

November 14, 2023

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, November 16, 2023
1:30 p.m., Council Chambers
County-City Building

AGENDA

ITEM 1: Approval of Minutes from the September 21, 2023 meeting.

ITEM 2: Request to create the following classifications:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>PAY RANGE</u>
5104	Sustainability Specialist	A12 (\$65,116.48 - \$86,852.48)
2215	Urban Development Construction Manager	C34 (\$66,693.12 - \$85,161.44)

ITEM 3: Request to change the title of the following classification:

<u>CLASS CODE</u>	<u>CURRENT CLASS TITLE</u>	<u>PROPOSED CLASS TITLE</u>
1995	Traffic Sign Worker	Traffic Sign and Marking Technician (C23)

ITEM 4: Request to revise the following classification:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>
5293	Water Quality Specialist (A12)

ITEM 5: Request to amend Lincoln Municipal Code - 2.76.153 – Compensation Plan; Merit Pay Plan; Shift Differential

ITEM 6: Request to amend Lincoln Municipal Code – 2.76.155 – Compensation Plan; Longevity Pay

ITEM 7: Request to amend Lincoln Municipal Code – 2.76.175 – Compensation Plan; Promotion, Transfer, Demotion

ITEM 8: Request to remove Lincoln Municipal Code – 2.76.207 – Compensation Plan; Disaster Response Pay

ITEM 9: Request to amend Lincoln Municipal Code – 2.76.340 – Appointments.

ITEM 10: Request to create Lincoln Municipal Code – 2.76.341 – Promotions.

ITEM 11: Request to amend Lincoln Municipal Code – 2.78 – Management Compensation Plan

ITEM 12: Miscellaneous Discussion

PC: Directors; Barb McIntyre

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Lincoln Commission on Human Rights, at 402 441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.

SUSTAINABILITY SPECIALIST

NATURE OF WORK

This is professional work identifying and implementing opportunities to reduce greenhouse gas emissions, improve energy efficiency, and promote sustainable practices.

Work involves responsibility for assisting in developing, implementing, and tracking climate and sustainability programs supporting the City's Climate Action Plan. Work also involves developing solutions and identifying policies while working with City staff, residents, and businesses to achieve the City's climate goals. Work is performed under the general supervision of an administrative superior. Supervision may be exercised over subordinate employees.

EXAMPLES OF WORK PERFORMED

Manages the City's internal "Green Team" program to promote sustainable practices within the City.

Assists with the development and execution of climate and sustainability project identification, prioritization, planning, and execution; assists with the facilitation of City staff and stakeholder involvement and tracking of project progress and shares and coordinates climate and sustainability expertise with City staff and residents.

Tracks data related to climate and sustainability implementation and provides progress updates as needed.

Presents to community groups on Lincoln's climate and sustainability progress or specific initiatives; assists with community engagement around climate and sustainability initiatives; assists in managing meetings of the Mayor's Resilient Lincoln Roundtable.

Manages the Lincoln Biochar Initiative in coordination with the Lincoln Transportation and Utilities (LTU) department.

Assists City Communications or LTU in messaging climate and sustainability initiatives on the website, social media, local press, and other media channels.

Manages the implementation of Lincoln's Local Food Plan; meets with key stakeholders in the community to connect resources, remove barriers, amplify efforts and identify resources to expand the community's local food system.

Fosters partnerships and open communication with City departments and across the community to achieve shared objectives.

Oversees the City's brownfields grant requirements; assists in identifying and applying for grants and other funding opportunities to support climate and sustainability programs and initiatives.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Thorough knowledge of sustainability principles and practices incorporating energy conservation, energy efficiency and renewable energy.

Thorough knowledge of various continuous improvement methods and survey methodologies.

Knowledge of the latest climate change and sustainability research and best practices.

Ability to produce and promote public information events, presentations, news releases, and public service announcements.

Ability to prioritize and manage multiple projects simultaneously.

Ability to analyze, visualize, and communicate complex data sets in simplified formats for reporting and tracking program performance and improvement.

Ability to establish and maintain good working relationships with City staff, consultants, City Council members, committees, and taskforces.

Ability to maintain up-to-date knowledge of sustainability programs and resources offered in Lincoln.

Ability to exercise discretion and protect confidentiality when needed.

Ability to communicate effectively both orally and in writing.

MINIMUM QUALIFICATIONS

Graduation from an accredited four-year college or university with major coursework in environmental studies, sustainability or related field and two years of experience in climate and sustainability programs; or any equivalent combination of training and experience that provides the desirable knowledge, abilities, and skills.

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URBAN DEVELOPMENT CONSTRUCTION MANAGER

NATURE OF WORK

This is highly responsible work in the management and oversight of public improvement projects in connection with the Urban Development Department.

