

C L O S I N G R E S O L U T I O N

BY COUNCIL MEMBER _____ :

WHEREAS, The 2012-2013 Budget provides appropriations to support operations of the City for the period July 1, 2012, through June 30, 2013, including salaries, wages, pension requirements, other employee benefits and other expenses, now therefore be it

1. RESOLVED, That the 2011-2012 Official Compensation Schedule be amended and changes in wages, fringe benefits, and other conditions of employment be applied according to the White Book, 2012-2013 Wage Adjustments, this Resolution, State Law, labor contracts approved by the City Council, and for non-union employees according to recommendations made by the Labor Relations Division of the Human Resources Department and approved by the City Council, or by Executive Order of the Mayor in accordance with Ordinance No. 35-92 and the Circuit Court decision in Case No. 92-22029-AW and otherwise according to the following stipulations and exceptions.

a. Changes be applied to June 30, 2012 Official Compensation Schedule rates as listed in the published 2011-2012 Official Compensation Schedule and that pay rate computations resulting in total cents within a dollar shall be extended to the next higher dollar for salaried employees, and the next higher cent for hourly personnel, provided further that non-union salaried employees whose Official Compensation Schedule minimum and maximum rates are over \$20,000 per year, may, if these rates

fall between even hundred dollar levels, upon recommendation of the Labor Relations Director, have these compensation schedule rates adjusted to the next higher hundred-dollar level.

- b. Unless otherwise specifically provided by action of City Council, the changes shall not apply to elected officials, temporary employees appointed outside of the classified service in special grant operations, or those whose rates of pay are otherwise set by law, contract, or on a per meeting, per call, consultant, or per clinic basis.
- c. Where application of the rate changes cause inequities, the Labor Relations Director may authorize compensating adjustments in pay to employees within the pay range for their classification if requested by the department head, and furthermore shall be authorized to make corrections in the 2012-2013 Official Compensation Schedule as required.
- d. Where percentage adjustments are provided, individuals in classes affected shall generally have their June 30 payroll rates changed by that percentage, provided that by agreement of the department and the Labor Relations Director, adjustments within the range may be stipulated and portions of changes may, for training or other purposes, be provided only by the step increment approach or formula shown in the Official Compensation Schedule.

- e. Adjustments for non-union classifications paid at rates equal to the rates for the same or equivalent union classifications shall remain equivalent during the 2012-2013 fiscal year.
 - f. Where a wage settlement in a labor agreement disrupts a traditional wage relationship with non-union classifications, the Labor Relations Director shall have the authority to recommend to City Council special wage adjustments for the non-union classifications affected.
 - g. Where provisions have been made in the budget for an overall pay adjustment, the Budget Director is authorized to allocate such amounts among appropriations as necessary; and be it further
2. RESOLVED, That employee benefits and retirement provisions for non-union employees shall be in accordance with the City Council Resolution of October 2, 1974, J.C.C., p. 2142; November 16, 1977, J.C.C., p. 2538; August 6, 1980, J.C.C. p. 2057; August 5, 1981, J.C.C., p. 1957; January 6, 1984, J.C.C., p. 45; April 15, 1987, J.C.C., p. 813; November 15, 1989, J.C.C., p. 2627; August 4, 1999, J.C.C.; p. 2375; November 30, 2001, J.C.C. p. 3810; July 30, 2003, J.C.C. p. 2470; September 13, 2006, J.C.C., p. 2341; and February 11, 2010, otherwise as authorized by City Council through the 2012-2013 fiscal year; and be it further
3. RESOLVED, That the Finance Director and the Labor Relations Director continue the administration of salary and prevailing rates according to the rules as listed in the Official

Compensation Schedule, and otherwise according to the City Council Resolution of July 13, 1954, J.C.C., p. 1713; and be it further

4. RESOLVED, That employee benefits contained in this Closing Resolution are permissive rather than mandatory for unionized employees; and be it further

