

City of Richmond, VA
ORDINANCE 93-117-159 (PAY ORDINANCE)
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Section 1. (Bi-Weekly Salary)

That the compensation for all classes of positions which have been included in the pay ranges of the pay plan adopted and set out in Article II of this ordinance, shall be determined and fixed in accordance therewith and the other provisions of this ordinance.

The officers and employees of the departments, bureaus, divisions, boards, commissions, offices and agencies of the City shall be paid their salary bi-weekly. The payments shall be measured by one twenty-sixth of the prescribed annual compensation; provided that during any fiscal year in which there are twenty-seven alternate Fridays, one additional installment of such annual compensation shall be paid.

Section 2. (Worker's Compensation)

Any employee incapacitated by injury or illness as defined by the Workers' Compensation Act may be entitled to the benefits provided by that Act.

Injury leave with pay shall be provided in such instances as set forth in this section without charge against the employee's leave balance.

During the first seven calendar days of necessary absence authorized by the City's Worker's Compensation Treating Physician, injury leave with full pay will be allowed. Following this period, and for a period of one year from the date of injury, the employee shall be allowed injury leave with pay at the difference between compensation allowed under the Workers' Compensation Act and the employee's normal net pay. For purposes of this provision, "normal net pay" shall be defined as gross pay (after pre-tax adjustments), less social security (FICA), federal income tax and state income tax. Following this one-year period, the employee shall only receive the amount of compensation allowed under the Worker's Compensation Act.

Provided, however, that upon the written request of any employee to his Appointing Authority to extend injury leave with said pay beyond one year there shall be convened a panel consisting of the Appointing Authority, the Director of the Department of Human Resources, and the Director of the Department of Finance. The panel shall consider:

1. Whether the injury is extraordinary;
2. The extent to which the injury was related to the employee's performance of his normal official duties;
3. Whether the employee was to any degree responsible for the occurrence or extent of the injury because of his own negligence, fault, or improper conduct;
4. Whether the projected convalescence is objectively estimated to exceed one year;
5. Whether the employee is able to return to work in either his original position or any other position;
6. Whether the employee has made reasonable efforts toward rehabilitation;
7. Whether the employee has cooperated fully in prescribed treatment and rehabilitation; and
8. Any other factors the panel determines to be relevant.

The panel shall, after investigation and consideration of the matter, make its recommendation to the Chief Administrative Officer with regard to the disposition of the request for additional injury leave. The City Manager may then, in his discretion, grant or deny the request. If the request is granted, the initial one-year period may be extended for such additional period of time as may be

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deemed warranted, consistent with the appropriate medical findings. The Chief Administrative Officer shall report to the Council periodically with regard to cases in which a request for additional leave is not granted.

The adjustments made to an employee's gross salary in accordance with the provisions of this paragraph shall not be used to reduce the amount of retirement benefits otherwise payable to said employee. Retirement benefits shall be computed as though the employee received his or her normal gross salary during the employee's period of disability.

Section 3. (Police and Fire Career Development)

For personnel assigned to the positions in the FP pay ranges, advancement shall be in accordance with the provisions of a "Career Development Plan" recommended by the Departments and approved by Human Resources and the Chief Administrative Officer. A copy of the approved plans and all amendments thereafter shall be the official plans and shall be filed with the Director of Human Resources.

Section 4. (Pay Progression)

The initial employment of any person in the classified service, whose position is in the pay plan, shall be paid within the pay range assigned to the position. Except as otherwise specifically provided, additional movement through the range will be based on a performance system approved by the Chief Administrative Officer and promulgated in an administrative regulation. Whenever a general or performance increase is given, employees may not exceed the maximum of their range.

Whenever persons are hired and assigned to apprentice classes in the classified or unclassified service their compensation shall be within the pay range and in accordance with approved standards of apprenticeship training.

Section 6. (City Attorney)

The City Attorney shall receive a salary within such pay range as may be established and periodically amended in this pay ordinance.

In addition, the pay of the City Attorney shall be supplemented in an amount not to exceed \$7,500.00 per annum as payments made to a deferred compensation plan of the City of Richmond pursuant to the execution by the City Attorney of a participation agreement that conforms to the applicable Internal Revenue Code provisions and regulations and to Division 3, Article VI, Charter Two, Deferred Compensation Plan, of the Code of the City of Richmond (2004), as amended.

