

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 6 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 6-5 PERTAINING TO EMPLOYEE ORGANIZATIONS; PUBLIC EMPLOYEES' RIGHTS; ALLOWING PUBLIC EMPLOYEE ORGANIZATION MEMBERS TO UTILIZE A BANK OF VOLUNTARILY DONATED VACATION LEAVE HOURS TO BE USED FOR ORGANIZATION ACTIVITIES.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 6-5. Chapter 6 of the Peoria City Code (1992) entitled Personnel is amended by amending Section 6-5 entitled Employee Organizations; public employees' rights, as follows:

Sec. 6-5. Employee organizations; public employees' rights.

(a) Public Employees shall have the right to join and participate in an Employee Organization that is designated as the representative of their positions, or to refrain from joining or participating in same. A Public Employee shall not hold any elective or appointive office in any Employee Organization until such employee shall have successfully completed the probationary period following their initial employment.

(b) The City Council affirms its policy that in matters not expressly covered by an approved Memorandum of Understanding, decision-making authority shall rest with the City Manager unless otherwise provided by the Charter and Code of the City of Peoria as they may from time to time exist.

(c) Public Employees shall have the right to be represented by an Employee Organization to meet and confer with their Public Employer in the determination of wages, hours and working conditions, and to be represented in the determination of grievances arising thereunder.

(d) This Chapter does not prevent any Public Employees from discussing any matters of wages, hours and working conditions as long as the intent of this Chapter is not violated, irrespective of the recognition of a representative; from presenting his or her own grievance, in person or by legal counsel to the Public Employer and having such grievance adjusted without the assistance of the Employee Organization, if such an adjustment is not inconsistent with the terms of a current Memorandum of Understanding.

(e) The Employee Organization shall have its periodic membership dues of its members deducted and collected by the Public Employer from the salaries of those employees who present signed cards in a form satisfactory to the Public Employer, authorizing the deduction of such dues. Such authorization cards may be presented to the employer in person, by mail, or through a representative. Such dues shall be transmitted to the designated representative employee organization of the employee on a monthly basis. Dues deductions may be revoked by the employee upon written notice of such revocation to the Employee Organization, only in the first two weeks of January and the first two weeks of July in any year and a copy shall be filed with the City by the employee organization.

(f) Supervisory, Professional, Managerial, Confidential, Temporary and Part-time employees shall not be represented by any Employee Organization, nor shall such employees take an active role in the policy making activities of the Employee Organization, nor shall such employees participate directly or indirectly in the meet and confer process except as representatives or assistants to the Public Employer. An employee may only be represented by the designated employee organization for their position.

(g) An employee organization acting as the designated representative of an employee group may change its local, state or national affiliations without resulting in any change in status as a designated representative.

(h) At least once each year, Public Employee members of an Employee Organization shall have the opportunity to voluntarily donate accrued vacation leave to a bank of donated leave to be used by representatives of the member's Employee Organization for Employee Organization activities as determined by the Employee Organization. Employee Organization representative(s) may only use this donated leave during their standard scheduled shifts.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4. This Ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 22<sup>nd</sup> day of April 2025.

CITY OF PEORIA, Arizona, an Arizona municipal corporation

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Jason Beck, Mayor

ATTEST:

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Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

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Emily Jurmu, City Attorney

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Effective Date: \_\_\_\_\_