

RESOLUTION 1369

WHEREAS, it has been determined that the City of Lexington is covered by the provisions of the Fair Labor Standards Act and is required to abide by the regulations promulgated thereunder;

WHEREAS, the City of Lexington desires to make positive declarations pertaining to all employees.

BE IT RESOLVED by the President and Council of the City of Lexington as follows:

1. The work period for all municipal employees shall be as follows:

a. All non-exempt employees (except police personnel and administrative, professional, and executive personnel). The work period shall be seven days and forty (40) hours within the seven-day period.

b. Police personnel (referred to as modified over-time exemption employees). The work period shall be twenty-eight days and two hundred and forty (240) hours within the twenty-eight day period.

c. The following job classifications shall be exempt under the administrative, professional, and executive exemptions from both the minimum wage and maximum hours provisions:

City Manager;  
Manager of Utilities;  
City Engineer  
Engineering Assistant I;  
Director of Parks and Recreation and  
Environmental Health;  
Director of Community Services;  
Business Manager;  
Police Chief;  
City Clerk-Treasurer;  
Senior Citizens Center Coordinator; and  
City Attorney.

2. The following general provisions are hereby declared to apply to all employees (including police personnel and administrative, professional, and executive personnel):

a. The pay period shall start on Tuesday, at 5:00 p.m. and end on the following Tuesday at 5:00 p.m.

b. The pay day shall be on a bi-weekly basis with twenty-six (26) pay periods per year.

c. Paychecks normally will be issued on Wednesday.

3. All non-exempt employees (including police personnel and excluding administrative, professional, and executive personnel) shall be put on an hourly basis.

4. It is hereby declared that "trading time" shall be recognized only for police personnel if:

a. It is voluntary;

b. It is at the employee's request and not the City's;

c. It is not because of the City's business operation but because of the employee's desire or need to attend to personal matters;

d. Records are maintained by the City of all time traded by its employees; and,

e. The period during which time is traded and paid back does not extend beyond the calendar year.

5. Compensatory time shall no longer be allowed by the City of Lexington for its employees.

6. All provisions of this Resolution shall become effective after its passage, approval, and publication as provided by law, except that the effective date of the change in the starting time of the pay period and the bi-weekly pay day shall be December 31, 1974, at 5:00 p.m.

7. The volunteer fire department of the City of Lexington is excluded from the provision of the FLSA Regulations on Police and Fire-fighters and the application of this Resolution.

Passed and approved this 23rd day of December, 1974.

Chas. Wightman  
President of the Council

ATTEST

Norris L. Warren  
City Clerk

(S E A L)