance shall prohibit conduct against a Person because such Person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined by State and Federal law.

3. A Person shall not be held personally liable for monetary damages for a violation of this Ordinance if such Person reasonably relied, in good faith, on the application of the exemption under this section relating to Housing for Older Persons. For the purpose of this subparagraph 3, a Person may only show good faith reliance on the application of this exemption by showing that:

(a) such Person has no actual knowledge that the facility or community is not or will not be eligible for such exemption; and

(b) the facility or community has stated formally, in writing, that the facility or community complies with the requirements for such exemption.

SECTION SIX. Severability Clause. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION SEVEN. Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meanings of Sections 19 and 20 of article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

Approved: July 13, 2010

ORDINANCE #68716
Board Bill No. 79
Committee Substitute

An ordinance repealing Chapter 4.13 of the Revised Code of the City of St. Louis and enacting a new Chapter 4.13 to require approval by resolution of the Board of Aldermen upon recommendation of the Board of Estimate and Apportionment to license a City motor vehicle, possess or use a motor vehicle owned or leased by the City, regulating the reimbursement of personal motor vehicle usage costs for official City of St. Louis business, requiring approval by resolution of the Board of Aldermen upon recommendation of the Board of Estimate and Apportionment a Vehicle Policy Manual (containing policies related to vehicle acquisitions, assignment and use of vehicles, vehicle maintenance, vehicle refueling, and vehicle disposal), and requiring identification of City-owned vehicles, to be codified in Chapter 4.13 of the Revised Code of the City of St. Louis and containing an effective date 180 days after passage and approval by the Mayor.

BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:

SECTION ONE. Chapter 4.13 of the Revised Code of the City of Saint Louis is hereby repealed, and a new Chapter 4.13 is enacted to read as follows:

Chapter 4.13 Licensing and Use of City Automobiles

4.13.010 Personal licensing or use--Prohibited.

No official or employee of the city shall apply for or obtain Missouri state license plates for use on any passenger automobile owned by the city except for those automobiles which are specifically exempted from this prohibition by the provisions of Section 4.13.020. No official or employee of the city shall affix or attach Missouri state license plates on any passenger automobile owned by the city or drive or use any passenger automobile owned by the city to which Missouri state license plates are affixed or attached except for those automobiles which are specifically exempted from this prohibition by the provisions of Section 4.13.020.

4.13.020 Personal licensing or use--Exemptions.

The prohibitions on the use of Missouri state license plates contained in Section 4.13.010 shall not apply to passenger automobiles assigned to and used by officials or employees of the Metropolitan St. Louis Police Department. The following passenger automobiles are exempted from the prohibitions on the use of Missouri state license plates contained in Section 4.13.010:

- A. One automobile assigned to the mayor of the city for his personal use;
- B. One automobile assigned to the comptroller of the city for his personal use;
- C. One automobile assigned to the president of the board of aldermen for his personal use; and
- D. Such other automobiles as may be specifically designated by the board of aldermen by resolution upon the recommendation of the board of estimate and apportionment.

Any such resolution shall clearly identify the automobile or automobiles for which Missouri state license plates are sought, the person or persons who will use such automobile or automobiles and the conditions of such use and shall justify the need for Missouri state license plates for each such automobile.

4.13.030 Identification of city automobiles--Required.

No official or employee of the City shall drive or use, or allow or cause to be driven or used, any passenger automobile owned by the city which is not clearly identified as being a city-owned automobile except for those automobiles which are specifically exempted from this prohibition by the provisions of Section 4.13.040. The clear identification of city-owned automobiles required by this section shall include a sign painted on each side of each such automobile which shall include the words "City of St. Louis" and an identification number which is unique to each individual automobile. Such words and numbers shall be printed with letters and numerals which are at least two and one-half inches high.

4.13.040 Identification of city automobiles--Exemptions.

The requirement of the clear identification of city-owned automobiles contained in Section 4.13.030 shall not apply to passenger automobiles assigned to and used by officials or employees of the Metropolitan St. Louis Police Department. The following passenger automobiles are exempted from the requirement of clear identification of city-owned automobiles contained in Section 4.13.030:

- A. One automobile assigned to the mayor of the city for his personal use;
- B. One automobile assigned to the comptroller of the city for his personal use;
- C. One automobile assigned to the president of the board of aldermen of the city for his personal use; and
- D. Such other automobiles as may be specifically designated by the board of aldermen by resolution upon the recommendation of the board of estimate and apportionment.