Notwithstanding any other administrative regulation, ordinance or provision of the Code of the City of Richmond to the contrary, the City Attorney shall be paid seven (7) months of compensation as severance pay if the City Attorney is terminated or asked to resign for any reason other than malfeasance or is separated from City employment as a result of a restructuring of City government. Such compensation shall be in addition to any salary and vacation pay that may be due him through his actual date of separation. (Ordinance 2006-322-2007-27 adopted and effective 2/12/07)

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Section 7. (Courts)

That persons occupying unclassified positions in the Courts for whom compensation is not fixed directly or indirectly by statute adopted by the General Assembly, shall be placed in the pay ranges as follows:

<u>Position</u>	<u>Pay Range</u>
Court Assistant	8
Secretary to Judges of the Circuit Court	9
Adult Drug Court Specialist	12
Dispute Resolution Coordinator	13
Adult Drug Court Coordinator	14
Law Librarian	14

Section 8. (Salary for Unclassified Positions)

The salary and bonuses for unclassified employees, as set forth in Article II, will be set by the Appointing Authority. Such salary shall be within the designated pay range for the specific position. Increases, other than annual performance increase, of more than 10% shall require approval of the Chief Administrative Officer or City Council depending on the reporting relationship and shall be given no more than once in a fiscal year.

Section 9. (Senior Executive Group)

The salary and bonuses for Senior Executive employees, as set forth in Article II, will be set by the Appointing Authority. Unless specified elsewhere in this ordinance, or upon the approval of the Appointing Authority, such salary shall be within the designated pay range for the specific position.

There will be established between the appointing authority and the person in the Senior Executive Group a performance agreement that will be the basis of establishing performance targets and compensation for these persons.

The salaries of the Library Director, the Executive Director of the Port of Richmond, and the Executive Director of the Richmond Retirement System shall be modified only by the respective appointing authority of each employee based on that appointing authority's performance evaluation of that employee. However, no such employee may receive a salary increase greater than the amount set by the Council through the pay plan for employees of the City Administration who receive a corresponding performance evaluation. Any such salary increase shall take effect on the same date as for the employees of the City Administration.

Section 10. (General Registrar's Office)

That persons occupying unclassified positions in the Office of the General Registrar in accordance with provisions of Title 24.2 of the Code of Virginia providing for assistants to registrars and for whom compensation is not fixed directly or indirectly by the General Assembly by statute, shall be placed in pay ranges as follows:

<u>Position</u>	<u>Pay Range</u>
Assistant Registrar I	5
Assistant Registrar II	6

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Voter Registration Services Coordinator	8
Voting Machine Technician	11
Chief Voting Machine Technician	14
Deputy General Registrar	15

The remaining provisions of this Article shall apply to determine the exact compensation for persons occupying the above positions. (Ordinance 2007-253-226, adopted 8/8/07 and effective 10/13/07)

Section 11. (Acting Chief Administrative Officer)

The compensation of the person designated to act as Chief Administrative Officer as required by section 5.07 of the City Charter, shall be fixed at the discretion of City Council.

Section 12A. (Commonwealth Attorney's Office)

The Commonwealth Attorney shall receive a salary supplement of \$35,710 in Fiscal Year 2009-2010. The Commonwealth Attorney's Office shall receive \$640,088 Fiscal Year 2009-2010 to be used as salary supplements for members of the office. The proper administration of salary supplements is the responsibility of the constitutional officer. (Ordinance 2008-51-113, adopted and effective 5/27/08, Ordinance 2009, adopted and effective 5/26/09)

Section 12B. (City Sheriff's Office)

The Sheriff's Office shall receive in Fiscal Year 2009-2010 an amount 11% greater than the amount approved by the Compensation Board for the Sheriff's deputies to be used as salary supplements for members of the office, excluding the Sheriff, for which the City is reimbursed for 100% of salary costs approved by the Compensation Board. The Sheriff's Office shall receive an amount not to exceed \$3,451,252 in Fiscal Year 2009-2010 to be used as salary supplements for members of the office, excluding the Sheriff. From such allocation, the Sheriff's Office may, in FY 2009-2010, provide salary supplements for positions that the City is not reimbursed for 100% of approved Compensation Board salaries, excluding the Sheriff. No salary supplements to any positions shall be paid unless authorized by the City's Director of Budget and Strategic Planning. Any salary supplement paid directly to the Sheriff from either of these amounts shall only be for the specific amount authorized by this section. The Sheriff shall receive a salary supplement of \$14,370 in Fiscal Year 2009-2010. The proper administration of salary supplements is the responsibility of the constitutional officer. (Ordinance 2008-50-112, adopted and effective 5/27/08, Ordinance 2009-63-86 adopted and effective 5/26/09)

