



RESOLUTION 2022-004

A RESOLUTION ADOPTING CITY OF ANTHONY EMPLOYEES HANDBOOK AMENDMENTS.

WHEREAS, the City utilizes the Employee Handbook (as amended through January 20, 2021) (hereinafter, the "Employee Handbook") for use by its employees and;

WHEREAS, the City Manager has recommended changes to the Employee Handbook;

WHEREAS, proposed changes to the Employee Handbook were discussed and reviewed by the City Attorney, City clerk, and the Board of Trustees;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE CITY OF ANTHONY, NEW MEXICO HEREBY RESOLVES:

- 1) That **Section 5:4 Call- Back Pay** and **Section 5:4 (A) On-Call Pay**, attached hereto as **Appendix A**, is incorporated into the Employee Handbook.
- 2) The effective date of the changes shall be February 02, 2022.
- 3) The City Manager has the authority to interpret the Employee Handbook to effectively and efficiently manage the daily operation of the City.
- 4) The current version of Section 5:4 in the Employee Handbook is hereby repealed and replaced by the language found in Appendix A.

PASSED, APPROVED, AND ADOPTED THIS 02nd DAY OF FEBRUARY 2022.



Diana M. Trujillo
Diana M. Trujillo, Mayor

{SEAL}

ATTEST:

Esther Motongo
Esther Motongo, CMC- City Clerk

ROLL CALL VOTE:

Mayor Pro Tem, Elva Flores	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Trustee Javier Silva	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Trustee Daniel Barreras	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Trustee Gabriel Holguin	<input checked="" type="radio"/> YES	<input type="radio"/> NO

Elva Flores
Javier Silva
Daniel Barreras
Gabriel Holguin



Appendix A

Section 5:4 Call- Back Pay

If an employee is called back to work after leaving for the day, and is not on-call, the employee will receive a minimum of two (2) hours of compensation for each instance requiring a return to the job site. Exempt (salaried) employees are not eligible for call-back pay.

- A. Call-back occurs when an employee is off duty and not on-call and is notified unexpectedly to return to work due to unforeseen circumstances.
- B. Authorized call-back shall be compensated at one and one-half (1 ½) times the non-exempt employee's hourly rate from the time the employee is notified until the employee has completed the unexpected work and/or has returned home or to the place where he/she received the call.
- C. Call-back pay does not include an employee being called in to cover another employee's absence unless the employee called back has already worked that day. It also does not include the situation when the time worked immediately follows or precedes regular time; in that case, overtime may apply.
- D. There is no additional compensation for exempt employees who are called back to work.

Section 5:4 (A) On-Call Pay

This section applies to employees who are placed on on-call status by their supervisors. "On call" for purposes of this policy means that an employee is allowed to leave the workplace and engage in personal pursuits, but is required to be available and prepared to return to work upon the request of their supervisor. -

- a) Employees who are placed on call shall receive \$15 per 24-hour period during which they are on on-call status.
- b) If an employee is on call and is called into work, the time worked shall be calculated at the employee's regular rate of pay unless the employee has already worked enough total hours to qualify for overtime.
- c) Hours spent on call are generally not considered "hours worked" and will not be counted toward an employee's overtime.
- d) Emergency call-backs that occur during paid holiday leave will be considered overtime. Justification must be provided to the department head to validate that the call-back is an emergency and attached to the relevant timesheet packet.
- e) Employees who are on call must adhere to all city policies, including the drug use policy.