

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 24-108-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, ESTABLISHING CERTIFICATION, BILINGUAL, AND ASSIGNMENT PAY FOR THE FIRE DEPARTMENT; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE, OPEN MEETINGS, AND RELATED MATTERS

WHEREAS, the City of Leander, Texas (“the City”) is a home-rule city; and

WHEREAS, the City of Leander adopted Chapter 143 of the Texas Local Government Code for its fire department;

WHEREAS, §143.042 of the Texas Local Government Code states that the City Council may authorize assignment pay for fire fighters who perform specialized functions in the Fire Department and establish the conditions under which it is payable by ordinance;

WHEREAS, §143.043 of the Texas Local Government Code further provides for the City Council to authorize certification pay and educational incentive pay for fire fighters;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS THAT:

Section 1. Findings of Fact. The findings and recitations set out in the preamble of this Ordinance are found to be true and correct and that they are hereby adopted by the City Council and made a part hereof for all purposes.

Section 2. Certification, Bilingual, and Assignment Pay Adopted. Division 2, Article 9.08, Chapter 9 of the City of Leander Code of Ordinances is hereby amended by adding Sections 9.08.014 through 9.08.017 to read as follows:

9.08.014. – Certification Pay.

Certification pay for firefighters certified under the Texas Commission on Fire Protection (TCFP), is authorized for each certification obtained, in the following amounts:

- a) EMT -Advanced – \$25 per month
- b) EMT - Paramedic -- \$25 per month
- c) Firefighter credentialed by the Medical Director at an Advanced Level--\$50 per month (not cumulative with EMT-Advanced or EMT-Paramedic)
- d) Firefighter who holds Driver/Pump Operator Certification--\$100 per month
- e) Driver/Pump Operator who holds Fire Officer I Certification--\$100 per month
- f) Fire Officer who holds a Fire Officer II Certification--\$100 per month

Sec. 9.08.015. – Bilingual Pay.

The City shall pay the sum of one hundred dollars (\$100.00) per month to each fire fighter who demonstrates proficiency according to the testing process established by the Human Resources Department.

Sec. 9.08.016. – Assignment Pay.

- a) The fire chief or designee may from time to time designate civil service firefighters to perform the specialized duty assignment set forth in this section, which requires the attainment of specialized training and/or the performance of duties in addition to traditional firefighting operations.
- b) While assigned to and performing the specialized duties listed herein, a firefighter may receive, in addition to his or her regular base salary, additional compensation in the form of assignment pay in the amount corresponding to the specialized assignment listed. Base salary shall be the amount shown in the city's salary schedule for the current fiscal year, exclusive of all other additional payments or allowances.
- c) It is further expressly stated that any "assignment pay" position is to be made with existing personnel staffing levels and that this section shall not operate to create any new civil service classifications (ranks) or other authorized positions within the fire department. This section shall not operate to create any vacancies at any existing classified position within the fire department. This section shall not operate to increase or diminish the overall number of authorized civil service positions in the fire department.
- d) The following conditions are applicable to all forms of assignment pay authorized by this section.
 - 1) To be eligible for assignment pay, an employee must be expressly assigned by the fire chief or designee to the assignment pay position listed herein as a regular on-going duty assignment, and must also be expressly authorized by the fire chief or designee to receive the assignment pay in conjunction with the assignment.
 - 2) In addition to the criteria listed for the assignment pay position herein, in order to become eligible and thereafter remain eligible for assignment pay, each employee shall also be required to participate in the operations of their specialized duties or operation either as a regular on-going duty assignment; shall acquire and demonstrate the appropriate level of expertise and proficiency in their specialized duties or operation; possess and maintain current certifications in the areas of expertise required for the duty assignment; and perform other related duties as assigned by the fire chief
 - 3) Employees assigned to the specialized assignments listed herein shall be eligible to receive assignment pay only while satisfactorily performing the assigned duties. Assignment pay shall not accrue nor be payable to an individual once that person is no longer assigned to or otherwise no longer performing the specialized duties; or is absent due to illness or other authorized leave for a period of 90 days or more;

or fails to maintain current certifications as required; or while suspended from duties as the result of a disciplinary action.

- 4) Assignment pay is not authorized for employees who only temporarily fill in for another employee who was expressly assigned but who is temporarily absent for a period of 90 days or less due to illness, vacation or some other authorized absence.

e) Specialized duty assignments

- 1) *Administration assignment pay.* The City shall pay a sum of \$290 per month to each firefighter, up to the rank of Battalion Chief, who is assigned to a 40-hour per week administration assignment. This assignment pay is intended to help offset the FLSA overtime pay the firefighter would otherwise receive if assigned to fire operations.

Sec. 9.08.017 – Budget Approval Required. The certification, bilingual assignment, and assignment pay set forth in Sections 9.08.014 – 9.08-016 is subject to the city council’s annual review, approval and funding in each fiscal year budget ordinance.

Section 3. Severability. If any provision of this ordinance is found to be invalid or unenforceable, such finding shall not affect the validity or enforceability of the remaining provisions.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

Section 5. Open Meetings. It is hereby officially found and determined that the meetings at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551*.

PASSED AND APPROVED on this the 21st day of November, 2024.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor