

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 8-13

### AN ORDINANCE

amending Chapter 19 of the City Code to define “domestic partner” and to add a new section on the Family and Medical Leave Act; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 19 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 19-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated in this section:

...

*Curtailment of work.* A situation in which the need for the employee's services are no longer required because the city no longer performs the function to which the employee was assigned, to the degree that the same number of employees are needed.

*Domestic partner.* A person who has resided together with an employee for at least six (6) months and each intend for the person to continue to reside with the employee and to share the common necessities of life. Domestic partners must be at least eighteen (18) years of age, mentally competent to contract, and not related by blood to the employee closer than would bar marriage in the State of Missouri. Neither the employee nor the domestic partner may be married to any person.

*Exempt service.* Officers, appointments and positions of the city that are exempt from the provisions of this chapter unless specifically provided otherwise. The following are in the exempt service: city council members; city manager; municipal judge; city clerk; members of boards and commissions, and committees; volunteer and other personnel who

serve without pay; medical director; and consultants and counsel rendering temporary professional service.

. . .

Sec. 19-133. Family and Medical Leave Act.

(a) The City will follow all applicable provisions of the Family and Medical Leave Act (FMLA).

(b) Domestic partners shall be treated the same as spouses in determining qualifying events under the FMLA.

Secs. ~~19-133~~ 19-134—19-145. Reserved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

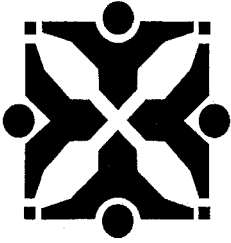
ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor



Source: Law

*TS*

Agenda Item No:

To: City Council

From: City Manager and Staff

*MM*

Council Meeting Date: Jan 7, 2013

Re: Amendments to Chapter 19 (Personnel Policies) of the City Code to Define "Domestic Partner" and Add Section on FMLA

**EXECUTIVE SUMMARY:**

Staff has prepared an ordinance that would add a definition of "domestic partner" to Chapter 19 of the City Code. The ordinance would also provide that domestic partners will be treated the same as spouses in determining qualifying events under the Family and Medical Leave Act (FMLA).

**DISCUSSION:**

The City recognizes domestic partners under the employee health insurance plans and under Section 19-130, which pertains to sick leave. Chapter 19 does not currently include a definition of "domestic partner." The proposed ordinance would add the same definition of "domestic partner" that is used in the employee health insurance plan.

The FMLA does not include domestic partners in the definition of immediate family. Staff, however, has been treating domestic partners the same as spouses in determining qualifying events under the FMLA since domestic partners were allowed to participate in the employee health insurance plans. The proposed ordinance would formalize this practice.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

**SUGGESTED COUNCIL ACTIONS:**

Passage of the ordinance.

| FISCAL and VISION NOTES:                   |        |                                                   |    |                                               |    |
|--------------------------------------------|--------|---------------------------------------------------|----|-----------------------------------------------|----|
| City Fiscal Impact<br>Enter all that apply |        | Program Impact                                    |    | Mandates                                      |    |
| City's current net FY cost                 | \$0.00 | New Program/ Agency?                              | No | Federal or State mandated?                    | No |
| Amount of funds already appropriated       | \$0.00 | Duplicates/Expands an existing program?           | No | <b>Vision Implementation impact</b>           |    |
| Amount of budget amendment needed          | \$0.00 | Fiscal Impact on any local political subdivision? | No | Enter all that apply:<br>Refer to Web site    |    |
| Estimated 2 year net costs:                |        | <b>Resources Required</b>                         |    | Vision Impact?                                | No |
| One Time                                   | \$0.00 | Requires add'l FTE Personnel?                     | No | Primary Vision, Strategy and/or Goal Item #   |    |
| Operating/ Ongoing                         | \$0.00 | Requires add'l facilities?                        | No | Secondary Vision, Strategy and/or Goal Item # |    |
|                                            |        | Requires add'l capital equipment?                 | No | Fiscal year implementation Task #             |    |