5. RESOLVED, That all contracts covering unionized employees may, upon approval of the Director of Labor Relations, be extended beyond their expiration dates; subject to Sections 4.1 through 4.4 of the Financial Stability Agreement, and be it further

6. RESOLVED, That where no effective date is given in a resolution involving personnel procedures approved by the City Council of the City of Detroit, the effective date shall be the second Wednesday subsequent to passage of the resolution at the regular session, in accordance with the resolution of December 12, 1944, J.C.C., p. 2983; and be it further

7. RESOLVED, That the Finance Director is hereby authorized to honor payrolls for restoration of lost time by City employees as a result of a reduced or reversed suspension or discharge, provided such action is recommended by the Labor Relations Director, and otherwise in accordance with the resolution of March 11, 1969, J.C.C., p. 565; and be it further

8. RESOLVED, That employees be paid for out-of-class work according to negotiated agreements and in the absence of agreements upon recommendation of the department with approval of the Budget Director and the Civil Service Commission and otherwise in accordance with the resolution of September 17, 1968, J.C.C. p. 2269; and be it further

9. RESOLVED, That the program for bonus vacation for non-union uniformed Police personnel based on unused sick leave as set forth in the resolution of July 23, 1968, J.C.C., p. 1817, be and it is hereby extended through the 2012-2013 fiscal year; and be it further

10. RESOLVED, That for inactive titles under the old Police and Fire pension system, changes shall apply proportionately with changes in the active titles according to the City Charter and the J.C.C. resolution of September 9, 1953, p. 2235; and be it further

11. RESOLVED, That rates of pay applied to positions in the 2012-2013 Budget be subject to maintenance charges as approved by the City Council for all employees furnished living accommodations; and be it further

12. RESOLVED, That the Finance Director is hereby authorized to provide reimbursement to employees to the extent that they are subject to additional expense for insurance at commercial rates exclusively by virtue of driving vehicles on City business and otherwise according to the City Council Resolution of November 12, 1968, J.C.C. p. 2728; and be it further

13. RESOLVED, That the Finance Director is hereby authorized to provide reimbursement of certain expenses to persons seeking or accepting employment with the City in accordance with the Resolution adopted by the City Council on February 7, 1996; and be it further

14. RESOLVED, That the Finance Director is hereby authorized to continue honoring payrolls for payment of unused sick leave to retirees, and others who separate from service in the required manner; all according to the City Council resolution of November 8, 1961; J.C.C. p. 2292, and July 20, 1971, p. 1686; August 5, 1981, p. 1957; and July 30, 2003, p. 2470; and be it further

15. RESOLVED, That the Finance Director is hereby authorized to honor payrolls for allied class titles substituted for existing titles according to City Council resolutions of April 28, 1942, and January 9, 1945; and be it further

16. RESOLVED, That overtime credit shall be granted to employees working under the Extra Service title of Election Service Worker for all hours worked under the Extra Service title beyond eight (8) hours in one day; and be it further

17. RESOLVED, That reimbursement of private car mileage for non-union employees is authorized in accordance with the City Council resolution of October 2, 1974, J.C.C. p. 2142 and January 6, 1984, J.C.C. p. 45; August 4, 1999, J.C.C., p. 2375; and July 30, 2003, J.C.C. p. 2740; and September 13, 2006, J.C.C., p. 2341 be it further

18. RESOLVED, That the Labor Relations Director is hereby authorized and directed to amend the Official Compensation Schedule to incorporate changes covering title eliminations, specialties, and substitutions, and code number changes through Human Resources Department action when such changes do not necessitate additional appropriations or base rate changes; and be it further