Any such resolution shall clearly identify the automobile or automobiles for which an exemption from this requirement is sought, the person or persons who will use such automobile or automobiles and the conditions of such use and shall justify the need for the requested exemption.

Section 4.13.050 Use of City Motor Vehicles

No official or employee of the City shall possess or use any motor vehicle owned or leased by the City except for those officials or employees who are specifically designated by resolution of the Board of Aldermen, upon the recommendation of the Board of Estimate and Apportionment. Any such resolution shall clearly identify the person who will use such motor vehicle, their title, their job classification, the conditions of such use, and shall justify the need for such use.

Section 4.13.060 Motor Vehicle records.

The Office of the Comptroller shall maintain all records generated by the use of any motor vehicle owned or leased by the City and, with the exception of the drivers' license number and address of the person assigned to the city owned or leased motor vehicle, shall make such records available for public inspection upon reasonable notice to inspect. The Comptroller may charge a reasonable fee for the actual cost of preparation and duplication of these records whenever copies of said records are requested.

Section 4.13.070 Reimbursement of personal motor vehicle usage for official City business.

No official or employee of the City shall be reimbursed for personal motor vehicle usage costs that pertain to or relate to official City business unless such reimbursement is specifically approved by resolution of the Board of Aldermen, upon the recommendation and approval of the Board of Estimate and Apportionment. Any such resolution shall clearly identify the person who used their personal motor vehicle for official City business, the nature of the usage, and the exact cost amount to be reimbursed.

Section 4.13.080 Adoption of a City Motor Vehicle Policy Manual Consistent with Chapter 4.13.

The Board of Aldermen shall adopt by resolution a City Vehicle Policy Manual Consistent with Chapter 4.13, upon the recommendation and approval of the Board of Estimate and Apportionment.

SECTION TWO. This ordinance shall become effective 180 days after its passage and approval by the Mayor.

Approved: July 13, 2010

ORDINANCE #68717
Board Bill No. 93

An ordinance recommended by the Board of Estimate and Apportionment of the City of St. Louis, Missouri (the "City") authorizing and directing the issuance and sale by the St. Louis Municipal Finance Corporation (the "Corporation") of refunding bonds (the "Refunding Bonds") in order to refund a portion of the its Leasehold Revenue Refunding Bonds, Series 2003A (Civil Courts Building Project) (the "Refunded Bonds"), for the general welfare, safety, and benefit of the citizens of the City, which Refunding Bonds may be issued in an aggregate principal amount not to exceed \$3,000,000, plus reasonable Costs of Issuance (as defined herein), redemption premium, if any, and costs of funding a debt service reserve fund, if any; authorizing and directing the officers of the City and/or the Corporation to execute and deliver, as necessary, an Indenture (as defined herein), a Base Lease (as defined herein), a Lease Purchase Agreement (as defined herein), a Deed of Trust (as defined herein), a Tax Compliance Agreement (as defined herein), a Continuing Disclosure Agreement (as defined herein), an Official Statement (as defined herein), a Bond Purchase Agreement (as defined herein), and an Escrow Agreement (as defined herein); providing for a debt service reserve fund, if any, for the Refunding Bonds; authorizing the Corporation, to obtain credit enhancement for all or any portion of the Refunding Bonds from one or more Credit Providers (as defined herein); authorizing the payment of any obligations due to such Credit Provider or Credit Providers, if any; authorizing and directing the officers of the Corporation to execute and deliver, as necessary, one or more Credit Agreements (as defined herein) and other documents related thereto, if any; authorizing participation of appropriate City officials in preparing an Official Statement; authorizing the acceptance of the terms of the Bond Purchase Agreement and the taking of further actions with respect thereto; authorizing the payment of certain Costs of Issuance; authorizing and directing the taking of other actions and approval and execution of other documents as necessary or desirable to carry out and comply with the intent hereof; superseding provisions of prior ordinances of the City to the extent inconsistent with the terms hereof; and containing an emergency clause.

