

ORDINANCE NO. 108 - 2021

AN ORDINANCE AMENDING SECTION 21-27(H) OF THE CODE OF ORDINANCES INCREASING THE HAZARDOUS DUTY SUPPLEMENT FROM FIFTY DOLLARS (\$50.00) PER MONTH TO NINETY DOLLARS (\$90.00) PER MONTH FOR FULL-TIME NON-SWORN EXEMPT AND NONEXEMPT EMPLOYEES MEETING THE HIGH RISK CRITERIA SET FORTH IN THE ORDINANCE, EFFECTIVE DECEMBER 6, 2021.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 21-27(h) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- (h) The director may, with the approval of the chief administrative officer and subject to sufficient funding, authorize a salary supplement of ninety dollars (\$90.00) per month to full time, non-sworn employees holding positions in the classified civil service under the following terms and conditions:
- (1) A full time, non-sworn employee shall be deemed to be in a high risk position when, cumulatively, the majority of the employee's work and duties are performed under conditions which could result in serious illness, severe personal injury or a substantial endangerment to health when exposed to minimally controllable or hazardous conditions, notwithstanding preventative efforts such as training, skills, abilities, protective equipment or engineered controls as required by OSHA.
 - (2) The director, after desk audits of positions identified as having high physical demands or hazardous working conditions in the current position classification system, shall identify those employees whose positions qualify them for the high risk job pay supplement.
 - (3) A position identified as high risk must, for a majority of the employee's work time, either singly or cumulatively, expose the employee to: lifting, carrying, pushing or pulling; heavy equipment; falling; machinery with moving parts; confined spaces; traffic; excavation; ladders or scaffolding; hazardous materials and chemicals; falling objects; or biological or infectious diseases.
 - (4) If a given position is not identified as a high risk position, the employee holding the position may appeal to a committee comprised of the director, the director of the division in which the position is located, the commissioner of the department in which the division is located, and other representatives from the Division of Risk Management and the office of the urban county council. The decision of the appeal committee shall be final.
 - (5) The directors of the divisions in which these positions are identified shall be responsible for tracking employees who qualify for this supplement.

Section 2 – That this Ordinance shall become effective December 6, 2021.

PASSED URBAN COUNTY COUNCIL: October 28, 2021

Linda Gorton

MAYOR

ATTEST:

[Signature]

CLERK OF URBAN COUNTY COUNCIL

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