

Vote: Cox, Ewing, Holler, Menard and Metiva in favor; Seat A vacant  
Clerk Note: This ordinance was previously advertised as Ordinance Serial No. 07-45.

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 07-52**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC SECTION 3.55.100, PAY FOR SPECIAL TYPES OF APPOINTMENTS/ASSIGNMENTS TO PROVIDE FOR STANDBY AND CALL OUT PAY FOR EMPLOYEES IN DEPARTMENTS IN ADDITION TO THE PUBLIC WORKS DEPARTMENT, AND TO CLARIFY THE REQUIREMENTS FOR STANDBY AND CALL OUT PAY.**

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\* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

\* **Section 2. Amendment of subsection.** Subsection C of WMC 3.55.100, Pay for special types of appointments/assignments, is amended to read as follows:

C. [PUBLIC WORKS DEPARTMENT] **“Standby [STAND BY]”** and **“Call Out”**  
Pay [ON SATURDAYS, SUNDAYS AND HOLIDAYS].

1. **With the approval of the mayor, a department head may designate one or more employees to be on standby on a day when the designated employee has no regular working hours. For each day on which an [PUBLIC WORKS] employee[S] is designated [WHO ARE REQUIRED] to be on standby, but is not called out to work [STAND BY ON A WEEKEND OR HOLIDAY], the employee will receive two hours of overtime compensation at one and one-half times the employee’s [THEIR] normal hourly rate of pay [FOR EACH DAY THAT THEY ARE ON STAND BY, REGARDLESS OF WHETHER OR NOT THEY ARE ACTUALLY CALLED OUT TO WORK. IF THE PUBLIC WORKS EMPLOYEE IS ON STAND BY FOR ONLY ONE OF**

THE WEEKEND DAYS, HE OR SHE SHALL RECEIVE TWO HOURS OF OVERTIME COMPENSATION AT ONE AND ONE-HALF TIMES HIS OR HER NORMAL HOURLY RATE OF PAY. IF THE PUBLIC WORKS EMPLOYEE IS ON STAND BY FOR BOTH WEEKEND DAYS, HE OR SHE SHALL RECEIVE FOUR HOURS OF OVERTIME COMPENSATION AT ONE AND ONE-HALF TIMES HIS OR HER NORMAL HOURLY RATE OF PAY. IF THE PUBLIC WORKS EMPLOYEE IS ON STAND BY ON A HOLIDAY, HE OR SHE SHALL RECEIVE TWO HOURS OF OVERTIME COMPENSATION AT ONE AND ONE-HALF TIMES HIS OR HER NORMAL HOURLY RATE OF PAY].

2. **An** [IF A PUBLIC WORKS] employee who [IS ON STAND BY IS] actually **is** called out to work while on **standby** [STAND BY, HE OR SHE] shall receive [TWO HOURS OF] overtime compensation at one and one-half times **the employee's** [HIS OR HER] normal hourly rate of pay **for the greater of two hours or the number of hours the employee actually worked when called out** [EVEN IF HE OR SHE IS NOT ACTUALLY CALLED TO WORK FOR THE FULL TWO HOURS. ADDITIONALLY, IF THE PUBLIC WORKS EMPLOYEE IS CALLED TO WORK FOR MORE THAN TWO HOURS, HE OR SHE SHALL RECEIVE OVERTIME AT ONE AND ONE-HALF TIMES THEIR NORMAL HOURLY RATE OF PAY FOR ANY HOUR ACTUALLY WORKED BEYOND TWO HOURS].

\* **Section 3. Amendment of subsection.** Subsection D of WMC 3.55.100, Pay for special types of appointments/assignments, is amended to read as follows:

D. Emergency "Call Out" Pay.

1. An employee who is called out to work in response to an emergency outside of the employee's [HIS OR HER] regularly scheduled shift on a day when the employee is not designated to be on standby under subsection C of this section [TO RESPOND TO AN EMERGENCY] shall receive overtime compensation at one and one-half times the employee's [HIS OR HER] normal hourly rate of pay for the number of [ALL] hours the employee actually worked when called out[, UNLESS THE EMPLOYEE IS A PUBLIC WORKS EMPLOYEE WHO IS ON STAND BY ON A WEEKEND OR HOLIDAY AND IS CALLED OUT TO RESPOND TO AN EMERGENCY, IN WHICH CASE THE PUBLIC WORKS EMPLOYEE SHALL BE COMPENSATED IN ACCORDANCE WITH SUBSECTION C OF THIS SECTION].

