

RESOLUTION NO. 38-08-09

A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN OF LAKE PARK HANDBOOK OF PROCEDURES FOR EMPLOYEES OF THE TOWN OF LAKE PARK BY PROVIDING A COMPENSATION POLICY FOR EXEMPT EMPLOYEES DURING A STATE OF EMERGENCY; PROVIDING THAT CONFLICTING RESOLUTIONS ARE REPEALED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has previously adopted general provisions pertaining to personnel rules and regulations which are set forth in the "Town of Lake Park Handbook of Procedures for Employees of the Town of Lake Park" (hereinafter referred to as the "Employee Handbook"); and

WHEREAS, Town staff has recommended to the Town Commission that the Employee Handbook be updated at the present time to provide for additional policies and principles pertaining to the administration of Town employees and personnel during declared emergencies; and

WHEREAS, the Town Commission recognizes that periodic adjustments must be made to the Employee Handbook in order to keep the Employee Handbook current and consistent with state and federal labor and employment law requirements, as well as policies, procedures, guidelines, rules, and regulations, established by the Town on a local level for Town employees; and

WHEREAS, the Town Commission has determined that it is in the best interest of the public health, safety and general welfare to amend the Employee Handbook at this time as recommended by Town staff to update the policies, procedures, guidelines, rules, and regulations set forth in the updated edition of the Employee Handbook (April 2009 edition).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The Town of Lake Park Employee Handbook as set forth in Resolution No. 12-04-09 and as amended from time to time; is further amended to provide a compensation policy for exempt employees during a state of emergency as follows:

After the Town declares a state of emergency, any exempt non-bargaining unit employee designated by the Town Manager as essential for the purpose of effecting the Town's recovery from the disaster shall be paid at his or her normal hourly rate of pay for all hours worked in excess of his or her normal work day. This shall continue until the Town Manager no longer designates the employee as essential for disaster recovery.

It will be the responsibility of the exempt employee to document his or her actual hours worked on his or her timecard. Any questions involving the hours eligible for compensation will be decided by the Town Manager, whose decision shall be final and unchallengeable.

Section 2. All resolutions or parts of resolutions in conflict with this Resolution are repealed.

Section 3. This Resolution shall take effect immediately upon its passage.

The foregoing Resolution was offered by Vice-Mayor Carey, who moved its adoption. The motion was seconded by Commissioner Rumsey and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	___
VICE-MAYOR JEFF CAREY	<u>/</u>	___
COMMISSIONER ED DALY	<u>/</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	___
COMMISSIONER KENDALL RUMSEY	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 38-08-09 duly passed and adopted this 19 day of August, 2009.

TOWN OF LAKE PARK, FLORIDA

BY: Desca Dubois
DESCA DUBOIS
MAYOR

ATTEST:

Vivian M. Lemley
VIVIAN M. LEMLEY
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY