

ORDINANCE NO. O-2014-_____

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON,
STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE AMENDING SECTIONS 2-516, and 2-523 OF
THE *CODE OF ORDINANCES OF BENTON COUNTY, ARKANSAS*,
ALL REGARDING BENTON COUNTY EMPLOYMENT POLICY**

WHEREAS, pursuant to Arkansas law, the Quorum Court's legislative power expressly includes "any legislative authority with regard to employee policy and practices of a general nature,

**NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE
COUNTY OF BENTON, STATE OF ARKANSAS:**

ARTICLE 1. That the *Code of Ordinances of Benton County, Arkansas* and the current handbook for Benton County employees established by Ordinance 2008-26 is amended as provided in the attached one page document titled "Employee Policy Manual Changes" with underlined language to be added and lined through language to be deleted from the indicated sections. To the extent not revised by the attached document, the provisions of the *Code of Ordinances* and handbook shall remain unchanged from the language in effect immediately before adoption of this ordinance.

ARTICLE 2. This ordinance is not intended to create a contract with any employee of Benton County. Benton County remains an "at will" employer, as that term is understood in Arkansas law.

APPROVED:

ROBERT CLINARD, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

TENA O'BRIEN, COUNTY CLERK

SPONSOR: JP Shirley Sandlin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: _____ Present: _____ Absent: _____

i. **HOLIDAYS:**

b. **Holiday Pay:** Employees working in areas that are not closed on holidays; shall receive **8 hours of holiday** pay for the declared holiday in addition to their regular pay, **if they work on the holiday. Employees who work forty (40) hours during a holiday week and do not work the holiday, will have eight (8) hours added to his/her comp bank. Employees will not be allowed to use comp time or vacation time to receive more than his/her normal pay.** Those holiday hours to be paid will be included in that pay period wherein the holiday falls. A paid holiday shall consist of eight (8) paid hours ~~or 1/5 of the average weekly hours, whichever is less,~~ at the employee's normal hourly rate. Part-time employees shall receive holiday pay based on the average number of hours worked during the preceding pay period in which it occurs.

XXIII. INCLEMENT WEATHER:

- a. Employees are expected to work regardless of the weather unless the County Judge declares the County offices officially closed. If the County offices are closed by the County Judge due to inclement weather, employees will be paid for the number of hours the offices were closed. If the County offices are not officially closed, any employee unable to report to work due to inclement weather will be charged vacation, compensatory time or leave without pay for each hour he or she does not report for work. If an elected official closes their office due to inclement weather, the employees may leave and document lost hours as leave without pay or use vacation leave, or compensatory time.
- b. **Anyone employed in the areas of public safety: Sheriff's Office/Jail, CENCOM, and the Juvenile Detention Center, who is scheduled to work during inclement weather, will be expected to report to work his/her normal hours during inclement weather closings, without additional compensation.**
- c. If a non-exempt employee works, at the discretion of the Elected Official, during inclement weather when County buildings are closed, the employee will receive **compensation at a rate of 1.5 times his her normal rate.** ~~normal pay for hours worked, plus additional straight time~~ for hours the County offices were closed.
- d. If the County is closed for a portion of a day, such as with a delayed opening, only those employees scheduled to work will be paid. If the County is closed for an entire day anyone scheduled to work before the next day will be paid according to the emergency closing policy. If you are on pre-scheduled vacation leave or sick leave, you will not be paid for the emergency closing but will receive your leave pay.