Work involves coordinating project consultants, budgeting and scheduling of projects, reviewing construction documents and cost estimates, along with managing bidding and payments. Work also involves coordinating with a variety of departmental and city staff, providing on-site construction observation, cultivating relationships with developers and their consultants, organizing and managing meetings, as well as maintaining city asset databases and maintenance contracts. Limited supervision is received from a technical or administrative superior in the form of general guidance and review of records, reports and final outcome. Supervision may be exercised over subordinate employees.

EXAMPLES OF WORK PERFORMED

Develops project scopes, schedules, and budgets with appropriate staff and consultants, including estimating expenses and reviewing cost estimates for proposed public improvement projects.

Manages construction contracts, including bidding, contracting, scheduling, reviewing pay applications and change orders, responding to Requests for Information (RFI), conducting final project walk-through/punch list and warranty reviews, reviewing and maintaining as-built drawings and maintenance manuals.

Assists in coordination of the design development process, including developing the scope of projects for design; overseeing or assisting in the hiring of design professionals; review of design and construction drawings; review and approval of design invoices.

Oversees construction observation and inspection services in coordination with appropriate divisions and consultants.

Coordinates projects with appropriate City staff, the public, and private property owners when applicable.

Assists in redevelopment project planning and implementation, including developing and reviewing cost estimates for proposed improvements and enhancements, preparing for and running implementation meetings, reviewing site plans, architectural drawings, and construction drawings.

Assists in construction observation of private redevelopment projects; coordinates in-field changes with appropriate city staff and redeveloper; conducts final project walk-through/punch list as needed.

Monitors reimbursement of eligible project expenses; including preparing budget, reviewing pay applications for accuracy and consistency with agreements and approving Tax Increment Financing (TIF) reimbursable expenses and maintaining records per records requirements.

Coordinates Asset Management for Business Improvement Districts, projects maintained by Urban Development, and construction planning and budgeting purposes.

Assists in the development and review of site plans as they relate to private uses of the right of way, ingress/egress, and other improvements.

Supervises subordinate staff and provides direction pertaining to questions of policies, standards and procedures.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Considerable knowledge of City, County, State or Federal regulations.

Considerable knowledge of engineering/planning software and applications.

Considerable knowledge of spreadsheet, word processing, database and e-mail software.

Considerable knowledge of managing budgets and schedules.

Ability to understand and follow complex oral and written instructions.

Ability to prepare a variety of technical memorandums and reports.

Ability to work independently on a variety of assigned projects with only periodic and general supervision and instructions.

Ability to understand and follow complex oral and written instructions.

Ability to establish and maintain effective working relationships with other government agencies, citizen committees, the media, public officials, other City departments, co-workers and the general public.

Ability to communicate effectively both orally and in writing.

MINIMUM QUALIFICATIONS

Associate degree in construction management, architectural field, or engineering field (civil or surveying); and five years of experience of a technical nature; or any equivalent combination of training and experience that provides the desirable knowledge, abilities and skills.

NECESSARY SPECIAL REQUIREMENTS

Possession of a valid driver's license when operating a vehicle is necessary for the satisfactory performance of assigned duties.

WATER QUALITY SPECIALIST

NATURE OF WORK

This is professional environmental analysis, water quality analysis and evaluation work.

Work in Water involves collecting and analyzing environmental and drinking water samples; providing analytical test results so that environmentally threatening situations are detected, monitored and corrected in compliance with State and Federal regulations. Work also involves, but is not limited to, distribution water sampling, field analysis and analytical data evaluation to ensure compliance with EPA Safe Drinking Water Act (SDWA) regulations including the Total Coliform Rule (TCR). ~~Additional water quality evaluation utilizing spreadsheet data analysis, data trending and summary and data charting will be required. This position is also responsible for responding to customer water complaints, collecting samples, providing the consumer timely data results and answering any questions.~~ Work in Wastewater involves maintenance of an ongoing laboratory Quality Assurance/Control (QA/QC) program, responsibility for analytical method development and assisting with administration of a Laboratory Information Management System. Work is performed under the general supervision of an administrative superior.

EXAMPLES OF WORK PERFORMED

Evaluates current analytical methods and procedures at all stages to assure adherence to EPA approved standard methods.

Oversees the collection and analysis of distribution system drinking water samples following procedures in compliance with Safe Drinking Water Act, Total Coliform Rule.

Performs annual evaluations of distribution system sampling locations and recommends additions and relocations in compliance with the Safe Drinking Water Act.

Prepares evaluations of water quality data using various electronic tools such as Laboratory Information Management Systems, water distribution modeling software, and spreadsheets to provide conclusions and recommendations for modifying process control, and corrective actions and improvements to distribution system water quality.

Monitors and interprets water quality data to identify changes and trends in water quality.