Section 13. (Overtime for Police)

Whenever due to a shortage in the authorized number of personnel in the Department of Police, until such time as the shortage is eliminated by selection and completion of training of persons to bring the Department of Police to its authorized strength, the Chief of Police, or such person as he may designate, may designate police personnel, who shall be required to perform service in excess of forty hours per week or in excess of the hours of work prescribed in rules and regulations duly adopted with respect thereto and such police personnel (designated as non-exempt) shall receive compensation for each excess hour of such service or fraction thereof equal to one and one-half time his normal hourly equivalent compensation.

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Section 14. (Overtime for Fire)

Whenever due to a shortage in the authorized number of personnel in the Department of Fire and Emergency Services until such time as the shortage is eliminated by selection and completion of training of persons to bring the Department of Fire and Emergency Services to its authorized strength, the Chief of Fire and Emergency Services, or such person as he may delegate, may designate Department of Fire and Emergency Services personnel who shall be required to perform service in excess of the hours of work designated for a specific duty assignment as prescribed in rules and regulations duly adopted with respect thereto such Department of Fire and Emergency Services personnel (designated as non-exempt) shall receive compensation at the rate of one and one half times the normal hourly equivalent for each hour or fraction thereof in excess of such person's normal work schedule.

Section 15. (Testifying in Court on Off Duty Days)

Whenever any employee (designated as non-exempt) is summoned to appear in court for the purpose of testifying on behalf of the Commonwealth of Virginia or the City of Richmond in prosecutions for violations of the laws of the Commonwealth or ordinances of the City during the time such employee is off duty and not required to perform his duties, he shall be paid compensation for each hour or major part thereof spent in attendance in such court for said purpose time and one-half of the compensation then being paid to such employee. An employee in attendance in any such court for said purpose for less than one hour shall be paid compensation for the hour.

Section 16. (Emergency Duty)

Whenever the Council, the Mayor, or the Chief Administrative Officer declares that there exists in the City an emergency which constitutes a danger to the safety, health, peace, good order and welfare of the citizens of the City; the Chief Administrative Officer shall ensure that all employees are properly compensated in accordance with the Administrative Regulation.

Section 17. (Overtime)

Except as otherwise provided under State or Federal Law, whenever a non-exempt employee is required to perform service beyond the hours of work prescribed as a normal work week in accordance with the Fair Labor Standards Act he shall receive compensation for such service rendered beyond such hours equal to one and one-half times the hourly rate fixed in the pay range for the class of position to which he is assigned. In accordance to the regulations of the Fair Labor Standards Act, compensatory time may be granted in lieu of cash payment up to a maximum of 240 hours for general employees and 480 hours for sworn Police and sworn Fire employees. Exempt employees shall not be entitled to overtime. However, their Appointing Authority may adjust their work schedules in recognition of hours worked.

Section 18. (Driving a Bus)

Whenever an employee is required to drive a bus for purposes of transporting citizens to or from an event, such employee shall receive additional compensation of \$1.00 per hour for the time period he is assigned the duty of bus driving.

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Section 19. (Police Overtime Due to Federal and State Grants)

Whenever any non-exempt sworn police officer as a condition imposed in any grant of federal or state funds and in order for the City to meet conditions or requirements imposed in such grant, or to carry out the purpose of the program encompassed in such grant, is required to perform services (work hours) in excess of the normal hours as established by Personnel Rules, such non-exempt sworn police officer shall receive compensation for such services rendered beyond the normal hours of work equal to one and one-half times the hourly rate fixed in the pay range for the class of position to which he is assigned.

