

ORDINANCE NO. 73-A
TO AMEND SECTION 9 OF THE
PERSONNEL POLICY OF THE
CITY OF HAMPTON TO PROVIDE
FOR FAMILY AND MEDICAL LEAVE

To amend Section 9 of the Personnel Policy of The City of Hampton to include a section entitled "Family and Medical Leave" pursuant to the provisions of the 1993 Family and Medical Leave Act, 29 U.S.C. §§ 2601 et seq.; to provide an effective date for the amendment; to repeal directly conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of Hampton, and it is hereby ordained by authority thereof:

Section 9 of the Personnel Policy of the City of Hampton is hereby amended by adding the following:

FAMILY AND MEDICAL LEAVE

"The City of Hampton (hereinafter referred to as the "City") complies with the provisions of the 1993 Family and Medical Leave Act, set forth at U.S.C. Sections 2061 et seq.

Employees who have been employed by the City for at least twelve (12) months and who have worked at least 1,250 hours during the twelve month period immediately preceding a request for leave under this Section are entitled to unpaid leave for up to twelve (12) weeks during any one year period for one or more of the following reasons:

- (A) Because of the birth of a son or daughter of the employee

and in order to care for such son or daughter.

- (B) Because of the placement of a son or daughter with the employee for adoption or foster care.
- (C) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter or parent has a serious health condition.
- (D) Because of a serious health condition that makes the employee unable to perform the functions of the position of the employee.

The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, hospice, or residential medical care facility, or (b) continuing treatment by a healthcare provider.

In all cases in which the necessity for leave is reasonably foreseeable, the employee must provide the department head and the Mayor with at least thirty (30) days advance notice of the employee's intention to take leave. The City may require certification and/or a second opinion from a healthcare provider for leave requests made under Sections (C) or (D) above, consistent with the provisions of 29 U.S.C. Section 2613. When leave is properly requested and permitted under this Section, the employee shall not be paid his or her wages or salary during the leave period, but the employee's group health insurance coverage will be maintained, there will be no loss of any employment benefits that had accrued prior to the commencement of leave, and the employee will be restored to the same or an equivalent position, with equivalent benefits, pay and terms and conditions of employment,

upon the employee's return from leave. The City reserves the right to recover from its employee all health insurance premiums paid on the employee's behalf if the employee fails to return to work for reasons not permitted by 29 U.S.C. Section 2614(c)(2). No vacation leave or other employee benefits shall accrue while the employee is out on leave.

This Family and Medical Leave Policy is effective July 5, 1993.

All preexisting provisions of the Personnel Policy of this City that conflict with this Section are hereby repealed."

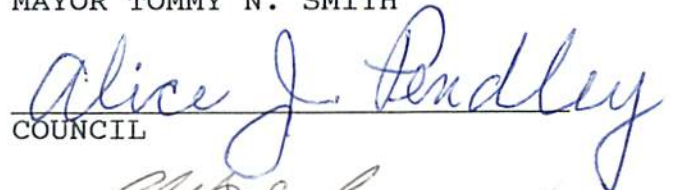
First Reading NOVEMBER 9, 1993

Second Reading DECEMBER 14, 1993

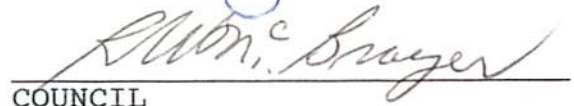
ORDAINED this 14TH day of DECEMBER, 1993, by the Mayor and Council of the City of Hampton.



MAYOR TOMMY N. SMITH



COUNCIL



COUNCIL



COUNCIL



COUNCIL

COUNCIL

COUNCIL

ATTEST:

Elaine D. Haynes

Elaine D. Haynes, City Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the City of Hampton adopted DECEMBER 14, 1993.

SEAL


Elaine D. Haynes
ELAINE D. HAYNES, CITY CLERK

EMERGENCY ORDINANCE NO. 73-B

AN EMERGENCY ORDINANCE TO AMEND CHAPTER 62 OF THE CITY OF HAMPTON CODE OF ORDINANCES WHICH PROVIDES FOR PERSONNEL; TO AMEND SECTION 62-67 ENTITLED "HOLIDAYS"; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS

SECTION 1. Chapter 62 of the Code of Ordinances of the City of Hampton, Georgia, is hereby amended by striking Section 62-67 in its entirety and substituting in lieu thereof the following:

Section 62-67 Holidays.

(a) The following paid holidays are observed:

Memorial Day.
July 4th.
Labor Day.
Thanksgiving Day.
Day after Thanksgiving Day.
Christmas Eve.
Christmas Day.
New Year's Day.
The employee's birthday.

(b) All full-time employees scheduled for duty on a holiday, and whose duties permit, will receive the holiday off with pay. Full-time employees who are required to work on a holiday will receive twice their regular pay for all hours worked during the holiday.

SECTION 2. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3. **Declaration of Emergency.** The City finds that hearing on this ordinance in the normal course would undermine effective City planning by not allowing full-time employees to acknowledge the day after Thanksgiving as a paid holiday.

SECTION 4.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their

enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 5. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Hampton.

SO ORDAINED this th 6 day of Dec., 2002.



HUGH LEWIS, Mayor

ATTEST:

EMERGENCY ORDINANCE NO. 73-B (Emergency)

AN EMERGENCY ORDINANCE TO AMEND CHAPTER 62 OF THE CITY OF HAMPTON CODE OF ORDINANCES WHICH PROVIDES FOR PERSONNEL; TO AMEND SECTION 62-67 ENTITLED "HOLIDAYS"; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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SECTION 2. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3. Declaration of Emergency. The City finds that hearing on this ordinance in the normal course would undermine effective City planning by not allowing full-time employees to acknowledge the day after Thanksgiving as a paid holiday.

SECTION 4.

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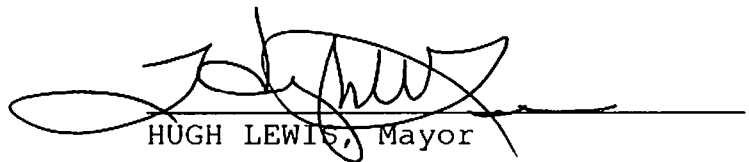
B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

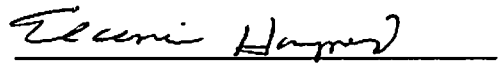
SECTION 5. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Hampton.

SO ORDAINED this 12 day of November, 2002.


HUGH LEWIS, Mayor

ATTEST:


ELAINE HAYNES, City Clerk

(Seal)

FIRST READING/
ADOPTION: 11/12/02

Elaine Haynes

ELAINE HAYNES, City Clerk

(Seal)

FIRST READING/ November 12, 2002

ADOPTION: Dec. 3, 2002