~~Prepares reports of water quality and trends to be used by consultants and others in further evaluating source water quality, process control and water distribution system operations.~~

~~Investigates and evaluates potential sampling site locations in compliance with the TCR. Transports Total Coliform Rule and other samples to the sub-contract lab for analysis of total coliform, e coli, heterotrophic plat count, and other special requested analytes.~~

~~Evaluates existing techniques and procedures to ensure or improve upon the quality and reliability of data generated and reported, using recommendations from other staff, and observations based on laboratory experience.~~

Manages, responds, tracks, and resolves water quality complaints utilizing proper customer care tracking software.

Assists in preparing water quality information for consumer use to include the Consumer Confidence Report, various brochures, and pamphlets and web site information.

~~Consults with consumers regarding water quality issues and complaints including onsite visits and inspections of home and businesses to evaluate potential sources of the complaint.~~

~~Provides timely and detailed documentation of consumer water quality issues and complaints within the Lincoln Water System asset management and customer care system.~~

Completes and maintains test records in the Laboratory Information Management System and Total Coliform Rule Monthly compliance reports in accordance with federal and state regulatory requirements through submittals to laboratory manager.

Works with public health monitoring agencies and the medical community, as required, during investigations of possible waterborne disease outbreaks or contamination sources.

Works with consulting engineers, federal or state agencies or universities on pilot studies or special projects regarding various water quality studies.

~~Completes water quality monitoring of distribution system samples including sample collection, field and laboratory analyses, and evaluation of sample data.~~

~~Performs spreadsheet database analysis including data trending, data summaries and charting of findings for reporting to co-workers, administration, sub-contractors, and the consumer. Review and identify new water quality analytes of interest and recommend new testing procedures to be included in water quality monitoring.~~

~~Calibrates, operates, maintains and troubleshoots various field and laboratory instrumentation for physical, chemical and biological sample analysis.~~

Creates standard operating procedures for EPA approved analytical methods performed in the laboratory, maintains printed files for standard operating procedures retained in laboratory workstations, and prepare QA/QC samples for method validation in addition to facilitating the determination of method and instrument detection limits for all laboratory instrumentation.

Participates in compiling of accurate daily records of all analysis performed and maintains an ongoing QA/QC program to ensure data quality meets all regulatory guidelines, including regular review and validation of data entered into the Laboratory Information Management System.

Assists in safety and analytical method training of laboratory personnel, maintains safety and analytical method training records and provides technical support to laboratory personnel in solving analytical problems.

Assists in administration and maintenance of the Laboratory Information Management System; trains laboratory personnel in proper data entry practices and strategies to maximize use of personal computers in the laboratory.

Performs routine laboratory analysis using EPA approved methodology when laboratory analysts are on leave and analyze special environmental samples as assigned to meet request using methodology specified by the laboratory manager or other administrative superior.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Considerable knowledge of analytical techniques, scientific applications and instrumentation used in the measurement of chemical and biological constituents, and of any required mathematical calculations and interpretations of data and facts.

Considerable knowledge of the care, operation, and limits of equipment and supplies required to operate and maintain the laboratory.

Considerable knowledge of the EPA approved standard methods for chemical and physical analysis of environmental samples including but not limited to water, groundwater, stormwater, wastewater and biosolids.

Considerable knowledge of federal, state and local environmental laws, rules and regulations and their application to environmental programs or to public water systems.

Considerable knowledge of current laboratory safety practices and personal protective equipment.

Considerable knowledge of electronic data processing as applied to a Laboratory Information Management System.

Considerable knowledge of literature and approved analytical methods, and the application of these concepts to human health, environmental exposure and analysis.

Considerable knowledge of current and emerging computer programming languages, operating systems, hardware and system management processes necessary to perform work functions.

Ability to perform mathematical calculations, statistical analysis and interpretation of data and trends.

Ability to organize and conduct technical and scientific investigations independently.

Ability to independently perform standardized and specialized laboratory analysis.

Ability to exercise good judgement in safety awareness and safety habits.

Ability to develop or revise methods and procedures to carry out work objectives in an efficient, cost effective and safe manner.

Ability to communicate effectively at a highly technical level both verbally and in writing.

Ability to establish and maintain effective working relationships with co-workers, supervisors and the general public.

Skill in the use and maintenance of a variety of modern, complex laboratory instruments and equipment.

MINIMUM QUALIFICATIONS

Graduation from an accredited four-year college or university with major course work in organic, inorganic and physical chemistry, biology, microbiology, environmental science or chemical engineering and two years of experience at a professional level in an environmental laboratory performing comprehensive work related to the analysis and data evaluation of water or wastewater; or any equivalent combination of training and experience that provides the desirable knowledge, abilities and skills.

NECESSARY SPECIAL REQUIREMENT

For employees in Water,~~Must~~ possession of a Nebraska Grade III Water Operators License.