WHEREAS, the Board of Aldermen of the City has previously authorized and directed the issuance by the Corporation of, and the Corporation has previously issued the Refunded Bonds to finance or refinance certain improvements, as described in the ordinance pursuant to which such Refunded Bonds were authorized;

WHEREAS, the City has determined that it is in the best interest of the City to authorize and direct the issuance and sale by the Corporation of the Refunding Bonds for the purpose of refunding a portion of the Refunded Bonds and for the purpose of providing for the payment of principal of, and interest and premium, if any, on a portion of the Refunded Bonds due and payable on August 1, 2010;

WHEREAS, it is necessary and desirable in connection with the issuance of the Refunding Bonds for the City, and/or the Corporation to execute and deliver certain documents, as necessary, including an Indenture, a Base Lease, a Lease Purchase Agreement, a Deed of Trust, a Continuing Disclosure Agreement, a Tax Compliance Agreement, an Official Statement, a Bond Purchase Agreement, a Credit Agreement, and an Escrow Agreement; and that the City and/or the Corporation execute certain other documents, take certain other actions and approve certain other documents, as herein provided.

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

Section 1. Definitions. As used in this Ordinance, the following words shall be defined as follows:

"Additional Rentals" means the additional rentals as defined in any Lease Purchase Agreement entered into in connection with one or more Series of Bonds.

"Base Lease" means a base lease, including any supplements, amendments, and/or restatements thereof, executed by the City and the Corporation conveying the fee interest or leasehold interest of the City, in such real property and/or personal property as described therein, for the purpose of securing the Refunding Bonds.

"Bond Purchase Agreement" means a bond purchase agreement related to the issuance and sale of the Refunding Bonds.

"City" means The City of St. Louis, Missouri.

"City Documents" means, as necessary, the Indenture, Base Lease, Lease Purchase Agreement, Deed of Trust, Tax Compliance Agreement, Continuing Disclosure Agreement, Bond Purchase Agreement, Credit Agreements, Escrow Agreement, and such other documents, certificates, and instruments as may be necessary or desirable to facilitate the issuance of the Refunding Bonds and to carry out and comply with the intent of this Ordinance.

"Continuing Disclosure Agreement" means a continuing disclosure agreement memorializing the City's continuing

disclosure obligations with respect to the Refunding Bonds.

“Corporation” means the St. Louis Municipal Finance Corporation.

“Corporation Documents” means, as necessary, the Indenture, Base Lease, Lease Purchase Agreement, Deed of Trust, Tax Compliance Agreement, Continuing Disclosure Agreement, Bond Purchase Agreement, Escrow Agreement, and such other documents, certificates, and instruments as may be necessary or desirable to facilitate the issuance of the Refunding Bonds and to carry out and comply with the intent of this Ordinance.

“Costs of Issuance” means all costs incurred in connection with the issuance of the Refunding Bonds, including but not limited to the following: (i) Trustee, escrow agent, and paying agent fees; (ii) financial advisor, placement agent, or other consultant fees and expenses; (iii) Underwriters’ spread, including Underwriter’s counsels’ fees (whether realized directly or derived through purchase of Refunding Bonds at a discount below the price at which they are expected to be sold to the public); (iv) fees and expenses of counsel (including bond counsel, disclosure counsel, counsel to the City, counsel to the Corporation, counsel to the Trustee, counsel to the Credit Provider, as well as any other specialized counsel fees incurred in connection with the Refunding Bonds); (v) accounting expenses incurred in connection with determining that the Refunding Bonds are not arbitrage bonds; (vi) fees of independent certified public accounts or consultants for verification services; (vii) initial fees for the Credit Enhancement; (viii) rating agency fees; (ix) all printing expenses in connection with the Refunding Bonds and the Official Statement; and (x) other fees and expenses of the City and the Corporation incurred in connection with the issuance of the Refunding Bonds.

“Credit Agreement” means, collectively or singularly, as the context may require, any agreement or agreements, including any supplements, amendments, and/or restatements thereof, by and between a Credit Provider and the City and/or the Corporation providing for Credit Enhancement for the Refunding Bonds.

“Credit Enhancement” means any one or more letters of credit, liquidity facilities, surety bonds, or bond insurance policies issued by any Credit Provider guaranteeing, providing for or insuring the payment of all or a portion of the principal of and interest on, or accreted value of, the Refunding Bonds as provided therein.

“Credit Provider” means the issuer or issuers of any Credit Enhancement, if any, pursuant to any Credit Agreement and identified in the Indenture for the Refunding Bonds.

“Deed of Trust” means the deed of trust, including any supplements, amendments, and/or restatements thereof, executed by the City and/or the Corporation encumbering the fee interest or leasehold interest of the City and/or the Corporation in such real property and/or personal property as described therein, for the purpose of securing the Refunding Bonds.

