



Legislation Details (With Text)

**File #:** [22-0641]      **Version:** 1      **Name:**  
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**File created:** 8/17/2022      **In control:** Town Council  
**On agenda:** 9/14/2022      **Final action:** 9/14/2022  
**Title:** Amend the Personnel Ordinance to Add Time Limited to Categories of Town Positions and Related Employee Benefits.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. AN ORDINANCE TO AMEND THE PERSONNEL ORDINANCE TO ADD TIME LIMITED TO CATEGORIES OF TOWN POSITIONS AND RELATED EMPLOYEE BENEFITS. (2022-09-14/O-3)

Date	Ver.	Action By	Action	Result
9/14/2022	1	Town Council	adopted	Pass

**Amend the Personnel Ordinance to Add Time Limited to Categories of Town Positions and Related Employee Benefits.**

**Staff:**

Cliff Turner, Director  
Amy Oland, Director

**Department:**

Human Resources  
Business Management

**Overview:**

The Town Ordinance allows for two categories of positions, regular and temporary. We recommend amending the Ordinance to add positions that are defined as time limited. Time limited positions would be full-time positions created to hire employees to work for up to 36 months on special projects with temporary funding from a variety of sources such as grants, Town funds, State funds, etc.), for up to, but not to exceed more than 36 months.

These employees would have the same benefits, rights, and privileges as full-time employees.

★ **Recommendation(s):**

That the Council amend the Town Code to add Time Limited positions to categories of position types and related employee benefits.

**Additional Background:**

- The State of North Carolina has time limited positions that have an established period of funding and need for under 3 years.
- To competitively recruit and hire employees for time limited positions, we propose to provide full-time benefits for these positions.
- Time limited positions would be different than the Town’s temporary positions, which are program support, seasonal and internships. Temporary positions work either less than 20 hours a week, for a defined period like summer or a semester or for a specific project period. Also, due to NC Local Government Retirement regulations, a temporary employee cannot work longer than 1000 hours in

- a 12 -month period without enrolling in the retirement system.
- In addition, Affordable Care Act regulations require that we enroll employees on our Health Insurance once they have worked 12 months in a full -time capacity.

**Fiscal Impact/Resources:**

There is no financial impact associated with amending the Town Ordinance.



**Attachments:**

- Ordinance

**AN ORDINANCE TO AMEND THE PERSONNEL ORDINANCE TO ADD TIME LIMITED TO CATEGORIES OF TOWN POSITIONS AND RELATED EMPLOYEE BENEFITS. (2022-09-14/O-3)**

WHEREAS, the Town needs additional flexibility in our position types to add positions that are time limited due to funding from sources like grants; and

WHEREAS, regulations require employees working greater than 1000 hours per 12-month period to receive retirement and health care benefits.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

**Section 1.** Chapter 14, Article II, Section 14-12.

**"Sec. 14-12. - Categories of positions defined.**

There are two ~~(2)~~ three (3) categories of town positions, regular, time limited and temporary.

( [Ord. No. 2014-09-08/O-8, § 1](#)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>)"

**Section 2.** Chapter 14, Article VII. Section 14-53. **"Sec. 14-53. - Group medical insurance.**

*Full-time regular and Time Limited employees.* The town will provide full-time and time limited employees group medical insurance including family coverage. Employees and the town will share equally in the additional cost of the base plan for dependent coverage if employees desire to purchase such coverage for family members.

*Part-time regular employees.* Part-time employees may, if they so desire, purchase group medical insurance through the town, either for themselves ~~of~~ or for themselves and their families.

Where assigned part-time hours are equivalent to fifty (50) to seventy-four (74) percent of a full-time position, (but not less than twenty hours per average workweek) a proportional amount of the additional cost for dependent coverage.

Where part-time hours are equivalent to seventy-five (75) percent or more of a full-time position, the town will pay a proportional amount of the additional cost for dependent coverage.