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PS5293

2.76.153 Compensation Plan; Merit Pay Plan; Shift Differential.

~~Probationary and regular employees in pay ranges prefixed by "N" or "X" who are regularly assigned to second and third shifts shall be paid an additional sixty cents per hour for second shift and seventy-two cents per hour for third shift. The differential pay per hour shall be included as an addition to their the employee's current hourly rate. To be entitled to second shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 5:00 p.m. and 11:59 p.m. To be entitled to third shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m. Current~~ hourly rate shall mean the hourly rate of pay ~~which that~~ is applicable to the employee's regularly assigned job classification; provided, however, that if an employee is entitled to out-of-class pay, the employee's current hourly rate shall be the applicable out-of-class hourly rate of pay.

For the purpose of computing overtime pay, an employee's "regular hourly rate," as defined by the Fair Labor Standards Act, shall include the additional applicable amount as defined above and per-hour shift differential.

Employees will receive shift differential pay in addition to their current hourly rate for paid leaves of absence such as vacation, sick leave, holiday pay, and funeral/bereavement leave.

a. Probationary and regular employees in pay ranges prefixed by "~~C~~"B", "C", or "N", who are regularly assigned to second and third shifts shall be paid an additional ~~seventy cents per hour~~. The shift differential pay per hour shall be included for qualifying second shift and third shift, as an addition to their current hourly rate defined below.

i. To be entitled to second shift differential pay, an employee must work a majority of ~~his~~ their regularly scheduled shift hours between 5:00 p.m. and 11:59 p.m. To be entitled to third-shift differential pay, an employee must work a majority of ~~his~~ their regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m.

ii. Shift differentials for employees in pay ranges included in this section are:

<u>Pay Range Prefix</u>	<u>Second Shift Differential Amount</u>	<u>Third Shift Differential Amount</u>
<u>B</u>	<u>\$0.65</u>	<u>n/a</u>
<u>C</u>	<u>\$0.70</u>	<u>\$0.70</u>
<u>N</u>	<u>\$0.65</u>	<u>\$0.80</u>

b. Probationary employees in pay ranges prefixed by "P" who are regularly assigned to second and third shifts shall be paid an additional shift differential for qualifying second and third shifts, as defined below.

i. To be entitled to second shift differential pay, an employee must work a majority of their regularly scheduled shift hours between 2:15 p.m. and 10:45 p.m. To be entitled to third-shift differential pay, an employee must work a majority of their regularly scheduled shift hours between 10:45 p.m. and 7:00 a.m.

ii. Shift differentials for probationary employees in pay ranges included in this section are:

<u>Pay Range Prefix</u>	<u>Second Shift Differential Amount</u>	<u>Third Shift Differential Amount</u>
<u>P</u>	<u>\$0.85</u>	<u>\$1.00</u>

c. Probationary and regular employees in classifications defined below, who are regularly assigned to second and third shifts shall be paid an additional shift differential for qualifying second and third shifts, as defined below.

i. To be entitled to second shift differential pay, an employee must work a majority of their regularly scheduled shift hours between 2:15 p.m. and 10:45 p.m. To be entitled to third-shift differential pay, an employee must work a majority of their regularly scheduled shift hours between 10:45 p.m. and 7:00 a.m.

ii. Shift differentials for employees in classifications included in this section are:

<u>Classifications</u>	<u>Second Shift Differential Amount</u>	<u>Third Shift Differential Amount</u>
<u>Police Lieutenant (3122)</u> <u>Police Captain (3123)</u>	<u>\$0.70</u>	<u>\$0.80</u>

~~Employees who are entitled to shift differential pay shall also receive the shift differential pay in addition to their current hourly rate for paid leaves of absence such as vacation, sick leave, holiday pay, and funeral leave. For the purpose of computing overtime pay, and employee's "regular hourly rate", as defined by the Fair Labor Standards Act, shall include the additional sixty, seventy, or seventy two cents per hour shift differential.~~

Chapter 2.76 PERSONNEL SYSTEM

2.76.155 Compensation Plan; Longevity Pay.

a. Employees in pay ranges defined below are eligible for longevity pay based on continuous years of service.

- a. Employees with a pay range prefixed by the letter "E" shall ~~annually~~ receive annual longevity pay based upon ~~the total length~~continuous years of service with the city-, prorated by each pay period. Such pay shall be effective beginning with the first full pay period following completion of the specified years of service. ~~Payment shall be made on a prorated basis on each regular payday.~~ The longevity schedule shall be as follows:

Completed <u>Continuous</u> Years of Service	Annual- Longevity Pay
10- years	\$1,167.00
15- years	\$1,727.00
20- years	\$2,343.00
25- years	\$2,764.00
30 years	\$2,876.00

~~Employees receiving longevity pay at the five year mark (\$739.00) as of August 15, 2012 shall continue to receive such pay until reaching the ten year mark.~~

~~Employees with a pay range prefixed by the letter "E", hired August 29, 1991 or after, shall annually receive longevity pay based upon total continuous length of service with the city.~~ For the purpose of longevity pay, any employee who terminates employment and who is later reemployed shall be treated as a new employee.