19. RESOLVED, That the Finance Director is hereby authorized to continue honoring vouchers when presented by the departments involved for the purchase of uniforms as designated by the department and approved by the Labor Relations Director during the 2012-2013 fiscal year for employees with at least 90 days of service working in continuing assignments in the classes of Registered and Public Health Nurses and Medical Technologists, provided that such expenditure shall not exceed \$370 per annum per employee for Medical Technologists and \$370 per annum per employee for Registered and Public Health Nurses or that sum needed to provide such uniforms for the fiscal year, whichever is the least; and be it further

20. RESOLVED, That in addition to the above annual allowance, the Finance Director is hereby authorized to pay an initial uniform allowance of \$370 once only to each new employee in the various Public Health Nurse classes with at least 90 days of service; and be it further

21. RESOLVED, That uniformed Police personnel and uniformed Fire personnel continue to be provided with uniforms and/or allowances and such accessories as provided by the applicable collective bargaining agreements approved by the departments and the Budget Director within appropriations provided therefore; and be it further

22. RESOLVED, That regular City employees with at least 90 days of service working in continuing assignments recommended for consideration by department heads may be reimbursed not to exceed the sum of either \$170 for a clothing allowance or \$350 for a uniform allowance in any fiscal year in accordance with the J.C.C. of June 21, 1966, p. 1908, the J.C.C. of October 2, 1974, p. 2142, and the J.C.C. of July 30, 2003, p. 2470 for expenses arising out of the purchase of necessary protective clothing and accessories as provided by the applicable collective bargaining agreements as recommended by the departments and approved by the Labor Relations Director, provided finally that the above provisions and limitations shall not be applied to duplicate allowances or change existing policy or authorized practices with respect to other assignments or employees; and be it further

23. RESOLVED, That the Finance Director is hereby authorized to provide supplemental pay for the fiscal year as requested by departments for authorized encampments for City employees in the armed forces in accordance with the City Council resolutions of February

13, 1963 J.C.C., p. 344, November 1, 1966, J.C.C., p. 3010; and February 13, 1980, J.C.C. p. 407; with the provision that the City shall not offset military pay and allowances for days the employee is not regularly assigned to work; and be it further

24. RESOLVED, That in the event of a hardship occasioned by an unexpected or untimely separation from service, the Finance Director upon recommendation of the Budget Director and the Labor Relations Director, is hereby authorized to honor lump sum payments from available funds for vacation leave, compensatory time credit, swing holidays and excused time credit, to which an employee is otherwise legally entitled; and be it further

25. RESOLVED, That the Finance Director is hereby authorized to honor payrolls for the induction of employees in classifications designated with Step Code "D" and Step Code "R" at advanced step levels within the pay range according to a formula to be established by the Human Resources Director and approved by the Labor Relations Director; and be it further

26. RESOLVED, That upon request of the department and the recommendation of the Labor Relations Director and Budget Director, the Finance Director be authorized to permit the payment of salaried employees on an hourly basis and hourly employees paid on a salaried basis and to withdraw such permission as requested by the department; and be it further

27. RESOLVED, That the Finance Director is hereby authorized to honor payrolls for employees affected by the change over from standard time to daylight savings time in accordance with the resolutions of April 24, 1973, p. 1073, provided that no overtime shall be paid to any employee affected until they shall actually have worked eight (8) hours; and be it further

28. RESOLVED, That in accordance with the City Council Resolution of February 11, 2010, newly hired non-union employees shall not be eligible for swing holidays; and be it further

29. RESOLVED, That the Finance Director is hereby authorized to pay employees their regular paycheck on the previous Thursday when a holiday is generally observed on Friday and on the preceding Wednesday when both Thursday and Friday of the same work week are holidays and otherwise in accordance with standard payroll procedures; and be it further

30. RESOLVED, That non-union uniform Police and Fire employees entitled to regular holidays under existing ordinances who have been employed for 90 days or more shall be entitled to an additional "swing" holiday, such holiday to be designated by the Fire Commissioner for Fire Fighting personnel assigned to 24-hour shifts; and for Police Personnel, eight (8) hours or one day of regular assignment to be liquidated at a time best suited to the convenience of both the employee and the department head; and be it further

