CITY of ALBUQUERQUE TWENTY SECOND COUNCIL

ENACTMENT NO. 0.2017.022 COUNCIL BILL NO. 0-17-43 SPONSORED BY: Don Harris and Ken Sanchez 1 **ORDINANCE** 2 AMENDING THE MERIT SYSTEM; PERSONNEL POLICY ORDINANCE TO 3 FORMALIZE MILITARY LEAVE BENEFITS FOR POLICE OFFICERS AND FIRE 4 FIGHTERS. BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF 5 6 **ALBUQUERQUE:** SECTION 1. That Section 3-1-16 (C) ROA 1994 is hereby amended as 7 8 follows: "§ 3-1-16 (C) Military leave with pay will be authorized for permanent 9 employees who are members of the National Guard or Air National Guard of 10 11 New Mexico or any organized reserve unit of the armed forces of the United Bracketed/Strikethrough Material] - Deletion Bracketed/Underscored Material] - New 12 States, including the Public Health Service, for a period not to exceed 15 working days in each federal fiscal year which begins October 1, in addition to 13 other authorized leave, when they are ordered to active duty training with such 14 units. Permanent employees who are members of an unorganized reserve 15 component may be granted military leave not to exceed 15 working days in 16 each federal fiscal year which begins October 1, for the purpose of attending 17 18 organized courses of instruction or training periods authorized such personnel. Permanent employees called to active military duty in emergencies 19 declared by the Governor or the President for short periods of time not to 20 21 exceed 15 days may be granted military leave. 22 Military leave with pay will be authorized for public safety employees covered 23 under the respective collective bargaining agreements for a period not to exceed 420 hours for sworn, full-time police officers and full-time prisoner 24 transport officers, and 528 hours for sworn, full-time firefighters per calendar 25

year. To receive military leave benefits, an employee must file orders or a

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letter from their military commander containing the details of the leave with
 the City Human Resources Department, and their respective payroll
 department(s)."

SECTION 2. PROSPECTIVE APPLICATION. The amendment adopted herein applies immediately for all the employees identified in Section 1, above, unless such employees are represented by a labor bargaining unit, in which case this amendment will apply only upon the expiration of the existing agreement, or the expiration of the agreement currently under negotiation.

SECTION 3. Section 1 of this ordinance shall amend, be incorporated in and made a part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

	1	PASSED AND ADO	PTED THIS	6 th	DAY OF	September	_, 2017
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	4	Excused: Peña, Winter					
	5	Isaac Benton, President City Council					
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