- b. Employees with a pay range prefixed by the letter "X" or "N" shall ~~annually~~ receive annual longevity pay based upon ~~the total length~~continuous years of service with the city-, prorated by each pay period. Such pay shall be effective beginning with the first full pay period following completion of the specified years of service. ~~Payment shall be made on a prorated basis on each regular pay day.~~ Employees with a pay range prefixed by "X" or "N" who are scheduled to work less than forty (40) but at least twenty (20) hours per week shall receive longevity pay based on the number of hours worked each pay period. The longevity schedule shall be as follows:

Completed <u>Continuous</u> Years of Service	Annual- Longevity Pay
10- years	\$ 954.00
15- years	\$1,406.00
20- years	\$1,874.00
25- years	\$2,253.00
30 years	\$2,366.00

~~Employees with a pay range prefixed by the letter "X" or "N", hired August 29, 1991 or after, shall annually receive longevity pay based upon total continuous length of service with the city.~~ For the purpose of longevity pay, any employee who terminates employment and who is later reemployed shall be treated as a new employee.

- c. Employees with a pay range prefixed by the letter “W”, excluding employees in classifications listed in subsection e, shall ~~annually~~ receive annual longevity pay based upon ~~the total length of~~ continuous years of service with the city, prorated by each pay period. Such pay shall be effective beginning with the first full pay period following completion of the specified years of service. ~~Payment shall be made on a prorated basis on each regular pay day.~~ Employees with a pay range prefixed by “W”, excluding employees in classifications listed in subsection e, who are scheduled to work less than forty (40) but at least thirty-two (32) hours per week shall receive longevity pay based on the number of hours worked each pay period. The longevity schedule shall be as follows:

<u>CompletedContinuous</u> Years of Service	Annual <u>Longevity</u> Pay
10 Years	\$1,277.00
15 Years	\$1,697.00
20 Years	\$2,250.00
25 Years	\$2,639.00
30 Years	\$2,739.00

For the purpose of longevity pay, any employee who terminates employment and who is later re-employed shall be treated as a new employee.

- d. Employees in the below classifications shall receive annual longevity pay based upon continuous years of service with the city, prorated by each pay period.

e.

<u>Classification</u>	<u>Title</u>
<u>3002</u>	<u>Assistant Fire Chief</u>
<u>3008</u>	<u>Battalion Chief (2080 Hours)</u>
<u>3017</u>	<u>Battalion Chief (2912 Hours)</u>
<u>3125</u>	<u>Assistant Chief of Police</u>
<u>3123</u>	<u>Police Captain</u>
<u>3122</u>	<u>Police Lieutenant</u>

Such pay shall be effective beginning with the first full pay period following completion of the specified years of service. Employees in this group who are scheduled to work less than forty (40) but at least thirty-two (32) hours per week shall receive longevity pay based on the number of hours worked each pay period. The longevity schedule shall be as follows:

<u>Continuous</u> Years of Service	Annual <u>Longevity</u> Pay
<u>5 years</u>	<u>\$1,423.00</u>
<u>10 Years</u>	<u>\$2,418.00</u>
<u>15 Years</u>	<u>\$3,291.00</u>
<u>20 Years</u>	<u>\$4,717.00</u>
<u>25 Years</u>	<u>\$5,157.00</u>
<u>30 Years</u>	<u>\$5,187.00</u>

For the purpose of longevity pay, any employee who terminates employment and who is later re-employed shall be treated as a new employee.

2.76.175 Compensation Plan; Promotion, Transfer, Demotion

- a. In the case of promotion for an employee to a pay range prefixed by "A", "C", "N", "X", "E", or "M", the rate of the promoted employee shall be increased to that step in the higher range next above ~~their~~ ~~his~~ rate of pay prior to promotion.

In the case of promotion for an employee with a pay range prefixed by "W", such increase is intended to be at least 5%.

In the case of transfer, the employee's rate will remain unchanged at the time of transfer.

A promotion for an employee to a pay range prefixed by "A", "C", "N", "X", "E", or "W" shall start an original promotion probationary period ~~of six (6) months~~ in the higher classification. Prior to the completion of the original promotion probationary period, a performance appraisal shall be completed on the promoted employee and the employee will be eligible for a one step pay increase if in a pay range prefixed by "A", "C", "N", "E" or "X", or a 3% increase if in a pay range prefixed by "W". Such increase shall be effective the first full pay period following the established eligibility date for successful completion of the original promotion probationary period.