Section 20. (Night Differential)

Whenever any full-time employee is regularly required to perform service at night, he shall receive compensation for such services equal to the hourly or annual compensation fixed in the pay range for the class of position to which he is assigned plus \$.50 per hour for a midnight or an afternoon shift. Such additional compensation shall only be paid to employees working a fixed shift where one-half or more of the employee's regular working hours are scheduled after 5:00 p.m. and shall not be paid to members of the Department of Fire and Emergency Services working 24 on - 24 off shifts and other work sites or situations designated by the Chief Administrative Officer, and employees working a rotating shift or a shift which otherwise required them to periodically work at night. A fixed shift basis of employment is one in which the regular working hours are identical each working day for a period of not less than 120 calendar days. A rotating shift is one in which the hours of work fluctuate on a regular basis or irregular basis. For the purpose of determining whether additional compensation is due to the employee for working at night, any work schedule which is not congruent with the above definition of a fixed shift will be assumed to be a rotating shift.

Section 21. (Working Supervisor)

Whenever any employee is required to give incidental assistance in addition to performing regular duties by supervising two or more employees performing service in the same location where no regular supervisor is authorized and another supervisory position is not assigned, he shall receive compensation for such service equal to the hourly compensation fixed in the pay range for the class of position to which he is assigned plus \$.50 per hour.

Section 22. (Acting in a Higher Class)

Whenever any employee is required to work in a position in a higher pay range during a vacancy in that position or during the absence of the incumbent in that position, and when such assignment extends beyond fifteen consecutive work days, he shall receive compensation retroactive to the date he commenced acting in such position equal to the minimum of the new range or a maximum increase of 5%, whichever is greater. The amount, however, shall not exceed the maximum amount of the new pay range. The Chief Administrative Officer, at his discretion, may approve increases of more than 5%. The amount of the differential shall change only if the base salary of the employee changes. The change in the amount of differential shall be equivalent to the percentage change in the base salary.

No employee shall be assigned this temporary upgrade for more than fifteen working days except as approved by the Director of Human Resources. In no case may the assignment last more than twelve (12) months without written approval of the Director of Human Resources and the Chief Administrative Officer. On the date the employee is no longer performing such temporary

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upgrade duties, his compensation shall return to the amount of the range of his formerly assigned position.

Section 23. (Special Assignment by the Chief Administrative Officer)

The Chief Administrative Officer is authorized to transfer or appoint employees to perform special assignments and fix compensation for such assignments where appropriate.

Section 24. (Special Assignment by an Appointing Authority)

An Appointing Authority may appoint an employee to perform a special assignment that is significantly above his normal job duties. When such assignment extends beyond twenty consecutive work days, he may receive an additional fixed bi-weekly amount of compensation. This additional compensation shall be retroactive to the date he commenced acting in such assignment. Unless approved by the Chief Administrative Officer, the amount of additional compensation shall not exceed 10% of the employee's regular rate of pay and shall not be increased, except for Senior Executive assignments made by the Chief Administrative Officer or City Council.

All assignments exceeding fifteen consecutive work days and all compensation must be approved by the Director of Human Resources. In no case may the assignment last more than twelve (12) months without written approval of the Director of Human Resources and the Chief Administrative Officer.

Section 25. (Education Incentive for Police and Fire)

Whenever a Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Fire Division Chief, Chief of Fire and Emergency Services, Police Sergeant, Police Lieutenant, Police Captain, Police Major, Deputy Chief of Police or Chief of Police receives, while employed in such position, an Associate of Arts degree from an accredited college, university or junior college or is certified by same as a junior in a degree granting program, he shall receive annually in addition to his regular compensation a sum of \$500.00 if exempt under the Fair Labor Standards Act and \$.25 per hour (for employees scheduled for 40 hours per week) or \$.17 per hour (for employees scheduled for 56 hours per week) if non-exempt under the Fair Labor Standards Act. This additional compensation for exempt employees shall be paid in two equal installments, one in July and the other in February.

Whenever a Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Fire Division Chief, Chief of Fire and Emergency Services, Police Sergeant, Police Lieutenant, Police Captain, Police Major, Deputy Chief of Police or Chief of Police receives, while employed in such position, a Bachelor of Arts or Bachelor of Science degree from an accredited college or university, he shall receive annually in addition to his regular compensation a sum of \$1,000.00 if exempt under the Fair Labor Standards Act and \$.50 per hour (for employees scheduled for 40 hours per week) or \$.34 per hour (for employees scheduled for 56 hours per week) if non-exempt under the Fair Labor Standards Act. This additional compensation for exempt employees shall be paid in two equal installments, one in July and the other in February.

