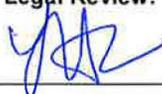


## COUNCIL COMMUNICATION

<b>Meeting Date:</b> November 17, 2020	<b>Agenda Item:</b> 10E	<b>Agenda Location:</b> Consent Calendar	<b>Goal(s):</b>	<b>Legal Review:</b> 	<input type="checkbox"/> 1 <sup>st</sup> Reading <input checked="" type="checkbox"/> 2 <sup>nd</sup> Reading
<b>Subject:</b> An ordinance amending Subsection 54-8(c) and Section 54-307 of the Thornton City Code related to employee-initiated training and accrual of maximum vacation leave for non-union employees.					
<b>Recommended by:</b> Chris Molison <i>CM</i>				<b>Approved by:</b> Kevin S. Woods <i>KW</i>	
<b>Presenter(s):</b> Erika Senna, Budget Manager				<b>Ordinance previously introduced by:</b> <u>Sandgren</u>	

**SYNOPSIS:**

The proposed ordinance amends existing language for sections related to employee-initiated training and accrual of maximum vacation leave for non-union employees. The current maximum number of hours of vacation leave an employee may carry over from one calendar year to another will increase from 240 hours to 280 hours (from 360 to 420 for 56-hour-per-week schedule). Additionally, the City will be broadening the ability for an employee to utilize tuition reimbursement to include specific classes that are related to their current job, as well as classes that are required as part of a degree program that is related to their current job.

**RECOMMENDATION:**

Staff recommends Alternative No. 1, approval of the ordinance amending Chapter 54 of the City Code related to employee-initiated training and accrual of maximum vacation leave.

**BUDGET/STAFF IMPLICATIONS:**

None.

**ALTERNATIVES:**

1. Approve the resolution as presented.
2. Do not approve the resolution.

**BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):** (includes previous City Council action)

The City conducts an annual survey related to various benefit practices including employee-initiated training (tuition reimbursement) and maximum vacation accrual. As part of the 2020 survey it was identified the employee-initiated training benefit should be broadened to also include classes that are required as part of a degree program that is associated with an employee's current job. This survey also identified the maximum number of hours a non-union employee may carry over to a new calendar year should be increased to 280 hours (420 for 56-hour-per-week schedule).

The survey jurisdictions used for this comparison are Adams County, Arvada, Aurora, Broomfield, Fort Collins, Lakewood, and Westminster, which are jurisdictions of comparable size, operation, and location in the metropolitan area.

INTRODUCED BY:           Sandgren          

AN ORDINANCE AMENDING SUBSECTION 54-8(C) AND SECTION 54-307 OF THE THORNTON CITY CODE RELATED TO EMPLOYEE-INITIATED TRAINING AND ACCRUAL OF MAXIMUM VACATION LEAVE FOR NON-UNION EMPLOYEES.

WHEREAS, the proposed ordinance amends existing language for sections that are related to employee-initiated training and maximum vacation leave for non-union employees that were identified during a review of benefits with comparable survey jurisdictions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. Section 54-8 of the Thornton City Code is hereby amended by the addition of the words double-underlined and the deletion of the words stricken to read as follows:

**Sec. 54-8. – Employee development.**

- (c) *Employee-initiated training.* Employees desiring to enroll in job-related courses and/or degree programs to be attended outside of employees' work hours may receive reimbursement for tuition, books and course-related fees from the city, subject to funding approved by the city council, in accordance with the following:

- (1) *Approval Course approval.*

- a. Any employee desiring reimbursement for tuition, books and course-related fees incurred in a job-related course and/or degree program from either an accredited college or university or a non-accredited educational institution shall complete the required form ~~a request for job-related course approval assistance form~~, which ~~form~~ shall be submitted to the employee's department head.
- b. The department head shall review the employee's request to ensure that the course and/or degree program is job-related and provides skills or knowledge that will enhance the employee's ability to perform the duties and responsibilities of the employee's current position.

- c. The department head shall note such department head's recommendation on the form and shall submit the request to the human resources director.
- d. If it appears to be in the best interest of the city and adequate funding is available, the human resources director may approve the request for educational assistance.

(2) *Tuition reimbursement.*

- a. To be eligible to receive reimbursement for tuition, books and course-related fees, the employee must have obtained the prior written approval of the employee's department head and human resources director as set forth in this section. Within 30 days of completing the course, the employee shall submit a request for tuition reimbursement form, attach grade reports and all receipts and give such form to the human resources director, ~~such employee's department head. The department head shall review and, if appropriate, approve the form and forward it to the human resources director.~~ The human resources director shall review and, if appropriate, approve the reimbursement which shall be on the basis of the grade obtained for each course. For a course grade of A or B, the employee shall be reimbursed 100 percent of the cost of tuition, books and course-related fees. The employee shall be reimbursed for a grade of C for 50 percent of such costs and shall receive no reimbursement for a grade of D, F or an incomplete grade unless or until such course is completed with the requisite passing grade. If a course is graded on a pass/fail basis, an employee who receives a grade of pass shall receive 100 percent reimbursement for the above costs and no reimbursement for a failing grade. For courses at a non-accredited educational institutions where no grade is given the requesting employee must provide evidence that he or she successfully completed the course. No employee shall receive more than a total of \$1,500.00 in such reimbursements in any calendar year, subject to available budget.
- b. Any employee receiving financial assistance from the city for one or more courses pursuant to the provisions of this section shall reimburse the city for any such course, by payroll deduction or otherwise, if the employee voluntarily leaves employment, except as a result of retirement, with the city within 12 calendar months of completing such course.

- c. An employee shall receive tuition reimbursement from the city only to the extent that such benefits are not provided from another source such as a veteran's assistance program, which benefits shall first be applied and exhausted.
  - d. The human resources work unit shall administer and/or monitor the tuition reimbursement program for all employees.
  - e. The tuition reimbursement program for ~~fire-union~~ employees covered by a collective bargaining agreement shall be governed by the provisions of the applicable collective bargaining agreement.
2. Section 54-307 of the Thornton City Code is hereby amended by the addition of the words double-underlined and the deletion of the words stricken to read as follows:

**Sec. 54-307. - Accrual of maximum vacation leave.**

A full-time employee may not accumulate more than 280 240 (~~420 360~~ for 56-hour-per-week schedule) hours of vacation leave. Any excess leave accumulated shall be subject to forfeiture except where the employee has been denied the opportunity to take vacation time, or where special circumstances exist, and approval to exceed the limits has been authorized by the appointing authority. For purposes of this section, computation of accumulated leave shall be determined as of the second payroll reporting period in January of each year.

- 3. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.
- 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.
- 5. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any

judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

6. This ordinance shall take effect on January 1, 2021.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on October 27, 2020.

PASSED AND ADOPTED on second and final reading on \_\_\_\_\_, 2020.

CITY OF THORNTON, COLORADO

\_\_\_\_\_  
Jan Kulmann, Mayor

ATTEST:

\_\_\_\_\_  
Kristen N. Rosenbaum, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Luis A. Corchado, City Attorney

PUBLICATION:

Posted at City Hall, Margaret W. Carpenter Recreation Center, and Thornton Active Adult Center after first and second readings.

Published on the City's official website after first reading on October 28, 2020, and after second and final reading on \_\_\_\_\_, 2020.