~~If an employee fails to successfully complete the original promotion probationary period, the employee shall be separated from employment.~~

- b. In the case of demotion for an employee to a pay range prefixed by "A", "C", "N", "X", "M", or "E" or the rate of the demoted employee shall be reduced to the next lower step for the lower class and under no circumstances shall the new rate exceed the maximum rate for the lower class in the merit pay plan.
- c. In the case of voluntary or involuntary demotion for an employee with a pay range prefixed by "W", the rate of pay shall be reduced at least 5%. Under no circumstances shall the new rate exceed the maximum rate for the lower class in the variable merit pay plan.

2.76.207 Compensation Plan; Disaster Response Pay.

~~Employees with a pay range prefixed by “W” who are involved in preparation for and response to incidents of national significance as defined in the Code of Federal Regulations 44 CFR 208 will be compensated at the employee’s normal base hourly rate from portal to portal as defined in the CFR. In addition, attendance at mandated training that is required to qualify for the specific position held will be eligible for compensation at the employee’s normal base hourly rate. Disaster Response pay in accordance with this paragraph shall not be included in pension base pay.~~

~~(Ord. 21173 §2; November 22, 2021).~~

[HRIS/Code/LMC 2.76.207 Disaster Response Pay - Legislative 2023.11.docx](#)

2.76.340 Appointments.

a. Probationary appointments.

1. There is hereby established a probationary or working test period which shall normally be of six (6) months' duration after original appointment. During the probationary appointment, which is within the unclassified service, a probationary employee may be dismissed by the appointing authority without the right of the employee to review of any kind. Notification of any dismissal of a probationary employee shall be made in writing by the appointing authority to the employee and the Human Resources Director.
2. Prior to the expiration of an employee's probationary period, the appointing authority shall notify the employee in writing whether the services of the employee have been satisfactory and whether the employee will be continued in the position. A copy of this notice shall be placed in the employees personnel file by the appointing authority. Upon receipt of a favorable report, the employee will be appointed to a permanent status at the expiration of the probationary period with an effective date of pay increase the beginning of the pay period following the eligibility date. Failure of the appointing authority to accomplish such notice prior to the last day of the probationary period will result in the employee establishing permanent status automatically.
3. An employee's probationary period may be extended up to a maximum of one year from the employee's date of hire ~~or Promotion~~ with the approval of the department head. A performance evaluation and reasons for the extension shall be submitted in writing to the employee prior to the expiration of the employee's probationary period.
 - i. The reasons shall include the length of time requested for the extension of the probationary period.
 - ii. A new eligibility date for review will be set to the extension date.
 - iii. Prior to the new eligibility date, a performance evaluation will be completed.
 - a) Upon completion of a satisfactory performance evaluation, the employee shall be removed from probation with an effective date of pay increase the beginning of the pay period following the new eligibility date. A new eligibility date shall be established one year from the current eligibility date.
 - b) If the results of the performance evaluation are unsatisfactory, the employee will be dismissed in accordance with 2.76.340 a. 1.

- b. Temporary appointments. Whenever there are urgent reasons for temporary employment in any of the departments, and it is not practicable to secure the needed person or persons by certification from an eligible list, the appointing authority may make temporary appointments for a period not to exceed one year. Successive temporary appointments to the same position shall not be made. An employee under a temporary appointment which is within the unclassified service may be dismissed by the appointing authority without the right of the employee to review of any kind. Any person under temporary appointment must meet the minimum qualifications for the position.
- c. Full-time, seasonal, and part-time appointments. Appointments to fill vacancies in full-time, seasonal, and part-time positions shall be made only following certification from an eligible, reemployment, or promotional list. The director shall be notified in writing of the selection made by the appointing authority as provided in Section 2.76.335(b) of this code. If the eligible selected declines the

appointment, evidence of such refusal shall be transmitted to the director; and the director shall certify an additional eligible in place thereof.

- d. Provisional appointments. When there is no appropriate list available, when there is not a sufficient number of persons on appropriate lists who are willing to accept appointment, or for the purpose of filling the position of an employee in the classified service who is on extended leave of absence, the director may authorize the provisional appointment of a person meeting the prerequisites for the class to which the position is allocated. Any such provisional appointment shall terminate not later than ten working days after the establishment by the director of an appropriate list and the certification of available eligibles for the position from this list. Any time served by an employee under a provisional appointment shall not constitute a part of or be deducted from the probationary period if the employee is subsequently appointed from a list to the same or another position. Provisional appointments shall be limited to ninety calendar days in duration.

2.76.341 Promotions

- a. A promotion for an employee to a pay range prefixed by "X", "E", "N", "A" "C"- or "W" shall start an original promotion probationary period of six (6) months in the higher classification. Prior to the completion of the original promotion probationary period, a performance appraisal shall be completed on the promoted employee.
- b. An employee's promotion probationary period may be extended up to a maximum of one year from the employee's date of promotion with the approval of the department head. A performance evaluation and reasons for the extension shall be submitted in writing to the employee prior to the expiration of the employee's probationary period.

The reasons shall include the length of time requested for the extension of the promotion probationary period.

