

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COMMITTEE ON MAY 28 & MEMOR  
REFERRED TO SPECIAL  
FIRST HEARING  
IN CITY COUNCIL  
CLERK

## CHAPTER 2013-26

**NO. 323**

**AN ORDINANCE IN AMENDMENT OF CHAPTER SEVENTEEN OF THE ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED "OFFICERS AND EMPLOYEES," RELATIVE TO PAYMENT OF TERMINATION BENEFITS**

*Approved July 26, 2013*

***Be it ordained by the City of Providence:***

SECTION 1. Chapter 17-124 of the Code of Ordinances of the City of Providence shall be amended hereby as follows:

Sec. 124. Payment of termination benefits.

Whenever an employee terminates his or her employment with the city by retirement (mandatory, voluntary or involuntary) or death, said employee shall only be entitled to, payment for unused vacation or sick time (collectively, "termination benefits"), if said employee is otherwise eligible to receive retirement benefits pursuant to the retirement act. Any and all payments of termination benefits shall be subject to the following terms and conditions, notwithstanding any law or policy to the contrary:

(1) Any member of a union who accepts a position out of the union and who, at the time of said promotion, is eligible to receive retirement benefits pursuant to the retirement act, shall be entitled to payment for any sick days accrued as of the date of said promotion pursuant to the terms of the union contract in effect at the date of said promotion, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for termination benefits purposes.

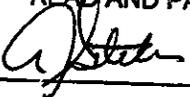
(2) (a) Non-union, uniformed employees of the Police Department who are eligible to receive retirement benefits pursuant to the retirement act shall be entitled to payment for any sick days accrued as of the effective date of this amended ordinance pursuant to the terms of the

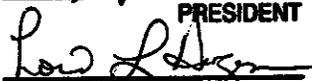
contract with the Providence Police Lodge No. 3, Fraternal Order of Police, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for terminal benefits purposes; and

- (b) non-union, non-uniformed employees of the Police Department who are eligible to receive retirement benefits pursuant to the retirement act shall be entitled to payment for any sick days accrued as of the effective date of this amended ordinance pursuant to the terms of the contract with the Rhode Island Laborers' District Council on the behalf of the Public Service Employees, Local 1033, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for terminal benefits purposes.
- (3) (a) Non-union, uniformed employees of the Fire Department who are eligible to receive retirement benefits pursuant to the retirement act shall be entitled to payment for any sick days accrued as of the effective date of this amended ordinance pursuant to the terms of the contract with Providence Firefighters Local 799, International Association of Firefighters, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for terminal benefits purposes; and
  - (b) non-union, non-uniformed employees of the Fire Department who are eligible to receive retirement benefits pursuant to the retirement act shall be entitled to payment for any sick days accrued as of the effective date of this amended ordinance pursuant to the terms of the contract with Rhode Island Laborers' District Council on the behalf of the Public Service Employees, Local 1033, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for terminal benefits purposes.

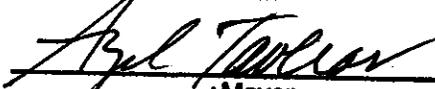
- (4) All compensation for sick days referenced in subsections (1) through (3), above, shall be made in three (3) annual installments of equal amount, with the first payment to be made in the pay period immediately following the termination of employment, and said payments shall not include interest.
- (5) Employees of the School Department are governed by policies adopted by the Providence School Board and are not covered by this amended ordinance.
- (6) All other non-union employees who are eligible to receive retirement benefits pursuant to the retirement act shall be entitled to payment for any sick days accrued as of the effective date of this amended ordinance pursuant to the terms of the contract with Rhode Island Laborers' District Council on the behalf of the Public Service Employees, Local 1033, and shall thereafter accrue sick days for use, but shall not be entitled to receive compensation for unused sick days or to accrue sick days for terminal benefits purposes.

SECTION 2. This ordinance, as amended, shall take effect upon passage.

IN CITY COUNCIL  
JUL 02 2013  
FIRST READING  
READ AND PASSED  
  
CLERK

IN CITY  
COUNCIL  
JUL 18 2013  
FINAL READING  
READ AND PASSED  
  
PRESIDENT  
  
CLERK  
ACTING

I HEREBY APPROVE.

  
Mayor

Date: 7/26/13