

ORDINANCE 21-01

AN ORDINANCE TO AMEND AND RATIFY THE PERSONNEL POLICY MANUAL OF THE TOWN OF MILLVILLE, DELAWARE.

WHEREAS, Section 31(B) of the Charter of the Town of Millville provides:

The Town Council may adopt, alter and amend all such ordinances, regulations, resolutions and rules not contrary to the Constitution and Laws of the United States and the State of Delaware as the Town Council may deem necessary to carry into effect any of the provisions of this Charter or any federal or state law relating generally to municipal corporations or which may be deemed proper and necessary for the order, protection and good government of the town; and

WHEREAS, Section 19(e) of the Charter of the Town of Millville provides:

The Town Manager shall be responsible to the Town Council of Millville for the proper administration of the affairs of the Town placed in his or her charge and to that end, he or she shall have the power to make such appointment and to hire such employees at such compensations as the Town Council, by Resolution, shall determine, subject to such rules and regulations as may be adopted by the Town Council; and

WHEREAS, the Mayor and Council have previously approved the Personnel Policy Manual of the Town of Millville, Delaware (“the Manual”), with periodic updates and amendments; and

WHEREAS, the Manual expressly provides for “comp time” for non-exempt employees in keeping with the under the Fair Labor Standards Act (“FLSA”); and

WHEREAS, the Town Manager has proposed updating the Manual to reflect the Town’s longstanding practice of providing flexibility in the hours worked by employees deemed exempt under the FLSA, so that those employees can focus their work hours on times of the most need;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Town Council for the Town of Millville, Sussex County, Delaware, having duly met and a majority thereof concurring herein, that the language in the Personnel Policy Manual of the Town of Millville, Delaware, hereby be amended and incorporated as shown on the attached, with **additions shown in black bold and underlined** and ~~deletions in black bold and strikethrough~~.

BE IT FURTHER ORDAINED, that the Table of Contents of the Manual be amended and updated.

BE IT FURTHER ORDAINED, that the unamended remainder of the Manual be ratified.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY, DELAWARE, ON THIS 12TH DAY OF MAY, 2020.

SEAL:



ATTESTED:

Matthew Thomas Amerling

Steve Maneri

STEVE MANERI, MAYOR

Barbara Ryer

BARBARA RYER, SECRETARY

SYNOPSIS

This ordinance updates the Town's Personnel Policy Manual to expressly provide for the Town's practice of permitting employees exempt under FLSA to use "flextime" within certain parameters. The Town has done so for approximately ten years.