2. In [FOR PURPOSES OF] this subsection, the term "emergency" means ["]an occurrence, event, or situation that, in the judgment of the mayor or a department head:

a. Requires an immediate response to prevent death or injury to persons or damage to property or the environment, or otherwise to carry out the mission of the department effectively; and

b. Requires a response by employees who do not have regular working hours at the time when the response is required [WHICH CAUSES, OR HAS THE IMMEDIATE POTENTIAL FOR CAUSING, DEATH OR SERIOUS INJURY TO PERSONS OR DESTRUCTION OR SIGNIFICANT DAMAGE TO PROPERTY OR THE PHYSICAL ENVIRONMENT TO SUCH AN EXTENT THAT EXTRAORDINARY ACTIONS SHOULD BE TAKEN TO ENSURE THE PUBLIC SAFETY AND WELFARE OR PROTECT PROPERTY OR THE PHYSICAL ENVIRONMENT. THE MAYOR OR A

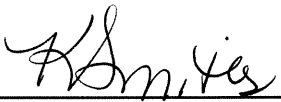
DEPARTMENT HEAD IS SOLELY RESPONSIBLE FOR DETERMINING WHETHER OR NOT A PARTICULAR OCCURRENCE, EVENT OR SITUATION CONSTITUTES AN EMERGENCY FOR WHICH THE EMPLOYEE WILL BE CALLED OUT AND COMPENSATED IN ACCORDANCE WITH THIS SUBSECTION].

\* **Section 4. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

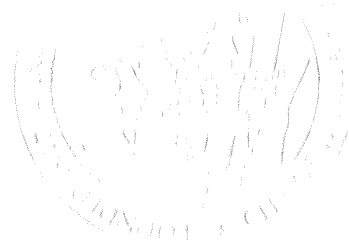
ADOPTED by the Wasilla City Council on August 27, 2007.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]





**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

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**RE: ORDINANCE 07-45 AMENDING WMC 3.55.100, PAY FOR SPECIAL TYPES OF APPOINTMENTS/ASSIGNMENTS TO PROVIDE FOR STANDBY AND CALL OUT PAY FOR EMPLOYEES IN DEPARTMENTS IN ADDITION TO THE PUBLIC WORKS DEPARTMENT, AND TO CLARIFY THE REQUIREMENTS FOR STANDBY AND CALL OUT PAY.**

Agenda of: August 13, 2007  
Originator: Community and Economic Development

Date: August 3, 2007

Route to:	Department	Signature/Date
	Police Youth Court, Dispatch, Code Compliance	
	Culture and Recreational Services Library, Museum, Sports Complex	
	Public Works & Recreation Facility Maintenance	
X	Finance, Risk Management & MIS Purchasing	<i>Juan E. Colligan 8-3-07</i>
X	Deputy Administrator Planning, Economic development, Human Resources	<i>S. Hardy 8-03-07</i>
X	City Clerk	<i>A. Smith</i>

REVIEWED BY MAYOR DIANNE M. KELLER:

*S. Hardy for Mayor*

FISCAL IMPACT:  yes Funds Available  yes  no

Account name/number: General Investigations Overtime/001.4224.420.10-30

Attachments: Ordinance 07-452

**SUMMARY STATEMENT:**

The City Code under 3.55.100(C) currently provides specific compensation for Public Works employees who are required to be on stand by on weekends or holidays. This section of code also includes provisions for compensation if the employee on stand by is actually called out to work while on stand by. WMC 3.55.100(D) currently provides for call out pay for non-Public Works employees who are responding to an emergency.

This proposed amendment to WMC 3.55.100 would, upon authorization of the Mayor, expand the existing stand by provisions of the code to other departments in addition to the Public Works.

The proposed amendment also changes the weekend and holiday language in the current code to a more generic "on a day when the designated employee has no regular working hours" because unlike the current Public Works Monday – Friday workweek, the Police Department has to schedule some of their officers to workweeks with days off other than Saturday and Sunday to provide 24/7 coverage. Given Wasilla's current rate of growth, the Public Works Water/Wastewater utility may also need to move away from the Monday-Friday workweek in scheduling their employees. Based on utilization data, the MUSC may also need to move to alternate workweek assignments in the next few years.

At this time, only the Police Department has a regular reoccurring need to initiate the new stand by and call out provisions. The FY 08 budget for the Police Department was constructed with funding to cover stand by and call out pay for General Investigations Overtime in hopes that an amendment to WMC 3.55.100 would be approved.

### **RECOMMENDATION**

Staff asks that the Council schedule Ordinance 07-<sup>52</sup>~~45~~ for public hearing on August 27, 2007 and respectfully recommends approval of the amendment at that time.