31. RESOLVED, That employees assigned to an overall eight (8) hour day working on their required shift on "excused time" off days shall be credited with four (4) hours of compensatory time for half-days, and eight (8) hours of compensatory time for full days worked; and be it further

32. RESOLVED, That the Finance Director, upon recommendation of the Labor Relations Director is hereby authorized to continue reimbursement of employees for articles damaged in the course of employment according to the City Council resolutions of December 19, 1961, J.C.C., p. 2657, and November 21, 1972, J.C.C. p. 2829 and p. 2855 as implemented by rules established by the Finance Director; and be it further

33. RESOLVED, That contractors hired under titles with pay ranges may receive pay increments within the range in accordance with their contracts with approval of the Finance Director, provided funds are available; and be it further

34. RESOLVED, That the various departments are hereby authorized to hire and pay Special Service employees at any rate within the range based upon formula established by the Human Resources Director, and otherwise according to the resolution of August 20, 1963, J.C.C., p. 2190, with the provision that step increments for these employees may be granted by the department head with the approval of the Human Resources Director and Budget Director in accordance with rules established for general City employees; and be it further

35. RESOLVED, That Special Service employees upon approval of the Labor Relations Director and the Finance Director, be granted fringe benefits in accordance with the Charter, Ordinances, and the City Council resolution of August 23, 1966, J.C.C. p. 2433, provided that City Council reserves the right to adjust wages and fringes for Special Service employees during 2012-2013, and provided further that employees temporarily transferred to Special Service positions from the Regular Service shall continue to receive their regular service fringes; and be it further
36. RESOLVED, That upon interdepartmental transfer of employees, departments may make lump sum payments with supporting documentation within appropriations for unliquidated vacation time in excess of forty days (40), provided that the time cannot be properly liquidated, prior to the following month of August but not later than September 30th. Approval may be granted by the Budget Director and Labor Relations Director; and be it further
37. RESOLVED, That a tuition refund program shall be administered within appropriations provided for this purpose to a maximum of \$2,000 per employee per fiscal year, and otherwise according to rules and regulations of the Civil Service Commission as approved by the Budget Director and the City Council; except that, in accordance with the City Resolution of February 11, 2010, the City's Tuition Refund Program is suspended for the balance of the 2008 – 2012 contract period and there shall be no reimbursement/payment for course work or employment development program ending after December 31, 2009; provided that effective July 1, 2012, employees must have a minimum of three (3) years of

service to qualify for participation in the City's Tuition Refund Program; and be it further

38. RESOLVED, That unless specifically covered by labor contract, when an employee is called to work an unscheduled shift or overtime, he shall receive the overtime for the hours worked or a minimum of four (4) hours on a straight time basis, whichever is greater, and otherwise according to the resolution of the City Council of May 29, 1962, J.C.C., p. 1186; and be it further
39. RESOLVED, That the Finance Director is hereby authorized to provide that employees departing on vacation leave of five (5) days or more shall be granted a pay advance if the vacation extends beyond their next payday, provided a written request is made to the department head or his representative at least five (5) days in advance of the employee's last day of work; and be it further
40. RESOLVED, That City departments are hereby authorized to provide for mailing of paychecks to employees not assigned to work on paydays; provided employees affected direct a written request to their department head or representative by noon two days prior to payday; and be it further
41. RESOLVED, That the Finance Director is hereby authorized to pay \$10,000 to the beneficiaries or estate of employees who are killed or who die as a result of injuries sustained in the actual performance of their duties or who are permanently disabled in the

line of duty and otherwise in accordance with the City Council Resolutions of August 3, 1977, J.C.C. page 1638; and be it further

42. RESOLVED, That the Finance Director is hereby authorized and directed to continue funding for an Eye Care Program for non-union employees in accordance with the City Council Resolution of November 27, 1970, p. 2981; and be it further

