

ORDINANCE NO. 1075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS; AMENDING THE CITY OF STAFFORD PERSONNEL POLICIES AND PROCEDURES MANUAL, BY ADDING SECTION II. (5) THERETO; AND PROVIDING FOR SEVERABILITY.

\* \* \* \* \*

**WHEREAS**, the City wishes establish a fourteen day work period for non-exempt, full-time, paid, Police Patrol Officers, pursuant to the Federal Fair Labor Standards Act and Chapter 142.0015 of the Texas Local Government Code; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS:**

**Section 1.** That all of the recitals and preambles hereinabove stated are found to be true and correct and incorporated herein and made a part of this ordinance.

**Section 2.** That the category of "Patrol Officers" is defined as consisting of those non-exempt, full-time, paid, Police Officers and Sergeants, who work patrol and are regularly assigned to 12 hour shifts.

**Section 3.** That the following City Personnel Policy amendments are made to conform to this change in the work period established for "Patrol Officers."

**Section 4.** That a majority of police officers working for the City of Stafford have signed a written waiver of the prohibition against officers working more than 40 hours in a calendar week found in Local Government Code Section 142.0015(f).

**Section 5.** That the City Council finds that SECTION II of the Stafford Personnel Policy Manual should be revised to read as follows:

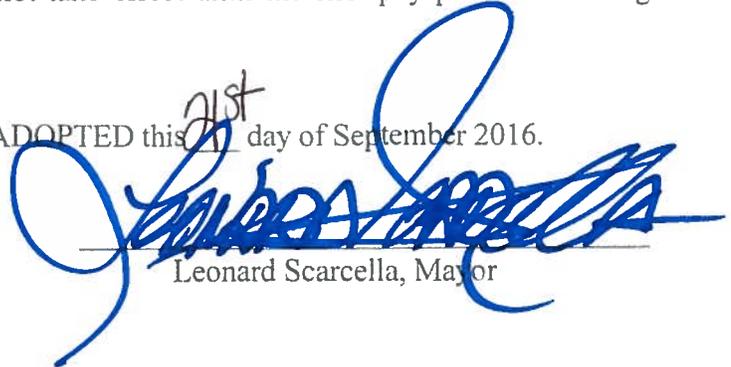
“5. Non-exempt, Full-Time, Paid, Police Patrol Officers. The work period for non-exempt full-time, paid Police Patrol Officers (hereinafter referred to as “Patrol Officers”), shall be a 14-day period beginning Sunday at 00:00 and ending at 11:59pm Saturday. The usually scheduled number of hours in a work period shall be 80 for Patrol Officers. Patrol Officers will work regular 12 hours shifts and overtime will be paid for hours greater than 80 during the 14-day pay period. Such overtime will be paid in the next pay period after being earned.

**Section 6.** That all other policies and ordinances of the City that are in conflict with the changes made herein are amended to the extent necessary to comply with the provision for this Patrol Officer work period.

**Section 7.** In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Stafford, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

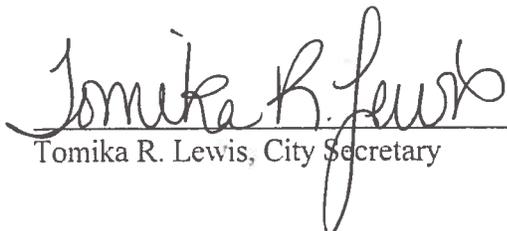
**Section 8.** This amendment shall not take effect until the first pay period following October 1, 2016.

PASSED, APPROVED, AND ADOPTED this <sup>21st</sup> day of September 2016.



Leonard Scarcella, Mayor

ATTEST:



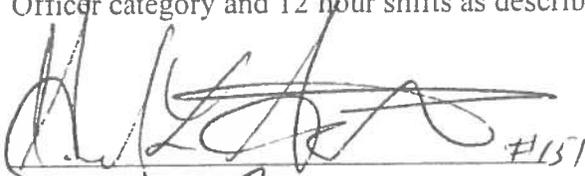
Tomika R. Lewis, City Secretary

WRITTEN WAIVER OF OVERTIME LIMITS IMPOSED BY  
TEXAS LOCAL GOVERNMENT CODE SECTION 142.0015(f)

*If you are in agreement with the following statements please sign and date below.*

I am currently employed as a Police Officer by the City of Stafford, Texas. I understand that the City is implementing a new twelve hour shift for "Patrol Officers" consisting of those non-exempt, full-time, paid, Police Officers and Sergeants, who will work patrol and will be regularly assigned to 12 hour shifts. I understand that the "Patrol Officer" category will not include other classified police officers who do not fit the definition of "Patrol Officer." I understand that Patrol Officers will be assigned to a 14-day work period and that they will be paid overtime for those hours worked beyond 80 in the 14-day period as opposed to a normal 7 day, 40 hour workweek.

I hereby agree to waive the requirements of Texas Local Government Code 142.0015(f) for the purpose of allowing the City of Stafford to implement the Patrol Officer category and 12 hour shifts as described above.

 #151

Will R #215

Rafael #216

Herman Julian Love #214

M. P. #185

Dan Jones #188

GERARD CARTWRIGHT #151

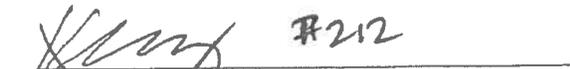
WILLIAM J. PENNER #215

Rafael Guzman #216

Aurora Juliana Love

Mark Eli Puente #185

DAN R. JONES, # #188

 #212

 #213

Xchitt Endsley #212

Samir Bidani #213

[Signature] #176

C. House #131

[Signature] #209

[Signature] #191

[Signature] #205

John Butler

Stanley Lewis #108

Ronald Bright

[Signature]

[Signature] #193

[Signature]

[Signature]

[Signature]

[Signature] #208

[Signature]

[Signature]

P. King (by phone LT. H. GARCIA)

BRIAN MEYER #176

C. House #131

MARIA DAISY MOLINA #209

Richard E. Brasuch #191

Jason P. Valdez

[Signature]

Stanley Lewis #108

Reginaud Bright #142

RYAN A. WARD #166

DAVID ROMERO #193

Karla Hughes #203

E'shli Webber #204

Jasmine Perry #199

Enrique Alvarado #208

Nathan Cohn #195

Jacob Hobbs #209