Whenever a Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Fire Division Chief, Chief of Fire and Emergency Services, Police Sergeant, Police Lieutenant, Police Captain, Police Major, Deputy Chief of Police or Chief of Police receives, while employed in

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such position, a Masters Degree from an accredited college or university, he shall receive annually in addition to his regular compensation a sum of \$2,000.00 if exempt under the Fair Labor Standards Act and \$1.00 per hour (for employees scheduled for 40 hours per week) or \$.68 per hour (for employees scheduled for 56 hours per week) if non-exempt under the Fair Labor Standards Act. This additional compensation for exempt employees shall be paid in two equal installments, one in July and the other in February.

Receipt of this payment beyond the first year is contingent on evidence of on-going job related education and performance at the “Successfully Meets Expectations” or “Exceptional” level, or an equivalent rating on an approved system, on their last performance appraisal. (amended 5/29/07; effective 7/1/06; ordinance 2007-89-102)

Section 26. (Reduction in Force/Severance)

If an employee in the classified service is involuntarily demoted as the result of a reduction in force, the employee shall continue to receive the salary payable for the then current amount for the next six full pay periods following the demotion. Thereafter, the employee’s salary will revert to the maximum of the new classification’s pay range or that amount which equates to a maximum decrease of five percent (5%), whichever is the greater decrease.

Classified employees who are dismissed as a result of a reduction in force shall be eligible to continue their current health care benefits for one month after the date of dismissal and shall be eligible for severance pay. Severance pay shall be computed on the following schedule:

Years of Service	Weeks of Severance Pay
1-4+ years	4
5-9+ years	6
10-14+ years	8
15-19+ years	10
20 years and above	12

Severance pay shall be forfeited by any employee who declines an offer of transfer, reassignment, or demotion to another position made by the City in lieu of dismissal.

Should the employee be reinstated within ten calendar days of the date of his separation the employee shall forfeit his severance pay.

Section 27. (Employee Suggestion Program)

Any officer or employee, qualifying under the Employee Suggestion Program, may be granted a cash bonus not to exceed \$10,000.00 based upon specific criteria established in the Employee Suggestion Program.

Section 28. (Range Adjustments)

Any officer or employee holding a position in classes which have range adjustments resulting in a higher range shall be limited to the minimum of the new range, or that step which equates to a maximum increase of five percent (5%), whichever is greater. Employees who have a Needs Further Development or similar rating on their last performance appraisal shall not receive an increase in pay.

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Section 29. (Two Differentials)

Any officer or employee who in addition to the pay to which he is assigned is entitled to receive one or more increments in pay pursuant to the adoption of this ordinance, shall nevertheless, be entitled to receive only one such increment, which shall be the larger or largest of any such increment; provided, however, that any increment in pay for an educational level attained by a police officer or uniformed member to the Department of Fire and Emergency Services (section 25) , or for Acting in a Higher Class (section 22), shall be excluded from and not subject to this limitation.

Section 30. (Full Time Employment Qualifier)

The compensation of officers and employees fixed in Article II and Article III of this ordinance is for full time employment and for services rendered on the days and during the hours prescribed in the rules adopted by the City Council, except only when otherwise provided in this ordinance or by law.

Section 31. (Amicable Departure Agreements)

The Chief Administrative Officer or designee may negotiate severance pay and amicable departure agreements with employees when such is determined to be in the best interest of the City. Written agreements shall be coordinated with the City Attorney and Director of Human Resources. The Chief Administrative Officer shall review and approve all agreements prior to execution.

Section 32. (Retention of Key Employees)

An Appointing Authority may grant an increase to retain a key employee. Before an increase is given the employee must (1) produce a valid job offer from another internal or external employer, (2) have achieved exceeds performance on his last performance evaluation unless there is an extreme business need to keep the position filled, and (3) have the approval of the Director of Human Resources.

Unless approved by the Chief Administrative Officer, the amount of increase may not be higher than 10% of the employee's current salary or higher than the maximum of the pay range whichever is less. An employee shall be eligible for only one retention increase every twenty-four months.

Section 33. (Extraordinary Performance Bonus)

The Chief Administrative Officer, upon recommendation by the Appointing Authority may grant an employee a one-time bonus for extraordinary performance. Unless approved by the Chief Administrative Officer, the bonus may be no more than \$1,000 and may not be given to an employee more than once in a Fiscal Year.

