

**AN ORDINANCE BY COUNCILMEMBER JIM MADDOX
AS AMENDED BY FULL COUNCIL**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,
CITY OF ATLANTA GEORGIA (CIVIL SERVICE) DIVISION 14
(ATTENDANCE AND LEAVE), SECTION 114-423
(COMPENSATORY TIME), SUBSECTION A: IN ORDER TO
PROVIDE CERTAIN DEPARTMENTS THE FLEXIBILITY TO
SUBSTITUTE COMPENSATORY TIME FOR PAID OVERTIME
FOR CALENDAR YEAR 2003 ONLY; AND FOR OTHER
PURPOSES.**

WHEREAS, the City's current budgetary situation has required certain departments to reduce or eliminate paid overtime compensation; and

WHEREAS, certain departments continue to suffer staffing shortages which require their employees to work overtime; and

WHEREAS, a recent judicial ruling has provided public employers additional flexibility in the subsection of compensatory time for paid overtime; and

WHEREAS, current City Code restricts the substitution of compensatory time for paid overtime; and

WHEREAS, the Atlanta City Council is desirous of providing departments the option of substituting compensatory time for paid overtime, in order to maintain required staffing levels while operating within their budgetary constraints;

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, hereby ordains as follows:

SECTION 1: That Section 114-423 (a) which reads as follows:

Section 114-423. Compensatory time.

- (a) Employees nonexempt from FLSA may be given compensatory time off in lieu of overtime pay at the same overtime rate to which the employee is entitled, provided there is an agreement or understanding with the employee to do so before overtime is performed.

Be amended for the remainder of calendar year 2003 only to provide as follows:

Section 114-423. Compensatory time.

- (a) Employees nonexempt from FLSA may be given compensatory time off in lieu of overtime pay at the same overtime rate to which the employee is entitled.

- (b) *Each appointing authority shall make a determination as to whether to grant employees compensatory time off or overtime pay and shall administer said policy on a department-wide and not on an individual basis.*

SECTION 2: At the end of said calendar year, the City Council shall further consider said policy and shall make a determination as to whether such policy shall continue in effect.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

RCS# 4525
3/03/03
4:51 PM

Atlanta City Council

Regular Session

03-O-0306

Provide certain Departs. flexibility in
use of paid overtime for 2003 only
ADOPT AS AMEND

YEAS: 4
NAYS: 10
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

N Smith	NV Archibong	N Moore	N Mitchell
N Starnes	Y Fauver	N Martin	N Norwood
Y Young	N Shook	Y Maddox	N Willis
Y Winslow	N Muller	N Boazman	NV Woolard

03-O-0306

RCS# 4524
3/03/03
4:40 PM

Atlanta City Council

Regular Session

03-O-0306

Provide certain Departs. flexibility in
use of paid overtime for 2003 only
AMEND#1/STARNES

YEAS: 8
NAYS: 6
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	NV Archibong	N Moore	Y Mitchell
Y Starnes	Y Fauver	N Martin	N Norwood
Y Young	Y Shook	Y Maddox	N Willis
Y Winslow	N Muller	N Boazman	NV Woolard

03-O-0306

03-0-0306

(Do Not Write Above This Line)

AN ORDINANCE BY *summary*
summary

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA, CHAPTER 114 (PERSONNEL), ARTICLE IV (CIVIL SERVICE), DIVISION 14 (ATTENDANCE AND LEAVE), SECTION 114-423 (COMPENSATORY TIME), SUBSECTION A: IN ORDER TO PROVIDE CERTAIN DEPARTMENTS THE FLEXIBILITY TO SUBSTITUTE COMPENSATORY TIME FOR PAID OVERTIME; AND FOR OTHER PURPOSES.

DEFEATED

MAR 03 2003

- CONSENT REFER
- REGULAR REPORT REFERENCE CITY COUNCIL
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred *2/17/03*

Referred To: *Finance / Executive*

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee *FIN EXEC*

Date *2/26/03*

Chair *Shelia K. Pope AD*

Action: Fav, Adv, Hold (see rev. side)

Other: *Forwarded to Council*

Members *AD*

Refer To _____

Committee _____

Date _____

Chair _____

Action: Fav, Adv, Hold (see rev. side)

Other: _____

Members _____

Refer To _____

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

MAR 03 2003

Robert W. Workman
 CLERK OF THE CITY COUNCIL PRESIDENT

CERTIFIED

MAR 03 2003

Frank Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION