

CITY OF BLOOMFIELD, NEW MEXICO  
Adoption of Ordinance

The City of Bloomfield, New Mexico, hereby adopts Ordinance No. 483 at the scheduled City Council meeting on Wednesday, October 9, 2019, at 6:00pm at 915 N First Street, Bloomfield, New Mexico.

**ORDINANCE NO. 483**

**AN ORDINANCE AMENDING ORDINANCE NO. 429, DATED MAY 26, 2009, AND ORDINANCE NO. 473, RELATING TO ADOPTION OF THE CITY OF BLOOMFIELD EMPLOYEE HANDBOOK.**

WHEREAS, according to Section 3 of Ordinance No. 429, all amendments to the City of Bloomfield Employee Handbook must be made via amendments adopted by ordinance;

WHEREAS, the City of Bloomfield desires to amend the City of Bloomfield Employee Handbook by deleting the entirety of Section 6.9 “Call-Back and Standby Pay” and replacing said Section 6.9 with the following revised “Call-Back and Standby Pay” policy;

WHEREAS, the City intends that all other aspect of Ordinance No. 429 and the City of Bloomfield Employee Handbook remain unaltered and in full for and effect.

**THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BLOOMFIELD THAT THE FOLLOWING CALL-BACK AND STANDBY PAY POLICY BE IN FULL FORCE AND EFFECT UPON ADOPTION OF THIS ORDINANCE:**

**Policy:**

**6.9 Call Back and Standby Pay**

1. Policy

Non-exempt employees who are required to be on-call or on standby and who make their time after hours available for City service will be paid as provided by FLSA. Employees who are free to use their off time as they please, not required to remain on City premises but required to be reached by phone or pager, the time while on-call is not considered to be working time. The employee is not entitled to additional wages or an overtime premium by virtue of being on-call, waiting to be “paged” or “called” to come to work. Payment for Call-Back, On-Call and Back-up assignments is defined and illustrated below.

2. Definitions

a) Call Back Pay:

Non-exempt employees who are called back after having completed a prescribed workday will be paid for additional hours worked at the overtime rate, notwithstanding the forty (40) hour workweek definition. Also, employees

who are called back and are dismissed by the management before working two (2) hours will be paid for a minimum of two (2) hours.

b) On-Call (Primary) Pay:

Non-exempt employees who are required to work rotating assignments that require the employee respond on short notice (*or to respond with 30 minutes*), and be fully capable, *shall receive one-hour base pay for each day on-call.*

c) On-Call (Secondary) Pay:

Non-exempt employees who are required to work rotating assignments that require the employee to leave word where they may be reached, and be fully capable, *shall receive one-hour base pay for each day on-call.*

d) On-Call (Primary) Pay for Police Detectives & K-9 Officers per FLSA:

Non-exempt employees who are required to work assignments that require the employee to respond on short notice or leave word where they may be reached, and be fully capable, shall receive one-hour base pay for each day on-call or standby

e) On-Call (Primary) Pay for Fire Investigators and Inspectors per FLSA.

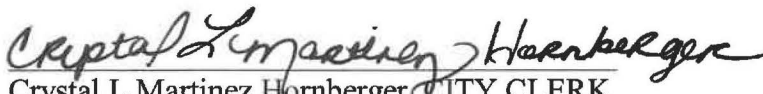
Non-exempt employees who are required to work assignments that require the employee to respond on short notice and be fully capable, shall receive one-hour base pay for each day on-call or standby.

f) If the additional worked hours (worksite) exceed the 40-hour workweek, overtime rates would apply for time beyond 40 hours.

Passed, Approved, Signed and Adopted this 9 day of October, 2019.

  
Cynthia Atencio, MAYOR

ATTEST:

  
Crystal L. Martinez Hornberger, CITY CLERK  
(SEAL)

