

1 Introduced by the Council Member White:
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4 **ORDINANCE 2022-412**

5 AN ORDINANCE REGARDING MAXIMUM HOURS WORKED BY
6 PART TIME AND/OR TEMPORARY EMPLOYEES WORKING
7 DURING AN ELECTION CYCLE OF THE SUPERVISOR OF
8 ELECTIONS; AMENDING CHAPTER 116 (EMPLOYEES AND
9 EMPLOYEE BENEFITS), PART 15 (FULL TIME AND
10 TEMPORARY EMPLOYMENT), SECTION 116.1502
11 (LIMITATIONS ON EMPLOYMENT AND USE OF
12 "TEMPORARY" EMPLOYEES), *ORDINANCE CODE*, AND
13 CHAPTER 120 (GENERAL EMPLOYEES AND CORRECTIONS
14 OFFICE PENSION PLANS AND ALL EMPLOYEES DEFINED
15 CONTRIBUTION RETIREMENT PLANS), PART II (THE
16 GENERAL EMPLOYEES RETIREMENT PLAN), SECTION
17 120.209 (VESTING, TERMINATION, RE-EMPLOYMENT),
18 *ORDINANCE CODE*, TO ALLOW ADDITIONAL HOURS TO BE
19 WORKED BY TEMPORARY AND/OR PART TIME EMPLOYEES
20 OF THE SUPERVISOR OF ELECTIONS DURING ELECTION
21 CYCLES; REQUESTING ONE CYCLE EMERGENCY PASSAGE;
22 PROVIDING AN EFFECTIVE DATE.
23

24 **BE IT ORDAINED** by the Council of the City of Jacksonville:

25 **Section 1. Amending Chapter 116 (Employees and Employee**
26 **Benefits), Part 15 (Full Time and Temporary Employment), Section**
27 **116.1502 (Limitations on Employment and Use of "Temporary"**
28 **Employees), *Ordinance Code*.** Chapter 116 (Employees and Employee
29 Benefits), Part 15 (Full Time and Temporary Employment), Section
30 116.1502 (Limitations on Employment and Use of "Temporary"
31 Employees), *Ordinance Code*, is hereby amended to read as follows:

1 **CHAPTER 116 - EMPLOYEES AND EMPLOYEE BENEFITS**

2 *** * ***

3 **PART 15. - FULL TIME AND TEMPORARY EMPLOYMENT**

4 *** * ***

5 **Sec. 116.1502. - Limitations on Employment and Use of "Temporary"**
6 **Employees.**

7 Effective October 1, 2005, unless exempted ~~by subsection (d)~~
8 below, no employee shall be hired in a temporary status except under
9 one of the circumstances described below:

10 (a) Temporary Full-time Status: An employee may be hired to
11 work 40 hours per week for a maximum of six months. Such
12 employees will be automatically terminated from service at
13 the conclusion of six months full-time employment. For
14 those temporary employees hired prior to enactment of this
15 ordinance, the six months will commence as of October 1,
16 2005. Any temporary full-time employee who knowingly and
17 voluntarily requests, in writing, to remain on Temporary
18 Full-time Status after six months, may do so with
19 concurrence of the Department, upon completion of a form
20 created for City-wide use by the Employee Services
21 Department, backed up by supporting documentation, which
22 demonstrates that the employee has acted on his or her own
23 initiative, voluntarily, without coercion, and that there
24 exists a tangible economic benefit to the employee by
25 remaining on temporary status.

26 (b) Regular Part-time Status: An employee may be hired to work
27 up to 50 hours per pay period (an average of 25 hours per
28 week) for an indefinite period.

29 (c) Seasonal Status: An employee may be hired on a full-time
30 or part-time basis for a limited time not to exceed six-
31 months, for seasonal work limited to certain periods of

1 the year.