*Notification.* Information concerning the cost and benefits of the group medical insurance program shall be available to all employees through the human resources department. No changes will be made in the cost, benefits, or coverage of the program without prior notification to all covered employees.

*Town council.* Members of the town council are eligible to participate in the group medical insurance program on the same basis as full-time employees. Eligibility for participation in this coverage shall cease with the expiration of the term of office.

( [Ord. No. 2014-09-08/O-8, § 1](#)

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**Section 3.** Chapter 14, Article VII. Section 14-56 through 14-58

**“Sec. 14-56. - Group life insurance.**

The town will pay the cost of group life insurance for each individual full-time, time limited and part-time regular employee based on salary. Employees may elect to insure other members of their family or to purchase additional coverage under this plan at their expense.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

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**Sec. 14-57. - Group disability insurance.**

The town will pay the cost of disability insurance for each individual full-time, time limited and part-time regular employee based on salary.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>)

**Sec. 14-58. - North Carolina Local Governmental Employees' Retirement System.**

An employee hired as an employee in a regular or a time limited position of twenty (20) or more hours per week or one thousand twenty (1,020) hours per year shall join the North Carolina Local Governmental Employees' Retirement System upon employment.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>”

**Section 4.** Chapter 14, Article VIII. Section 14-66, and Section 14-67,

**“Sec. 14-66. - Policy.**

The policy of the town is to provide annual leave, sick leave, and holiday leave to all full-time, time limited and part-time regular employees in positions with work schedules of twenty (20) or more hours per week or one thousand twenty (1,020) hours per year, and to provide proportionately equivalent amounts to regular employees having average work weeks of different lengths. Paid leave and paid holidays are not provided to temporary employees. The provisions of this article shall apply to the town manager and the town attorney except as modified by contract.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

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**Sec. 14-67. - Annual leave rate.**

Each full-time, time limited and part-time employee of the town shall accrue annual leave based on the cumulative town service in regular positions, based on the following schedule approved by the town council.

Employees in regular positions shall accumulate annual leave in a manner prescribed by town policy.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>”)”

**Section 5.** Chapter 14, Article VIII. Section 14-72 through Section 14-74.

**“Sec. 14-72. - Payment of accumulated leave upon termination.**

A regular or time limited employee shall be paid for accrued annual leave following the date of separation not to exceed thirty (30) work-week equivalent days, provided notice is given to the immediate supervisor at least two (2) weeks in advance of the effective date of the resignation. The town manager, deputy town manager, assistant town managers, and department heads shall be required to give thirty (30) days notice prior to the effective date of resignation. Any employee failing to give the notice required by this section shall forfeit payment for accrued leave except as modified by contract.

( [Ord. No. 2014-09-08/O-8, § 1](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>)

**Sec. 14-73. - Payment of accrued leave upon death.**

If a regular or a time limited employee dies while in the service of the town, all unused annual leave and accumulated holiday leave in the deceased employee's credit will be issued with the final paycheck. The town will comply with North Carolina State law in matters of estate.

( [Ord. No. 2014-09-08/O-8, § 1](#)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>)

**Sec. 14-74. - Sick leave policy.**

Sick leave with pay shall be granted to a regular or time limited employee for use when sick or for illness in the employee's immediate family (including an employee's domestic partner as defined in [Section 1-2](#) [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_CH1GEPR\\_S1-2DERUCO](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH1GEPR_S1-2DERUCO)) of the Town Code and the domestic partner's children) is sick and requires the care of the employee.

( [Ord. No. 2014-09-08/O-8, § 1](#)

[https://library.municode.com/nc/chapel\\_hill/ordinances/code\\_of\\_ordinances?nodeId=698970](https://library.municode.com/nc/chapel_hill/ordinances/code_of_ordinances?nodeId=698970)>)"

**Section 6.** This Ordinance is effective upon enactment.

This the 14<sup>th</sup> day of September 2022.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By enacting the ordinance, the Council amends the Personnel Ordinance to add Time Limited to categories of Town Positions and related employee benefits.