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ADMINISTRATIVE ORDER NO. 2009-2

AN ADMINISTRATIVE ORDER
BY THE MAYOR

AN ADMINISTRATIVE ORDER RESCINDING
ADMINISTRATIVE ORDERS 2008-1 AND 2009-1;
IMPLEMENTING A FURLOUGH PLAN FOR NON
EXEMPT EMPLOYEES, A SALARY REDUCTION FOR
EXEMPT EMPLOYEES, AND A HIRING FREEZE FOR
FISCAL YEAR 2009; AND FOR OTHER PURPOSES.

WHEREAS, on December 2, 2008, Mayor Shirley Franklin authorized Administrative Order 2008-1 which implemented a furlough plan and hiring freeze for certain city employees; and

WHEREAS, on January 1, 2009, Administrative Order 2009-1 was authorized which provided an exemption from the furlough for certain employees of the Atlanta Police Department at the Hartsfield Jackson International Airport, Atlanta Fire and Rescue Operations at the Hartsfield Jackson International Airport, and certain police officers on federal assignment; and

WHEREAS, the above referenced Administrative Orders were implemented because the City of Atlanta FY 2009 budget as adopted by Council and approved by the Mayor did not meet revenue projections for FY 09; and

WHEREAS, the shortfall in anticipated revenues continues to create a significant gap between anticipated expenses and revenue for FY 2009; and

WHEREAS, governmental entities, including the state of Georgia, and other state and local jurisdictions, are suffering an economic downturn and decreased revenue projections; and

WHEREAS, the extraordinary approach of implementing a furlough system, salary reduction and freezing all non essential hiring for the remainder of the FY 2009 budget is needed to prevent further widening of the city's budget gap; and

WHEREAS, the City of Atlanta consulted with the U. S. Department of Labor regarding the status of its exempt employees and the implementation of a salary reduction;

JA 3/16/09

NOW THEREFORE BY THE POWER VESTED IN ME AS THE MAYOR OF THE CITY OF ATLANTA, pursuant to the City of Atlanta Charter, 1996 Ga. Laws 4469 et. Seq. Appendix IV, Section 4 (c), it is hereby ordered as follows:

SECTION 1- RESCISSION OF ADMININSTRATIVE ORDER 2008-1 AND 2009-1. Administrative Order 2008-1 and Administrative Order 2009-1 are hereby rescinded.

SECTION 2 –NON EXEMPT EMPLOYEES - SCOPE OF FURLOUGH: All hourly (FLSA non-exempt) employees in General Fund departments irrespective of funding source, are affected by this Administrative Order and shall be furloughed eight (8) hours per pay period. This shall apply to Corrections, Executive Offices, Finance, Fire, Human Resources, Information Technology, Law, Parks, Recreation and Cultural Affairs, Planning and Community Development, Police (including E911), Public Works (including Fleet Services and Solid Waste), and employees of the Offices of the Public Defender and Solicitor. This Administrative Order shall not apply to sworn employees in the Atlanta Police Department and Atlanta Fire and Rescue Department who are assigned to Hartsfield Jackson International Airport, police officers on loan to the federal government, employees in the Judicial Agencies (Court Operations), Municipal Clerk and Council staff, the Atlanta Fulton County Water Resources Commission, and employees of the Offices of the City Internal Auditor, Ethics Officer and Citizen's Review Board. All departments or agencies listed above are directed to implement a furlough system effective retroactively to December 11, 2008, unless otherwise indicated. The effective date for 53 hour employees in the AFR will be retroactive to December 25, 2008; the effective date for sworn employees of the APD will be retroactive to December 11, 2008, and the effective date for employees within the Solid Waste Services Division of the Department of Public Works will be retroactive to January 8, 2009.

SECTION 3- FURLOUGH PROCESS FY 2009: The furloughs shall be implemented as follows:

- (a) Employees participating in the Defined Benefit Plans shall continue to contribute based on pre-furlough salary levels in order to claim creditable service for furlough days, which will be classified and calculated as creditable service for the purpose of determining and calculating any pension benefits;
- (b) Employees participating in the Defined Contribution Plan will participate fully in contributions to receive creditable service for furlough days and shall continue to participate based on compensation level;

- (c) Employees affected by the furlough will continue to accrue vacation and sick days based on a 40 hour work week;
- (d) Employees will not be furloughed on a City holiday, and furlough days taken before or after a holiday will count as days worked for holiday pay computation in accordance with code section 114-414 (e);
- (e) The appointing authority will be responsible for planning and scheduling furlough days.

SECTION 4- EXEMPT EMPLOYEES: Salaried (FLSA exempt) employees will not be furloughed, but will have their salary reduced by ten percent (10%) per pay period, subject to the following conditions:

- (a) Employees participating in the Defined Benefit Plans shall continue to contribute based on salary levels prior to the salary reduction in order to claim creditable service for the purpose of determining and calculating any pension benefits;
- (b) Employees participating in the Defined Contribution Plan will participate fully in contributions to receive creditable service and shall continue to participate based on compensation level;
- (c) Employees will continue to accrue vacation and sick days based on a 40 hour work week;
- (d) Employees will continue to receive holiday pay consistent with code section 114-414 (e);
- (d) The appointing authority will be responsible for planning and scheduling the workload for exempt employees consistent with the needs of the department.

SECTION 5- CLOSING OF OFFICES: All City offices will be closed to the public on Fridays with the exception of the water bill payments counter. Employees are not expected to report to work on Fridays unless scheduled by their respective appointing authority.

SECTION 6- HIRING FREEZE: Effective immediately, no position, exempt or non exempt, which is currently vacant or becomes vacant in the affected agencies listed in Section 1 will be filled except with the approval of the Chief Operating Officer and Chief Finance Officer.

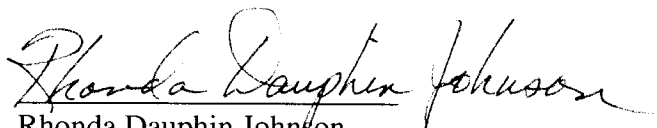
SECTION 7- SUPPORTING DEPARTMENTS: The Departments of Human Resources, Finance, Information Technology and Law are authorized to assist the Executive Office of the Mayor with the implementation of this Administrative Order.

SECTION 8- EXPIRATION DATE: The Administrative Order shall remain in effect until June 30, 2009 or until rescinded by the Mayor.

SO ORDERED this day of March, 2009


Shirley Franklin
Mayor

ATTEST


Rhonda Dauphin Johnson
Municipal Clerk