43. RESOLVED, That the Finance Director is hereby authorized and directed to continue funding for an Eye Care Program for retirees of the General Retirement System and their spouses in accordance with budget appropriations and administrative practices beginning on July 1, 1973, and as amended effective January 1, 1991, and until such time that it may be amended or terminated by the City Council; and be it further

44. RESOLVED, That the Finance Director is hereby authorized and directed to continue funding for dental coverage for retirees and their spouses in accordance with budget appropriations and administrative practices beginning January 1, 1990, and until such time that it may be amended or terminated by the City Council; and be it further

45. RESOLVED, That apprentices will receive their designated pay increments every six (6) months upon recommendation of the department and approval of the Human Resources Department Training Division provided that they have been satisfactorily participating in related instruction and on-the-job training, in accordance with the standards established for that trade, during the six (6) month period immediately preceding the date of the increment,

said increments will be paid effective on the date of the completion of the training period;
and be it further

46. RESOLVED, That rates of pay for contractual Dentists and allied classes shall continue to be governed by the provisions of the City Council resolution of November 15, 1966, p. 3145;
and be it further

47. RESOLVED, That vacation time, no matter how earned, shall not be allowed to accumulate in amounts exceeding forty (40) days on any October 1st date, exclusive of any vacation time earned between July 1 and the following September 30, and otherwise in accordance with the City Council Resolution of May 27, 1969, J.C.C. P. 1258 as amended; and be it further

48. RESOLVED, That non-civilian Police Executives shall be eligible for those benefits authorized by the City Council resolutions of November 4, 1981, p. 2665; May 17, 1982, p. 1228; November 5, 1986, p. 2096; June 24, 1987, p. 1471; January 30, 1991, p. 214; and November 8, 2000, p. 2741; April 6, 2010; and be it further

49. RESOLVED, That retirees and their spouses in the General Retirement System shall continue to be covered by Major Medical Hospitalization benefits as authorized by the City Council resolution of June 21, 2006, J.C.C., p. 1611 until such time that it may be amended or terminated by the City Council; and be it further

50. RESOLVED, That retirees and their spouses in the Police and Fire Retirement System shall continue to be covered by major Medical Hospitalization benefits in accordance with budget appropriations and administrative practices as authorized by the City Council resolution of June 21, 2006, J.C.C., p. 1611 until such time that it may be amended or terminated by the City Council; and be it further
51. RESOLVED, That non-union civilian employees shall receive five (5) days of reserve sick leave on July 1, and be eligible for bonus vacation of up to six (6) days provided they have fifty (50) days of sick leave in their banks on July 1, or be eligible for bonus vacation of up to three (3) days provided they have twenty-five (25) days of sick leave in their banks on July 1; except that in accordance with the City Council Resolution of February 11, 2010, new employees shall not be eligible for bonus vacation days; and be it further
52. RESOLVED, That an administrative fee of one percent (1%) of property taxes shall continue to be imposed, to be used to offset the costs incurred in assessing and collecting the property tax and in the review and appeal process; and be it further
53. RESOLVED, that as required by the provisions of Public Act 399 of 1984, a one-half of one percent (1/2%) per month interest charge on delinquent real and personal property taxes shall continue to be imposed from the time such property tax became due and payable until such tax is paid in full, all in accordance with Section 18-9- 89 through 18-9-100 of the Detroit City Code; and be it further