Section 34. (Market Driven Increases)

When the Chief Administrative Officer determines that market conditions are such that recruitment and retention is severely hampered in a job classification or series of classifications, he may authorize salary increases to employees in those classifications. These payments may be either lump sum payments or increases to base salary. However, an employee's base salary shall not exceed his pay range.

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Section 35. (Temporary Job Classifications)

The Chief Administrative Officer may establish new classifications on a temporary basis. However, such new classifications must be approved by the City Council within sixty (60) days of being established by the Chief Administrative Officer. Such new classifications may contain either temporary or permanent positions. (Ordinance 2005-274-240, adopted and effective 11/14/05)

Section 36. (Living Wage)

Any officer or employee in a permanent position working either full-time or part-time shall have an hourly rate of pay at least \$10.19. (Ordinance 2008-48-100, adopted 5/27/08 and effective 12/20/08)

Section 37. (Application)

Except as otherwise specifically provided, all provisions of this ordinance shall apply to employees in the classified and unclassified service.

Section 38. (Active-Duty Military Supplemental Pay)

City employees who are members of the military and are ordered to full-time, active duty status shall receive supplemental pay after fifteen (15) consecutive working days if the employee's gross military pay is less than his gross City salary. Such supplement shall be treated as salary for compensation and tax purposes. The amount of the supplement shall be the difference between the employee's current gross City salary, minus any special pays, overtime or allowances, and his gross military pay, which shall include his base pay, any qualification pays or allowances but without subsistence. The City employee's salary shall be recomputed from a 26 annual pay period rate to a 24 annual pay period rate. The City employee shall provide a copy of his military Leave and Earnings Statement to the City on a monthly basis before the supplement shall be granted. There may be a delay of up to four weeks for processing supplemental pay. Payments shall be made directly to the employee and shall end on the date of deactivation. City employees who volunteer(ed) for active duty service through their military unit shall not be eligible for supplemental pay. City employees who are ordered to full-time, active duty status, but are ineligible for military-provided health care coverage, shall have the option to continue coverage under the City's health care plan in accordance with contribution terms and conditions.

Section 39. (Passport to Wellness Program)

Any officer or employee, qualifying under the Passport to Wellness Program, may redeem a designated number of sick leave hours for payment in accordance with the provisions of and based upon specific criteria established in the Passport to Wellness Program.

Section 40. (Broad Band Programs)

The Chief Administrative Officer may establish broad band programs either on a Citywide basis or specifically designed for an agency or unit of an agency. Citywide programs shall be modeled on positions with duties and responsibilities found throughout the City service. These programs may be established to encourage employees to assume additional duties and responsibilities. Agency programs may be based on specific criteria designed to enhance agency performance. Such programs may be, but are not limited to, competency-, skill-, performance-, or career development-based. In all such programs, the Chief Administrative Officer may establish pay zones within the broad band for specific classifications. A copy of the approved agency program

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and all amendments thereto shall be the official plans and shall be filed with the Director of Human Resources.

Employees placed in a new band as a result of the implementation of a broad band program or moved from one broad band program to another broad band program shall receive the greater of his/her current salary or the minimum amount of the assigned band. In addition, in agency programs, the Chief Administrative Officer or his designee is authorized to place employees in the aforesaid pay bands consistent with their current qualifications, skills, and assignments.

In lieu of the City's performance pay program as set forth in Section 1 of Article I of the pay plan, agencies that adopt broad band programs may implement a different performance pay program that emphasizes Citywide and departmental performance, either or both, as well as individual performance, skill, competencies, certification, and project results.

For the purposes of this Section, the following terms shall have the following definitions:

- A. "Promotion" shall mean the movement of an employee from a position in one band to a position in another band with a higher maximum salary range.
- B. "Reallocation" shall mean the determination by the department director that an employee should be allocated to a different classification or zone level with the same band. Placement within the salary band will be based on the competency ratings of the employee and shall be negotiable.
- C. "Band adjustment" shall mean the determination by the department director, with the approval of the Director of Human Resources, that (i) an employee has assumed new duties and responsibilities at a substantially higher level and on a permanent basis or (ii) an employee has met the criteria of an approved competency or career development program. Band adjustments of more than 5% shall require the approval of the Chief Administrative Officer or a designee thereof or of City Council, depending on the reporting relationship, and shall be made no more than once in a fiscal year.