“Escrow Agreement” means, collectively or singularly, as the context may require, one or more escrow agreements executed by the Corporation and the escrow agent named therein, for the purpose of providing for the investment of the proceeds of a portion of the Refunding Bonds and the application of such amounts to the current or advanced refunding of a portion of the Refunded Bonds and/or to payment of principal of, and interest and premium, if any, on all or a portion of the Refunded Bonds.

“Indenture” means, the bond trust indenture and/or master trust indenture, including any supplements, amendments, and/or restatements thereof, executed by the Corporation and the bond trustee named therein, pursuant to which the Refunding Bonds are issued.

“Lease Purchase Agreement” means the lease purchase agreements, including any supplements, amendments, and/or restatements thereof, executed by the City and the Corporation conveying the fee interest or leasehold interest of the City and/or the Corporation in such real property and/or personal property as described therein, for the purpose of securing the Refunding Bonds.

“Official Statement” means the preliminary and/or final Official Statement prepared in connection with the issuance, sale, and delivery of the Refunding Bonds.

“Refunded Bonds” means, the Corporation’s Leasehold Revenue Refunding Bonds, Series 2003A (Civil Courts Building Project) refunded with the proceeds of the Refunding Bonds.

“Refunding Bonds” means the bonds authorized under this Ordinance, the aggregate initial principal amount of which shall not exceed \$3,000,000, plus reasonable Costs of Issuance, redemption premium, if any, costs of funding a debt service reserve fund or funds, if any, for the purposes of refunding all or a portion of the Refunded Bonds and/or providing for the payment of principal of, and interest and premium, if any, on all or a portion of the Refunded Bonds.

“**Rentals**” means the rentals as defined in any Lease Purchase Agreement entered into in connection with the Refunding Bonds.

“**Series**” means all of the Refunding Bonds delivered on original issuances in a simultaneous transaction and identified pursuant to the Indenture authorizing the issuance of such Refunding Bonds as a separate series, regardless of variations in maturity, interest rate, or other provisions. If a series of Refunding Bonds is sold in installments, “Series” shall mean all of the Refunding Bonds of such installment.

“**Tax Compliance Agreement**” means the Tax Compliance Agreement entered into by the Corporation and the City, and the Trustee with respect to the Refunding Bonds.

“**Tax-Exempt Bonds**” means any Refunding Bonds, the interest upon which is not includable in gross income for federal income tax purposes.

“**Trustee**” means the Refunding Bonds, the bond trustee or any successor thereto, as set forth in the Indenture pursuant to which the Refunding Bonds are issued.

“**Underwriters**” means the underwriter or underwriters, as set forth in the Bond Purchase Agreement pursuant to which such the Refunding Bonds are sold.

Section 2. Findings and Determinations. The Board of Aldermen hereby finds and determines that it is necessary and in the best interests of the City:

(a) to authorize and direct the issuance and sale of one or more Series, as market conditions warrant, of Refunding Bonds by the Corporation (i) in order to refund all or a portion of the Refunded Bonds and/or in order to provide for the payment of principal of, and interest and premium, if any, on all or a portion of the Refunded Bonds, (ii) to fund a debt service reserve fund or funds, if any, and/or the purchase of Credit Enhancement, for any such Series, (iii) to pay reasonable expenses incurred by the Corporation and/or the City in connection with the issuance of any such Series; and

(b) to authorize and direct the Corporation to enter into a negotiated sale or sales of the Refunding Bonds to the Underwriters.

Section 3. Authority and Direction to Issue the Refunding Bonds. The City hereby authorizes and directs the Corporation, as market conditions warrant, to issue the Refunding Bonds in a principal amount which does not exceed \$3,000,000, plus reasonable Costs of Issuance, redemption premium, if any, and costs of funding a debt service reserve fund or funds, if any, on behalf of the City for the purposes set forth in Section 2 hereof. The City hereby ratifies and confirms all prior actions of the City and/or the Corporation taken in connection with the issuance of the Refunding Bonds. The Refunding Bonds (i) shall have a final maturity not more than 20 years from their date of issuance, (ii) shall bear interest at such variable interest rates or fixed interest rates or shall have such accreted values as the City reasonably expects will achieve an economic benefit to the City, and (iii) may be sold at a premium or at a discount with such discount not to exceed the maximum discount allowable under Missouri law. The terms and provisions of each Series of Refunding Bonds shall be as provided in the Indenture pursuant to which such Series is issued.