54. RESOLVED, That as required by the provisions of Public Act 399 of 1984, a one percent (1%) per month penalty on delinquent real and personal property taxes shall continue to be imposed from the time that the property tax became due and payable, until such tax is paid in full, and the penalty shall not exceed a total of twenty-five percent (25%) of the unpaid tax, all in accordance with Section 18-9-89 through 18-9-100 of the 1984 Detroit City Code; and be it further
55. RESOLVED, That as permitted by the provisions of Public Act 399 of 1984, interest and penalty from February 15 to the last day of February on a summer property tax which has been deferred is hereby waived for the homestead property of a senior citizen, paraplegic, quadriplegic, eligible serviceman, eligible veteran, eligible widow, totally and permanently disabled person, or blind person as those persons are defined in Chapter 9 of Public Act 281 of 1967, as amended, if the person makes a claim before February 15 for a credit for such homestead property as provided by Chapter 9 of Public Act 281 of 1967, as amended, presents a copy of the form filed for that credit with the City Treasurer, and if the person has not received the credit before February 15; and be it further
56. RESOLVED, That the Finance Director, Deputy Finance Director, or his/her designee(s) is hereby authorized to continue making the necessary accrual adjustments for Compensated Employee Absences and Damage Claim Payments as a part of the 2012-2013 Fiscal Year closing process in compliance with the provisions of the National Council on Governmental Accounting Statement Number Four, "Accounting and Financial Reporting Principles for Claims and Judgments and Compensated Absences" and Governmental Accounting

Standards Board Statement No. 16 "Accounting for Compensated Absences"; and be it further

57. RESOLVED, That the Finance Director, or his/her designee(s), be and is hereby authorized and directed to purchase, sell or exchange securities representing investments of cash balances as permitted by law, and in accordance with written policies established by the Finance Director and placed on file with the Office of the City Clerk, and that the Treasurer be and is hereby authorized and directed to disburse or deposit funds accordingly and to accept receipts for holding securities in lieu of definitive certificates; and be it further
58. RESOLVED, That the Finance Director is hereby authorized to appropriate investment earnings on bond proceeds to fund the cost of bond issuance expenses; and be it further
59. RESOLVED, That the Finance Director is hereby authorized to disburse funds, allocate bond proceeds and make any and all necessary declarations for the purpose of complying with applicable law and specifically with the reimbursement rules and regulations of the U.S. Department of Treasury pursuant to the Internal Revenue Code of 1986, as amended, with respect to projects identified herein, which projects are to be permanently financed from proceeds of debt to be incurred by the City; and be it further
60. RESOLVED, That the following Departments, in the specified maximum amounts be authorized, for the 2012-2013 Fiscal Year only, to contract for Personal Services

Contractors, in accordance with the procedure previously approved by Council (J.C.C., 2-8-89):

| | |
|------------|-----------|
| Recreation | \$200,000 |
| Health | \$200,000 |

The total compensation for any one contractor cannot exceed \$3,500 during the fiscal year without execution of a formal contract, individual rates shall not exceed established rates for the classification of Personal Services Contractor - Grade III, and standard City requirements for tax and budget clearances and residency will be honored. All previous standing authorizations for such contracting are hereby rescinded; and be it further

61. RESOLVED, That as actual collections are received through June 30, 2012 from Account No. 13-7512 - Fire Insurance Escrow - P.A. 495, they are hereby authorized to be appropriated in the proper general fund or block grant account; and be it further

62. RESOLVED, That to properly consolidate and account for departmental vehicle acquisitions and replacements in the vehicle appropriation 35-10633, the necessary account transfers and the adjustments are hereby authorized; and be it further

63. RESOLVED, That the Finance Director and is hereby authorized and directed to disburse the necessary funds as adopted and appropriated in the 2012-2013 Budget to the Charles H. Wright Museum of African American History, Zoological Institute, Detroit Institute of Arts, Detroit Port Authority, Historical Museum, Recreation-Northwest Activity Center and the Eastern Market Corporation, be it further

64. RESOLVED, That the Budget Director is authorized and directed to establish processes, records, transfers and/or accounts necessary to implement and facilitate any reorganization of department functions or activities within the city budget; and be it further

65. RESOLVED, That the Finance Director is hereby authorized and directed to honor payrolls in accordance with this resolution.

66. RESOLVED, That applicable provisions of this resolution are subject to the Financial Stability Agreement.