A new eligibility date for review will be set to the extension date.

Prior to the new eligibility date, a performance evaluation will be completed. Upon completion of a satisfactory performance evaluation, the employee shall be removed from promotion probation with an effective date of pay increase the beginning of the pay period following the new eligibility date. A new eligibility date shall be established one year from the current eligibility date.

If an employee fails to successfully complete the original promotion probationary period, the employee may be separated from employment.

2.78.010 Management Compensation Plan Established.

For the purpose of compensating department heads, ~~and~~ administrative assistants to elected officials, for professional performance in the city service, there is hereby established a management compensation plan to be administered by the Mayor and ~~department heads~~ the Human Resources Director. The Human Resources Director shall be responsible for recommending a pay range within which all department heads and administrative assistants to elected officials shall be assigned a rate of pay and a pay range. ~~within which all administrative assistants to elected officials shall be assigned a rate of pay.~~ Such recommendation shall be submitted to the City Council and the pay ranges shall become effective when adopted by the City Council by ordinance.

Once adopted, the Mayor shall assign a rate of pay within the established pay plan to each department head, and administrative assistants to elected officials; and may adjust the rate of pay for department heads, and administrative assistants to elected officials within the established pay range as may be warranted under the circumstances, to adequately reflect appropriate compensation for the quantity and quality of work performed by such ~~department head~~ positions. The Mayor shall also establish, by executive order, a uniform schedule of fringe benefits to be provided to department heads and administrative assistants to elected officials. ~~which~~ Benefits may include life insurance, health insurance, disability insurance, pension retirement benefits, and ~~such other and different~~ benefits ~~as~~ the Mayor ~~may~~ deems appropriate.

The rate of pay ~~and fringe benefits~~ for ~~an~~ administrative assistants to ~~an~~ elected officials shall be assigned by the elected official employing the same.

2.78.020 Management Compensation Plan; Annual Vacation Leave.

(a) ~~Effective January 1 of each year, Full-time and part-time (regularly scheduled to work 20 or more hours per week) each department heads, and each administrative assistants to elected officials are eligible to receive to an elected official shall be entitled to annual paid vacation leave equivalent to of 160 hours per year, on the first day of January of each year, Department head and administrative assistants to elected officials may carry over unused annual leave to a maximum of forty hours, but any leave, over the maximum of forty hours, unused by December 31st of the current calendar year shall be forfeited. subject to a maximum account balance of 240 hours. Any accumulated leave earned by a department head and unused as of January 15, 1982, shall be retained by the department head and may be used at any future time, and for any remaining upon termination of employment with the city, shall be compensated for such unused accumulated vacation leave.~~

(b) ~~Vacation hours will be prorated for part-time and for any new Any department head, or and administrative assistants to an elected officials entering the management compensation plan at any time after the first day of January of any year, shall be entitled to and shall receive only a pro-rated portion of the otherwise authorized management leave for that year.~~

(b)(c) Vacation payout. Any employee who separates from the city service shall be compensated for any unused vacation leave balance accrued and accumulated to the as of the date of separation. The vacation payout shall occur on with the paycheck date for the pay period in which the immediately following separation date occurs. In the event the separation is the result of retirement, as defined by the applicable retirement plan, an employee may elect to utilize vacation until all accrued vacation leave has been exhausted.

2.78.025 Compensation Plan; Variable Merit Pay Plan; DSS Pay Ranges.

Notwithstanding any other section of the Lincoln Municipal Code to the contrary, the compensation plan for employees in classifications with pay ranges prefixed by the letters "DSS" shall provide for the awarding of merit increases within established pay ranges based upon the employee's level of performance and shall be entitled "the variable merit pay plan." The specific method of implementing and administering this plan shall be set out in an executive order of the Mayor, which shall, among other things, provide for variable merit increases of between zero and five percent.

2.78.027 Management Compensation Plan; Longevity Pay.

(Repealed by Ord. 19976 §4; January 6, 2014: prior Ord. 19621 §1; September 19, 2011: Ord. 19369 §2; April 5, 2010).

2.78.030 Management Compensation Plan; Sick Leave.

~~Sick leave shall be paid when a department head or an administrative assistant to an elected official is unable to perform work duties due to actual personal illness, bodily injury, pregnancy, or disease, exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by attendance on duty or to keep a medical or dental appointment, and for no other reason.~~

When a department head ~~, or~~ and an administrative assistants ~~to an~~ elected official ~~s finds it necessary to be absent~~ is unable to perform work duties due to personal illness, medical care, or to attend a personal medical appointment, they are eligible to take leave with regular pay. Leave with regular pay may also be used for an immediate family member, as defined in Section 2.76.040, for illness, medical care, or to attend the employee's immediate family member's medical appointment. Notice of the need to take leave for any of the reasons specified herein, ~~the department head or administrative assistant to an~~ shall be given to the supervising elected official ~~. shall cause the fact to be reported to the appropriate supervising elected official.~~

