



Legislation Details (With Text)

File #: Ord 11-48 **Version:** 2
Type: Ordinance **Status:** Passed
In control: City Council
Final action: 5/25/2011

Title: Amending Chapter 38 of the Administrative Code by deleting Sec. 38.07(b) in its entirety for the purpose of allowing the City the option to negotiate when severance payments are made to employees who are represented by bargaining units and are due severance upon separation from the City.

Sponsors: Kathy Lantry

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/31/2011	2	Mayor's Office	Signed	
5/25/2011	2	City Council	Adopted	Pass
5/18/2011	2	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
5/11/2011	2	City Council	Laid Over to Third Reading/Public Hearing	
5/4/2011	2	City Council	Laid Over to Second Reading	

Amending Chapter 38 of the Administrative Code by deleting Sec. 38.07(b) in its entirety for the purpose of allowing the City the option to negotiate when severance payments are made to employees who are represented by bargaining units and are due severance upon separation from the City.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1.

Section 38.07 of the Saint Paul Administrative Code is hereby amended to read as follows:

Sec. 38.07. Deferred installments; lump sum payment upon death; exception of certain employees; joint tenancy.

(a) The City of Saint Paul hereby reserves the right to defer its payment of any severance pay hereunder on account of any such separation from employment service occurring in the year 1959 until January 20, 1960. The term "unclassified exempt service employee" or equivalent term used hereinabove shall, in each case, be deemed to designate any employee of said city other than an employee in the classified civil service of said city and other than an elected city official.

~~(b) No payment of any severance pay hereunder on account of any such separation from employment service occurring in the year 1960 or in any subsequent year shall be made prior to February 20 of the following year; and the separated employee shall have the option to request that the city make either one (1) lump sum payment or in the alternative make payment in five (5) equal annual installments. In each case where such deferred annual installment payment plan shall be elected, provision shall be made that death of any payee separated employee before complete payment of amount scheduled to be paid as and for severance pay hereunder to him or her shall accelerate the payment of the unpaid balance thereof which shall be made on the following scheduled installment date. No deferred installment of severance pay shall bear any interest, and in no case shall said city be or become obligated to pay any interest on any part of any~~

~~severance pay hereby authorized, whether scheduled for deferred installment payments or otherwise. Nevertheless, and despite any foregoing contrary provision, when any such employee's separation from the city's employment service shall be caused by his or her death, any resultant severance pay claim hereunder shall be paid in one (1) lump sum not later than February 20 of the year next succeeding such death.~~

~~(e) (b)~~ Despite any contrary provision hereinabove or hereafter contained, any such classified civil service or unclassified exempt service employee not regularly employed by said city at least twenty (20) hours per week for at least twelve (12) weeks per year shall be ineligible to either claim or receive any severance pay hereunder and shall be deemed excepted from provision of this ordinance.

~~(d) (c)~~ The City of Saint Paul hereby authorizes any former city employee who is entitled to or who may become entitled to payment of any severance pay pursuant to the provisions of this severance pay ordinance of the City of Saint Paul, at the time of separation from city employment or at any time subsequent thereto, to establish with reference to moneys due or to become due under the terms and provisions of said severance pay ordinance a joint tenancy and joint tenancy account so that the money due under the provisions of this ordinance may be payable to such former employee and any other person or persons designated in a joint tenancy and joint tenancy account agreement a joint tenants and not as tenants in common, which joint tenancy agreement shall be filed in the department of finance and management services. Such joint tenancy and joint tenancy account agreement shall be in a form prepared or approved by the city attorney of the City of Saint Paul.

~~(d) Any collective bargaining agreement provisions that are contrary to or in conflict with this Section shall supersede this Section.~~

Section 2.

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.