Section 41. (Mayor's Salary)

Effective January 1, 2005, the Mayor elected by the voters at-large shall receive a salary of \$125,000 per annum. The City shall also pay its proportional share of the cost of health and dental insurance for the Mayor and shall provide technology and communication equipment for the Mayor ancillary to the position.

The salary of the Mayor shall be supplemented in the maximum amount per annum allowed by the applicable Internal Revenue Code provisions and regulations by a payment or payments made to a deferred compensation plan of the City of Richmond pursuant to the execution by the Mayor of a participation agreement that conforms to the applicable Internal Revenue Code provisions and regulations and to Division 3, Article VI Chapter Two, Deferred Compensation Plan, of the Richmond City Code of 2004, as amended. In addition, the Mayor may receive a City vehicle for official City use.

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Notwithstanding any other provision of the Code of the City of Richmond to the contrary, the City shall contribute on behalf of the Mayor an amount determined by the Retirement System's Actuary and approved by the Retirement Board sufficient to receive the additional creditable service provided by section 78-371 of the Code of the City of Richmond (2004), as amended. (Ordinance 2008-127-158, adopted and effective 6/23/08)

Section 42. (Employee Tutoring and Mentoring Program)

The City of Richmond supports and encourages its employees to volunteer as tutors and mentors in programs designed to improve the academic achievement and social behavior of Richmond Public School students. The City hereby establishes a goal of ten percent (10%) participation of its employees in such tutoring and mentoring programs.

Each City Employee may utilize one hour of unpaid volunteer leave per week during the school year for the purposes of tutoring or mentoring a child in an approved program, provided the tutoring or mentoring is performed during the employee's normally scheduled working hours. Such tutoring or mentoring program must be approved by the Superintendent of Richmond Public Schools as a program designed to increase a student's academic achievement and social behavior. In order to participate in the program, the Employee must first complete appropriate training as required by Richmond Public Schools.

In addition to the one hour of unpaid leave time for such activities, each employee may also utilize up to one half-hour of paid time to travel to and from the tutoring and mentoring site, provided such travel is performed during the employee's normally scheduled work hours.

Each employee desiring to participate in an approved tutoring and mentoring program must obtain approval from the employee's Appointing Authority and the City's Director of Human Resources on a form provided by the Director of Human Resources. (Ordinance 2006-52-68; adopted 3/13/06; effective 7/1/06)

Section 43. (Step-Based Pay System for Sworn Fire Fighters and Police Officers)

(1) The following sworn fire and police classifications shall be part of a step based pay system as shown in Table 1, dated March 6, 2007 (a copy of which is attached hereto and incorporated herein):

Positions	Range
Fire Recruit	1
Police Recruit	1
Fire Fighter I	2
Police Officer I	2
Fire Fighter II	3
Police Officer II	3
Fire Fighter III	4
Police Officer III	4
Fire Fighter IV	5
Police Officer IV	5
Master Fire Fighter	6
Master Police Officer	6

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Fire Lieutenant	8
Police Sergeant	8
Fire Captain	10
Police Lieutenant	10
Fire Battalion Chief	12
Staff Battalion Chief	12
Police Captain	12

(2) Sworn fire and police personnel shall be eligible to move to their appropriate step on July 1, 2006 and thereafter shall be eligible to move in accordance with this ordinance at the beginning of the first full pay period in July of each calendar year thereafter. The initial placement and future movement of sworn fire and police personnel in the classifications of Fire Fighter I, Fire Fighter II, Fire Fighter III, Fire Fighter IV, Master Fire Fighter, Police Officer I, Police Officer II, Police Officer III, Police Officer IV and Master Police Officer will be based on full years of sworn service after the completion of the Fire Academy or the Police Academy (as outlined in Table 2, dated March 26, 2009, a copy of which is attached hereto and incorporated herein) or the step closest to but above their current salary, whichever is greater.