Department heads and ~~or~~ administrative assistants to elected officials shall be entitled to no payment for accumulated or unused sick leave upon retirement or death, except sick leave accrued ~~by the department head or administrative assistant to an elected official~~ prior to participation in the management compensation plan, ~~shall be credited to such department head or administrative assistants to an~~ elected official ~~s as unused sick leave, and paid in accordance with the provisions of Section 2.76.380(de) of this code.~~

2.78.040 Management Compensation Plan; Other Leave.

Other provisions of Chapter 2.76 ~~of this code~~ relating to holiday pay, noncumulative personal ~~convenience~~ holidays, ~~bereavement funeral~~ leave, ~~and family illness~~, injury leave, ~~maternity paid parental~~ leave, and military leave shall, to the extent feasible, be applicable ~~to the taking of such leave by~~ to department heads ~~or~~ and administrative assistants to elected officials.

2.78.050 Department Head ~~and~~ Administrative Assistant~~s~~ to Elected Official~~s~~; Severance Pay.

~~Any De~~partment head~~s and/or any~~ administrative assistant~~s to an~~ elected official~~s who is~~are removed from office or requested to resign by the Mayor, or where appropriate ~~in the case of an administrative assistant to an elected official,~~ by the City Council, ~~to resign~~ for any reason ~~cause~~ except misconduct in office, willful neglect of duty, or upon conviction of a felony or of any other crime involving violation of official oath, ~~is may be~~ entitled to twelve weeks of severance pay at the employee's hourly rate of pay on the separation date. ~~Equivalent to the number of working days in the next ninety calendar days after termination at the pay range such department head was being compensated upon the effective date of the termination thereof.~~ Severance pay shall be paid in a lump sum deposit to the employee's account on record with payroll.

~~Any department head or any administrative assistant to an elected official who retires shall not be entitled to severance pay as provided for in this section.~~

2.78.060 Resignation and Retirement.

~~Any~~ department heads and administrative assistants to elected officials may voluntarily resign or retire in good standing from ~~the~~ city service by presenting his or her resignation in providing a thirty (30) day writing written notice to the Mayor, or other supervising elected official, ~~at least thirty days prior to the effective date thereof.~~ Any administrative assistant to an elected official may voluntarily resign from the city service by presenting his or her resignation in writing to the elected officials employing the same at least thirty days prior to the effective date.

2.78.070 Health Insurance Retirement; Continuation of City Health Insurance Contribution ~~After Retirement.~~

~~A Any~~ department head ~~and or~~ administrative assistants to elected officials ~~may who elects~~ to retire at age 60 or ~~thereafter later~~. Retirees ~~with and who has served as a City department head for ten four~~ (4) or more years ~~of service~~ may, ~~prior to the effective date of his or her retirement,~~ elect to continue to participate in ~~any then available the City's~~ group health insurance ~~plan. contract, health maintenance agreement, or self-funding health benefit plan with t~~The City ~~will continue to paying the equivalent same percentage of the contribution or premium as if the retiree is an active as it would pay if such retired~~ department head ~~or administrative assistant to elected officials were still actively employed as a department head until coverage termination.~~ ~~The City contribution shall continue from the date of retirement until such time as such retired department head attains the age of 65 years or is eligible for benefits under the Health Insurance for the Aged Act (Title XVIII of the Social Security Amendments of 1965) commonly known as Medicare as the same exists or as it may be amended from time to time. Such retired department head~~The retiree may at any time elect to cease ~~his or her their~~ participation in ~~the such~~ group health insurance plan, ~~health maintenance agreement, or self-funding health benefit plan,~~ or may change the level of coverage, ~~as may be permitted under such the plan provisions. or agreement.~~

The City's duty to contribute, and the retired department head's ~~and administrative assistants to elected officials'~~ eligibility to participate, ~~shall terminate on the earliest of the following dates at the end of the month in which:~~

(a) A retiree turns 65 years of age; or

~~(a)(b)~~ The date on which such retired department head becomes A retiree becomes eligible for other group hospital, surgical, or medical coverage, whether insured or self-insured, or a retiree ~~the date the retired department head~~ becomes eligible for Medicare; or

~~(b)(c)~~ The date on which the City ceases to offer health coverage to all city employees; ~~whether through a group health insurance policy, health maintenance agreement, or self-funded health benefit plan, or otherwise; or~~

~~(c)(d)~~ The date on which the retiree ~~ed department head~~ provides notice to the City ~~that he or she the~~ retiree no longer wishes to participate in ~~the such plan or agreement;~~ or

~~(d)(e)~~ The date on which the retiree is no longer making premium payments; coverage will terminate the end of the month in which the retiree last paid premiums. of expiration of the monthly period for which premiums were paid in the event of a non-payment of premium by the retired department head.