Limited Obligations. The principal of and redemption premium, if any, and interest, or accreted value of and redemption premium, if any, on the Refunding Bonds issued by the Corporation as leasehold revenue bonds shall be limited obligations payable by the Corporation solely from (i) proceeds of such Refunding Bonds, (ii) Rentals and Additional Rentals received by the Corporation from the City or by the Trustee on behalf of the Corporation and reasonably expected to be used to pay debt service on such Refunding Bonds pursuant to the Lease Purchase Agreement applicable to such Refunding Bonds, (iii) amounts available in the debt service reserve fund or funds, if any, for such Refunding Bonds, (iv) amounts available in the capitalized interest fund or funds, if any, for such Refunding Bonds, (v) amounts payable by the Credit Provider in connection with the Credit Enhancement, if any, on such Refunding Bonds, and (vi) certain other funds as provided in the Indenture pursuant to which such Refunding Bonds are issued. The principal of and redemption premium, if any, and interest, or accreted value of and redemption premium, if any, on such Refunding Bonds do not and shall not constitute an indebtedness of the City or the State of Missouri or any instrumentality thereof within the meaning of any constitutional or statutory debt limitation or restriction. The obligation of the City to make payments of Rentals and Additional Rentals and other amounts under the applicable Lease Purchase Agreement is subject to annual appropriation to the extent required by applicable law as provided therein. The obligation of the City to make such payments under the applicable Lease Purchase Agreement on such Refunding Bonds shall not constitute a debt of the City within the meaning of any applicable provisions of law. The issuance of such Refunding Bonds will not directly or contingently obligate the City to make any payments beyond those appropriated for its then current fiscal year.

Section 4. Authority and Direction to Sell the Refunding Bonds in a Negotiated Sale or Sales. In connection with the issuance of any one or more Series of the Refunding Bonds, the City hereby authorizes and directs the Corporation to negotiate the sale thereof with the Underwriters, subject to the provisions of this Ordinance. The City further hereby authorizes and directs the Corporation to prepare, at the request of the Underwriters, the Official Statement for such Series, to execute and deliver the final Official Statement for such Series, and to execute and deliver the Bond Purchase Agreement for such Series, in connection with such negotiated sale or sales of such one or more Series of the Refunding Bonds.

Section 5. Authority and Direction to Obtain Credit Enhancement. The City hereby authorizes and directs the Corporation to obtain Credit Enhancement for any one or more Series of Refunding Bonds from a Credit Provider with such credit rating that, in the opinion of the Underwriters and the financial advisor, will achieve an economic benefit for the City if such Series of the Refunding Bonds is secured by such Credit Enhancement. Any Credit Agreement executed in connection therewith may pledge Rentals and Additional Rentals on a parity basis to payment of (i) debt service on the applicable Series of Refunding Bonds and (ii) any amounts due and owing to the Credit Provider under the Credit Agreement entered into in connection with such Series of Refunding Bonds. The Comptroller is hereby authorized to approve the terms of any such Credit Agreement, and the Comptroller, with the advice of the City Counselor as to form thereof, is hereby authorized and directed to execute such Credit Agreement and other documents in connection therewith as required to obtain the Credit Enhancement.

Section 6. Authority and Direction to Cooperate in Qualification. The City and the Corporation shall furnish such information, execute such instruments, and take such other action in cooperation with the Underwriters as the Underwriters may reasonably request to qualify any Series of Refunding Bonds for offer and sale under the Blue Sky or other securities laws and regulations of such states and other jurisdictions of the United States as the Underwriters may designate; provided, however, neither the City nor the Corporation shall be required to register as a dealer or broker in any such state or jurisdiction, to subject itself to service of process in any state or jurisdiction in which it is not already so subject, or to comply with any other requirements deemed by the City or the Corporation to be unduly burdensome.

Section 7. Authority and Direction to Execute and Deliver Corporation Documents. In connection with the issuance of any one or more Series of Refunding Bonds, the City hereby authorizes and directs the Corporation to approve the terms of and to execute, seal, attest, and deliver the Corporation Documents in such form and substance as shall be consistent with the terms and intent hereof and as shall be approved by the City Counselor and by the appropriate officers of the Corporation executing such documents, such officers' signatures thereon being conclusive evidence of their approval thereof.

