

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0612
COMMITTEE OF REFERENCE:
Government & Finance

A BILL

For an ordinance amending Section 18-164 of the Revised Municipal Code, eliminating the sunset provision for the military pay differential provided to eligible career service employees and members of the classified service.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 18-164 of Division 5, Military Leave and Pay Differential, of Article V, Leave and Holidays, of Chapter 18, Employee and Officer Pay and Benefits, of the Revised Municipal Code, is hereby amended by deleting the language stricken, to read as follows:

Sec. 18-164. Military pay differential.

(a) Employees in the career service and members of the classified service of the police and fire departments called to active military duty in time of war or national emergency are eligible for a military pay differential.

(b) The military pay differential is a benefit and not an entitlement, and applies only to employees in the career service and members of the classified service of the police and fire departments who are uniformed service members and who are called to active duty with written orders for military service exceeding one hundred seventy-nine (179) days in time of war or national emergency, and who are actually engaged in active military duty after December 31, 2005. A uniformed service member is defined as any member of the Army, Navy, Marines, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve, Army National Guard and the Air National Guard.

(c) The military pay differential shall consist of the difference between the total compensation received by the employee while engaged in active military service and the amount of base salary the employee would have earned from the city had the employee not been called to active duty. In no event shall the military pay differential, coupled with the employee's military compensation, exceed the base salary the employee would have received had the employee not been called to active duty and remained in his or her position of employment with the city.

1 (d) The manager of safety and the career service board shall establish written policies and
2 procedures for administration of the military pay differential. The city attorney shall approve these
3 policies and procedures prior to implementation.

4 ~~(e) This section 18-164 is automatically repealed at 11:59 p.m. on December 31, 2012.~~

5
6 CONSENT AGENDA: September 12, 2013
7 MAYOR-COUNCIL DATE: September 17, 2013

8 PASSED BY THE COUNCIL _____ 2013
9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____ 2013

11 ATTEST: _____ - CLERK AND RECORDER
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER
14

15 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2013; _____ 2013

16 PREPARED BY: Robert D. Nespor, Assistant City Attorney, September 17, 2013

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §
20 3.2.6 of the Charter.
21

22 Douglas J. Friednash, City Attorney
23 BY: _____, Assistant City Attorney
24 DATE: _____