2 (d) Exemption: ~~Any temporary employee who knowingly and~~
3 ~~voluntarily requests, in writing, to remain on Temporary~~
4 ~~Full-time Status after six months, may do so with~~
5 ~~concurrence of the Department, upon completion of a form~~
6 ~~created for City-wide use by City Human Resources, backed~~
7 ~~up by supporting documentation, which demonstrates that~~
8 ~~the employee has acted on his or her own initiative,~~
9 ~~voluntarily, without coercion, and that there exists a~~
10 ~~tangible economic benefit to the employee by remaining on~~
11 ~~temporary status. Nor shall t~~ The provisions of this Part
12 Section, including the hours per week cap identified in
13 Section 116.1502 (a) and (b), shall not apply to:

14 (i) Any temporary full-time employee who is a retired
15 pensioner of the City authorized by Chapters 120 or
16 121 to continue to receive pension payments upon
17 reemployment by the City; ~~or~~

18 (ii) Civilian bailiffs in the Office of the Sheriff;

19 (iii) Any employees of Cecil Aquatic Center or any future
20 indoor aquatic center created by the City; ~~or~~

21 (iv) Any full or part-time students working for the Clerk
22 of Court; or

23 (v) Any temporary and/or part time employee working for
24 the Supervisor of Elections, for work performed
25 during the period beginning eight weeks before and
26 ending two weeks after an election conducted by the
27 Supervisor of Elections.

28 **Section 2. Amending Chapter 120 (General Employees and**
29 **Corrections Office Pension Plans and All Employees Defined**
30 **Contribution Retirement Plans), Part II (The General Employees**
31 **Retirement Plan), Section 120.209 (Vesting, Termination, Re-**

1 **Employment), Ordinance Code.** Chapter 120 (General Employees and
2 Corrections Office Pension Plans and All Employees Defined
3 Contribution Retirement Plans), Part II (The General Employees
4 Retirement Plan), Section 120.209 (Vesting, Termination, Re-
5 Employment), *Ordinance Code*, is hereby amended as follows:

6 **CHAPTER 120 - GENERAL EMPLOYEES AND CORRECTIONS OFFICE PENSION**
7 **PLANS AND ALL EMPLOYEES DEFINED CONTRIBUTION RETIREMENT PLANS**

8 * * *

9 **PART II. - THE GENERAL EMPLOYEES RETIREMENT PLAN**

10 * * *

11 **Sec. 120.209. - Vesting, Termination, Re-Employment.**

12 * * *

13 (c) If a retiree or separated vested member re-enters City
14 service in a position covered by this Plan, benefit
15 payments shall cease and the retiree or separated vested
16 member shall again become an active member of the Plan.
17 Upon subsequent retirement, the new pension benefit shall
18 be computed in accordance with the provisions of Section
19 120.206, but based on a final monthly compensation computed
20 as if there were no gap in time between the original
21 retirement date and the reemployment date, provided that
22 the period of re-employment exceeds one year. This Section
23 shall not apply to retired members re-hired as poll
24 workers, part-time workers or temporary workers.

25 (d) Notwithstanding the provisions of subparagraph (c) ~~to~~
26 ~~Section 120.209, Ordinance Code~~ above, or any other City
27 ordinance to the contrary, any time service retiree of the
28 City of Jacksonville General Employees Retirement Plan,
29 who otherwise qualifies, may be re-employed by the City on
30 a regular part-time or temporary full-time basis (as
31 provided in Section 116.1502, Ordinance Code) without the

1 cessation of retirement benefits payable to such retiree
2 pursuant to Chapter 120, Ordinance Code, because of, and
3 during, such re-employment. ~~For purposes of this~~
4 ~~subparagraph (d), the term "part-time" shall mean a~~
5 ~~position routinely requiring fewer than 25 hours of work~~
6 ~~per week (50 hours per pay period) on a regular and~~
7 ~~recurring basis, and the term "temporary" shall mean a~~
8 ~~full-time temporary position required for less than six~~
9 ~~months on a special assignment or to replace an employee~~
10 ~~on leave.~~ In no event shall any time service retiree of
11 the City of Jacksonville General Employees Retirement Plan
12 acquire time service credit or any other benefit under
13 Chapter 120, Ordinance Code, during, or in connection with,
14 such re-employment, nor shall any amendment to the Plan
15 not otherwise applicable to retired members apply to any
16 re-employed retired member.

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18 **Section 2. Requesting One Cycle Emergency Passage Pursuant to**
19 **Council Rule 4.901 Emergency.** One cycle emergency passage of this
20 legislation is requested. The nature of the emergency is that there
21 is a primary election scheduled for August 23, 2022; however, the
22 Supervisor of Elections' employees affected by this legislation are
23 required to certify petitions, qualify candidates, plan for and train
24 poll workers, and prepare early voting and polling locations months
25 in advance of the August 2022 primary election.

26 **Section 3. Effective Date.** This Ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

1 Form Approved:

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3 /s/ Ariel P. Cook

4 Office of General Counsel

5 Legislation prepared by: Ariel P. Cook

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