Section 8. Authorization and Direction to Execute and Deliver City Documents. In connection with the issuance of any one or more Series of Refunding Bonds, the City is hereby authorized to enter into, and the Mayor and the Comptroller and such other officers of the City as are appropriate are hereby authorized and directed to execute, seal, attest, and deliver, for and on behalf of and as the act and deed of the City, City Documents in such form and substance as shall be consistent with the terms and intent hereof and as shall be approved by the City Counselor and by the appropriate officers of the City executing such documents, such officers' signatures thereon being conclusive evidence of their approval thereof.

Any Lease Purchase Agreement shall be for a lease term to terminate no later than the final maturity of the Series of Refunding Bonds secured thereby, subject to annual appropriation of Rentals equal to the principal of and redemption premium, if any, and interest, or accreted value of and redemption premium, if any, on such Series of Refunding Bonds and certain Additional Rentals due under such Lease Purchase Agreement. Such Lease Purchase Agreement shall further provide the City with an option to purchase the property described in such Lease Purchase Agreement upon the defeasance, or adequate provision therefor, of the Bonds outstanding. Such Lease Purchase Agreement shall contain such other terms and provisions as shall adequately secure and protect the payment of the principal of and redemption premium, if any, and interest, or accreted value of and redemption premium, if any, on the due on the Refunding Bonds outstanding.

Section 9. Authorization with Respect to Sale of the Refunding Bonds. The preparation of any one or more Official Statements, the execution and delivery of such Official Statements by the City, and the execution and delivery of any one or more Bond Purchase Agreements are hereby contemplated, and the Mayor, the Comptroller, and other appropriate officers, agents, and employees of the City are hereby authorized and directed to take such further actions and execute such other documents as are required by the City thereunder, with their respective signatures thereon to be evidence of such approval by the City.

The Mayor, the Comptroller, and other appropriate officers, agents, and employees of the City, with the advice and concurrence of the City Counselor, are hereby authorized and directed to participate with the Corporation and the Underwriters in the preparation of one or more Official Statements and to execute and deliver such Official Statements and any one or more Continuing Disclosure Agreements as necessary and desirable in order to assist the Underwriters in complying with Rule 15c2-12 of the Securities and Exchange Commission.

Section 10. Selection of Financial Advisor and Other Participants. The Comptroller is hereby authorized to select the financial advisor and such other advisors, counsel, and participants to the transaction contemplated in this Ordinance as are desirable to further the purposes of this Ordinance.

Section 11. Further Authority. The City and the Mayor, the Comptroller, the Treasurer (as to permitted investments only), and other appropriate officers, agents, and employees of the City are hereby authorized to take such further actions and execute such other documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the instruments and agreements authorized hereby.

Section 12. Severability. It is hereby declared to be the intent of the Board of Aldermen that each and every part, section, and subsection of this Ordinance shall be separate and severable from each and every other part, section, and subsection hereof and that the Board of Aldermen intends to adopt each said part, section, and subsection separately and independently of any other part, section, and subsection. In the event that any part, section, or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 13. Superseding of Inconsistent Provisions. The provisions of this Ordinance hereby amend any provision of any ordinance of the City inconsistent with the terms hereof, but only to the extent of such inconsistency.

Section 14. Emergency Clause. By making an appropriation for the payment of principal or interest of the public debt or for current expenses of the City government, this Ordinance shall be and is hereby declared to be an emergency measure within the meaning of Article IV, Sections 19 and 20, of the Charter of the City of St. Louis, and, as such, this ordinance shall take effect immediately upon its approval by the Mayor.

Approved: July 13, 2010

**ORDINANCE #68718
Board Bill No. 98**

An Ordinance recommended by the Planning Commission on June 9, 2010, to change the zoning of property as indicated on the District Map, from "F" Neighborhood Commercial District and "J" Industrial District to the "C" Multiple-Family Dwelling District, in City Blocks 2159, 2160, 2163 and 2164 (1201-03, 1101-03, 1105, 1109, 1111, 1113, 1115, 1117, 1121, 1123 & 1125 S. Compton and 3212-14, 3216H, 3218-22, 3226, 3228 & 3230 LaSalle Street, 3302, 3304, 3308, 3310, 3312-16, 3318, 3320, 3322, 3324, 3326, 3328, 3330, 3332 & 3334 LaSalle Street, and 3311 & 3313-33 Rutger), so as to include the described parcels of land in City Blocks 2159, 2160, 2163 and 2164; and containing an emergency clause.

