

CITY OF CLAYTON, OHIO

RESOLUTION NO. R - 07 - 16 - 64

A RESOLUTION APPROVING AN AMENDMENT TO CLAYTON CHARTER SECTION 11.05 – PERSONNEL BOARD OF REVIEW

WHEREAS, the Clayton Charter Review Commission has submitted the following rationale for the below listed amendment to the Clayton City Charter:

Rationale: this is a modification which provides for more responsive and efficient operations

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

1. That the following amendment to the Clayton City Charter is hereby approved for submission to the voters of the City of Clayton at the November 8, 2016 General Election:

ARTICLE XI PERSONNEL ADMINISTRATION AND MERIT SYSTEM

11.05 Personnel Board of Review

~~There is hereby created a~~ **On an as needed basis, Council shall appoint a** Personnel Board of Review consisting of three electors of the City not otherwise holding office, appointment or employment with the City, ~~who shall serve overlapping terms of three years each and who shall be appointed by a majority vote of the members of Council. Of the three members of the Board first appointed, one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years.~~ **Members of the Personnel Board of Review shall be appointed during the first City Council meeting immediately following the date on which the employee filed an appeal or no later than 21 days after the appeal was filed.** The Personnel Board of Review shall be organized as provided in Division (A) of this Section and shall have the powers, duties and functions provided in Division (B) of this Section.

- (A) The Personnel Board of Review shall designate one of its members as Chair, and Council, by ordinance or resolution, may authorize the appointment by said Board of a Clerk, who may be a person having other employment with the City.
- (B) The Personnel Board of Review shall have the power to hear appeals from administrative determinations concerning employees in the classified service of the City and may have such other powers and duties as may from time to time be given to it by Council. The Board shall keep a record of its proceedings, which shall be open to public inspection. The Board shall conduct its proceedings in accordance with the


ordinances and resolutions of Council enacted pursuant to this Charter and the rules and regulations of the Board adopted by it pursuant to authority granted by Council.

- (C) Employees in the unclassified service of the City and employees who are subject to grievance and dispute resolution or arbitration provisions in collective bargaining agreements covering their terms and conditions of employment shall have no appeal rights to the Personnel Board of Review.

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2. That the Clerk of Council be and is hereby authorized and directed to forward a certified copy of this Resolution to the Montgomery County Board of Elections for placement on the November 8, 2016 Ballot.
 3. That this Resolution shall take effect from and after the date of its passage.

ADOPTED BY COUNCIL ON JULY 7, 2016.

AUTHENTICATION:

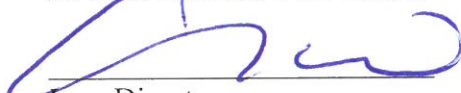


Mayor (Presiding Officer of Council)



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 Date of publication
Englewood Independent July 14, 2016



CLERK