

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 12 - 20 - 23

AN ORDINANCE APPROVING AMENDMENTS TO THE CITY'S PERSONNEL PRACTICES MANUAL AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Charter Section 11.03, Council enacted Ordinance No. O-08-99-15 on October 7, 1999 adopting a Personnel Practices Manual; and

WHEREAS, on November 19, 2020 Council authorized various amendments to the City Personnel Manual; and

WHEREAS, the leave time accrual rates for the Fire Department were inadvertently removed as part of the amendments on November 19, 2020; and

WHEREAS, City Staff requests the Fire Department leave time accrual rates, Exhibit A, be added back to the Personnel Manual at Article 22, Section E.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the proposed addition(s) to the City of Clayton Personnel Practices Manual appended hereto as Exhibit A are hereby adopted.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
3. That in accordance with Clayton Charter Section 4.031(B) the requirement that this enactment be read on two (2) separate days is dispensed with by affirmative vote of at least five (5) of the members of Council.
4. That prompt implementation of the addition(s) to this Manual are necessary for continued effective management of personnel and implementation of policies and benefits so as to ensure continued provision of City services, and is necessary to be immediately effective such that leave time can be appropriately deposited for each affected employee on January 11, 2021; and absent immediate implementation, public health and safety and welfare will be detrimentally affected. Accordingly, in accordance with Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

ADOPTED BY COUNCIL ON DECEMBER 17, 2020.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Brockville Star

Date of publication

Dec. 23, 2020



CLERK

ARTICLE 22 EMPLOYEES WORKING 24 HOUR SHIFTS

A. Purpose

To define the Fire Department non-union, exempt, full-time employee position and identify benefits assigned to this employment category.

B. Policy

Full-time fire department employees working twenty-four (24) hour shifts who are not members of a collective bargaining group and are not covered by a collective bargaining agreement shall receive the accrual rates and benefits as provided by the City's Personnel Manual unless otherwise stated in this document or approved by the City Manager.

C. Definitions

Fire Department non-union full-time employees are those full-time fire department employees working twenty-four (24) hour shifts that are not members of a collective bargaining group and are not covered by a collective bargaining agreement.

D. Benefits

Fire Department employees subject to this policy shall receive the following benefits in addition to those provided by other policies contained in the City's Personnel Manual:

- Employees shall receive 8 hours of holiday pay computed at forty (40) hour rates for all of the approved holidays in the City Personnel Manual.
- For the six (6) holidays falling between January 1 and November 11 (New Year's Day, Martin L. King Day, Memorial Day, Independence Day, Labor Day, Veteran's Day), holiday pay shall be paid to employees in one lump check in the second **full** pay period of November. For the five (5) holidays that fall between November 12 and December 31 (Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve), holiday pay shall be included in compensation for the pay period in which the paid holiday falls.
- Employees who's regularly assigned work shift falls primarily within any of the City approved holidays shall be compensated for all hours worked during the shift at one- and one-half times the employee's 24-48 shift hourly wage rate.
- Shift coverage of unscheduled shifts and other times approved by the Fire Chief or his designee will be eligible for premium pay (one and one half time the normal hourly rate).

E. Accrual Rates

Each year, with the first full pay period in January two (2) weeks of leave time will be dedicated to ESL, and the remainder shall be assigned as EL according to the following schedule:

24 Hour Shifts

Year 0 (Hire date -12/31)	5.83	140	112
Years 1&2	5.83	140	112
Years 3&4	6.83	164	112
Years 5&6	8.33	200	112
Years 7&8	8.83	212	112
Years 9&10	9.83	236	112
Years 11&12	11.33	272	112
Years 13&14	12.29	295	112
Year 15 and above	12.33	296	112