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

SECTION ONE. The zoning designation of certain real property located in City Blocks 2159, 2160, 2163 and 2164 is hereby changed to the "C" Multiple-Family Dwelling District, real property being particularly described and shown in Exhibit A as follows:

DESCRIPTIONS OF PROPERTY TO BE RE-ZONED IN BLOCK 2159;

A tract of land being all of Lots 1 through 10 inclusive in Block 2159 of the City of St. Louis, together with the East half of a 15 feet wide North – South alley vacated per Ordinance 67788 of the City of Saint Louis, Missouri, and being more particularly described as follows;

Beginning at the Northeast corner of said Block 2159, being also the intersection of the South Line of Hickory Street, 55 feet wide, with the West line of Compton Avenue, 50 feet wide; thence along the West line of said Compton Avenue South 14 degrees 47 minutes 08 seconds West a distance of 265.00 feet by record 264.48 feet by survey to the North line of Rutger Street, 55 feet wide; thence along the North line of said Rutger Street North 75 degrees 08 minutes 15 seconds West a distance of 135.50 feet by record 135.70 feet by survey to the centerline of said 15 feet wide alley; thence along the centerline of said alley North 14 degrees 47 minutes 08 seconds East a distance of 265.00 feet by record 264.48 feet by survey to the South line of said Hickory Street; thence along the South line of said Hickory Street South 75 degrees 08 minutes 15 seconds East a distance of 135.50 feet by

record 135.70 feet by survey to the point of beginning, containing 0.82 acres more or less.

DESCRIPTIONS OF PROPERTY TO BE RE-ZONED IN BLOCK 2160;

A tract of land being all of Lots 1 through 10 inclusive and Lots 18 through 24 inclusive in Block 2160 of the City of St. Louis, together with the East half of a 15 feet wide North – South alley and together with the North half of an East – West alley vacated per Ordinance 67788 of the City of Saint Louis, Missouri, and being more particularly described as follows;

Beginning at the Northeast corner of said Block 2160, being also the intersection of the South Line of LaSalle Street, 55 feet wide, with the West line of Compton Avenue, 50 feet wide; thence along the West line of said Compton Avenue South 14 degrees 47 minutes 08 seconds West a distance of 255.00 feet by record 254.49 feet by survey to the North line of Hickory Street, 55 feet wide; thence along the North line of said Hickory Street North 75 degrees 08 minutes 15 seconds West a distance of 135.50 feet by record 135.70 feet by survey to the centerline of said North South alley; thence along the centerline of said North South alley North 14 degrees 47 minutes 08 seconds East a distance of 127.24 feet to its intersection with the centerline of said East West alley; thence along the centerline of said East West alley North 75 degrees 08 minutes 15 seconds West a distance of 212.98 feet to the East line of Virginia Avenue, 50 feet wide; thence along the East line of said Virginia Avenue North 14 degrees 47 minutes 08 seconds East a distance of 127.50 feet by record 127.24 feet by survey to the South line of said LaSalle Street; thence along the South line of LaSalle Street South 75 degrees 08 minutes 15 seconds East a distance of 348.12 feet by record 348.68 feet by survey to the point of beginning, containing 1.41 acres more or less.

DESCRIPTIONS OF PROPERTY TO BE RE-ZONED IN BLOCK 2163;

A tract of land being all of Lots 1 through 13 inclusive in Block 2163 of the City of St. Louis, together with the North half of a 12 feet wide East – West alley vacated per Ordinance 67788 of the City of Saint Louis, Missouri, and being more particularly described as follows;

Beginning at the Northeast corner of said Block 2163, being also the intersection of the South Line of LaSalle Street, 55 feet wide, with the West line of Virginia Avenue, 50 feet wide; thence along the West line of said Virginia Avenue South 14 degrees 47 minutes 08 seconds West a distance of 127.50 feet by record 127.24 feet by survey to the centerline of East – West alley; thence along the centerline of said alley North 75 degrees 08 minutes 15 seconds West a distance of 348.12 feet by record 348.70 feet by survey to the East line of Ranken Avenue, 25 feet wide; thence along the East line of said Ranken Avenue North 14 degrees 47 minutes 08 seconds East a distance of 127.50 feet by record 127.25 feet by survey to the South line of said LaSalle Street; thence along the South line of South line of LaSalle Street South 75 degrees 08 minutes 15 seconds East a distance of 348.12 feet by record 348.70 feet by survey to the point of beginning, containing 1.02 acres more or less.

