

AN ORDINANCE

To amend Section 4-4-16-060 (Military leave) of the Municipal Code of Marietta by allowing City/BLW employees to be paid the difference between their City/BLW salary and their military basic pay if military duty results in a loss in pay for the employee.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, HEREBY ORDAINS:

Section 1. Section 4-4-16-060 (Military leave) Paragraph G (Paid Leaves of Absence) of the City of Marietta, Georgia, Code of Ordinances is hereby amended so that it shall read as follows:

“G. Paid Leaves of Absence.

1. All employees are entitled to leave of absence without loss of pay, leave benefits, or service time on all days which they are engaged in ordered military duty up to a maximum of 18 working days in any one federal fiscal year (October 1 – September 30). A shift of 12 hours or less constitutes one workday for the purposes of this policy. For fire personnel who work a 24-hour shift, a maximum of nine shifts or 216 hours will be allowable for paid military leave during any one federal fiscal year. In the event the Governor declares an emergency and orders any employee to ordered military duty as a member of the National Guard, any such employee, while performing such duty, shall be paid his salary or other compensation as an employee for a period not exceeding 30 days in any one federal fiscal year (October 1 – September 30).

2. Leaves of absence exceeding 18 working days (or 216 hours for fire personnel) in any one federal fiscal year shall be granted for assignment to duty functions of a military character, without pay, but not less in service time. For National Guard members who are ordered by the Governor to perform military duty for a declared emergency, leaves of absence exceeding 30 working days (or 360 hours for fire personnel) in any one federal fiscal year shall be granted, without pay, but not less in service time.

3. Employees will be paid the difference between their city salary and their military basic pay for any or all periods of absence while engaged in the performance of ordered military duty after expiration of the payment periods provided for in paragraphs 1 and 2. Employees must submit proof of military pay to the director of human resources and risk management to justify payment.”

Section 2. It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses

or phrases of this Ordinance.

Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: June 8, 2016 _____

APPROVED:

R. Steve Tumlin, Jr.
R. Steve Tumlin, Mayor

ATTEST:

Stephanie Guy
Stephanie Guy, City Clerk

Approved as to Form:

D. Haynie
Douglas R. Haynie, City Attorney