For purposes of this plan, sworn service time will begin upon graduation from the Fire Academy or the Police academy less any break in service (except military or other leave as required by law) and step movement shall be based upon years of service as of June 30 of each year (e.g., an officer with 9 months of service as of June 30 will be considered to have 0 years of service) (Refer to Table 2). The initial placement of sworn fire and police personnel in the classifications of Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Police Sergeant, Police Lieutenant and Police Captain shall be based upon service time in their current classification or the step closest to but above their current salary, whichever is greater, as outlined in Table 2. Future movement shall be based on the implementation schedule set forth in Tables 4a and 4b dated March 26, 2009 (copies of which are attached hereto and incorporated herein). Employees in the classification of Fire Lieutenant, Fire Captain, Fire Battalion Chief and Staff Battalion Chief who obtained sworn service prior to July 1, 1991 are eligible for a three step increase on the date they would have been eligible to move into steps 12, 13 or 14 as a Fire Fighter. Employees in the classification of Police Sergeant, Police Lieutenant and Police Captain who obtained sworn service status prior to July 1, 1991 are eligible for a three step increase on the date they would have been eligible to move into steps 12, 13 or 14 as a Police Officer. In order to relieve salary compression and with the concurrence of the Director of Human Resources, the Chief of Fire and Emergency Services may place sworn personnel in the ranks of Fire Lieutenant, Fire Captain, Fire Battalion Chief and Staff Battalion Chief at a higher step. In order to relieve salary compression and with the concurrence of the Director of Human Resources, the Chief of Police may place sworn personnel in the ranks of Police Sergeant, Police Lieutenant and Police Captain at a higher step.

(3) Movement through the steps for Fire Recruits, Police Recruits and all levels of Fire Fighters and Police Officers hired after July 1, 2006 shall be based on the schedule in Table 3 dated March 26, 2009 (a copy of which is attached hereto and incorporated herein).

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(4) Pursuant to the Career Development Plan, an employee shall move to the identical step in the higher range (e.g., if a Police Officer II is in Step 2 and moves up in the Career Development Plan, that police officer shall then move to a Police Officer III in Step 2) (Refer to Table 1).

(5) Sworn fire and police personnel promoted to higher classifications of Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Police Sergeant, Police Lieutenant and Police Captain shall move to the next highest step within the new classification that guarantees at least a 5% increase over their former salary. Thereafter, such personnel would continue to move through steps based on the schedule set forth in Tables 4a and 4b (e.g., if a Master Police Officer is currently in Step 12, that officer would be promoted to Police Sergeant in Step 8) (Refer to Table 1).

(6) Sworn fire and police personnel currently in the retirement program DROP plan may *not* withdraw from the plan to return to regular service, and retirement benefits are based on the employee's salary at the time of enrollment eligibility in the DROP plan.

(7) Sworn police personnel hired into the Department of Police as lateral transfers shall be placed in the step plan based upon pro-rating their external sworn service to sworn service the Department of Police. The pro-rating ratio shall be determined by the Department of Police.

(8) Sworn fire personnel hired into the Department of Fire and Emergency Services as lateral transfer shall be placed in the step plan based upon pre-rating their external sworn service to sworn service in the Department of Fire and Emergency Services. The pro-rating shall be determined by the Department of Fire and Emergency Services.

(9) Sworn police personnel shall be eligible for special assignment pay up to \$0.75 per hour. Assignments qualifying for this special assignment pay shall be determined by the Chief of Police with the approval of the Chief Administrative Officer.

(10) Sworn fire personnel shall be eligible for special assignment pay up to \$0.75 per hour. Assignments qualifying for this special assignment pay shall be determined by the Chief of Fire and Emergency Services with the approval of the Chief Administrative Officer.

(11) Sworn fire and police personnel in the classified service shall no longer be a part of the Performance Based Pay System. However, to be eligible for a step increase, the employee must have obtained at least a "Meets Standards" or an equivalent rating on the employee's last annual performance evaluation.

(12) All salary increases and step advancements for which this section provides are subject to annual appropriations of sufficient funds therefore by the City Council. (Ordinance 2008-49-111, adopted 5/27/08 and effective 7/01/08, Ordinance 2009-61-84, adopted 5/26/09 and effective 7/1/09)

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Section 44. (Richmond Police Cadet Training Program)

Employees participating in the Richmond Police Cadet Training Program are non-sworn, civilian, classified employees who shall not be eligible for tenured status during the duration of their time in the classification of Police Cadet. (Ordinance 2007-252-205, adopted 9/24/07 and effective 9/29/07)