DESCRIPTIONS OF PROPERTY TO BE RE-ZONED IN BLOCK 2164;

A tract of land being all of Lots 14 through 23 inclusive in Block 2164 of the City of St. Louis, together with part of the North half of a 12 feet wide East – West alley vacated per Ordinance 67788 of the City of Saint Louis, Missouri together with part of the East half of former Ranken Avenue, 25 feet wide, vacated per Ordinance 66583 and being more particularly described as follows;

Beginning at the Southeast corner of said Lot 23 in said Block 2164, being on the North line of Rutger Street, 55 feet wide and being also North 75 degrees 08 minutes 15 seconds West 85.00 feet by record 85.14 feet by survey from the Southeast corner of said Block 2164; thence along the North line of Rutger Street North 75 degrees 08 minutes 15 seconds West a distance of 275.62 feet by record 276.06 feet by survey to the centerline of said vacated Ranken Avenue; thence along the centerline of said vacated Ranken Avenue North 14 degrees 47 minutes 08 seconds East a distance of 132.50 feet by record and 132.24 feet by survey to the centerline of said alley; thence along the centerline of said East – West alley South 75 degrees 08 minutes 15 seconds East a distance of 275.62 feet by record 376.06 feet

by survey to the intersection of the Northern prolongation of the East line of said Lot 23 with the centerline of said alley; thence along said Northern prolongation and along the East line of said Lot 23 South 14 degrees 47 minutes 08 seconds a West a distance of 132.50 feet by record and 132.24 feet by survey to the point of beginning, containing 0.84 acres more or less.

SECTION 2. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

Approved: July 13, 2010

ORDINANCE #68719
Board Bill No. 104

An ordinance submitting to the qualified voters of the City of St. Louis a proposed amendment to the Charter of the City of St. Louis by repealing existing Section 24 of Article IV, and enacting a new Section 24 of Article IV, relating to fines; providing for an election to be held therefore and the manner of voting thereat; and containing an emergency clause.

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

Section One. The following amendment to the Charter of the City of St. Louis is hereby proposed and submitted to the voters of the City of St. Louis and shall be voted upon at an election to be held as hereinafter provided.

The said amendment is in words and figures as follows:

Section 24 of Article IV of the Charter of the City of St. Louis relating to fines is hereby repealed, and enacted in lieu thereof is a new Section 24 which shall be and read as follows:

Section 24. No fine shall exceed one thousand dollars or such other amount as the City may, by law, be authorized to impose.

Section Two. The foregoing proposed amendment to the Charter of the City of St. Louis shall be submitted to the qualified voters of the City of St. Louis at the next election to be held on Tuesday, November 2, 2010, and if said proposed amendment shall receive in its favor the votes of three-fifths of the qualified voters voting at such election for or against said proposed amendment such amendment shall be adopted and become a part of the Charter of the City of St. Louis from the date of said election. Qualified voters of the City of St. Louis may at the election aforesaid vote a ballot substantially in the following form:

OFFICIAL BALLOT

Instructions to voters:

To vote in favor of the proposition submitted upon this ballot, place an "X" in the square opposite the word "Yes" and to vote against any proposition submitted upon this ballot, place an "X" in the square opposite the word "No."

The amendment shall appear on the ballot substantially, as follows:

Yes _____

No _____

Amendment to the City Charter

Proposition to amend the Charter of the City of St. Louis to increase the maximum fine to one thousand dollars (\$1,000.00), by repealing existing Section 24 of Article IV and enacting a new Section 24 of Article IV relating to fines.

Section Three. The Board of Election Commissioners shall provide the ballots or voting machines or both and conduct the election and shall ascertain and certify the result thereof according to the law.

If voting machines are used, the aforesaid "OFFICIAL BALLOT" shall be placed or posted on the said voting machines

wherever said machines are used under the direction of the Board of Election Commissioners for the City of St. Louis and according to law.

Section Four. Upon the approval of this Ordinance, it shall be published in the City Journal, the official publication of the City of St. Louis, Missouri. Proof of the publication of this Ordinance shall be made by affidavit of the City Register, and such affidavit shall be filed in the office of the City Register and a copy of such publication shall be attached thereto.

Section Five. This being an ordinance calling for an election for submission to the people of an amendment to the Charter of the City of St. Louis, it is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor pursuant to Article IV Sections 19 and 20 of the Charter.

Approved: July 13, 2010