

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 01 –22 - 01

AN ORDINANCE APPROVING AMENDMENT OF THE CITY’S PERSONNEL PRACTICES MANUAL TO ADD A NEW ARTICLE 10, SECTION F, ENTITLED, “RETIRE-REHIRE”

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

WHEREAS, the City Staff has recommended amendment of the Personnel Practices Manual in order to add a new Article 10, Section F, entitled, “Retire-Rehire”.

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

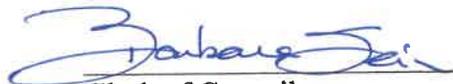
1. That the City’s Personnel Practices Manual is hereby amended to add a new Article 10, Section F, entitled, “Retire-Rehire” as delineated in the attached *Exhibit A*.
2. That the City Manager is authorized to revise those portions of the Personnel Practices Manual, if any, which are directly impacted by the above language revisions.
3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on January 20, 2022 and February 7, 2022.
4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON FEBRUARY 7, 2022.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

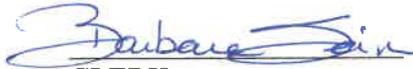
This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Brookville Star

Date of publication

Feb 16, 2022



CLERK

Article 10 Section F: Retire-Rehire

At the discretion of the City Manager, employees may be rehired, without having to complete the recruitment and application process, if all criteria set forth in these guidelines are met:

1. Have received no more than two reprimands, whether verbal or written, and no disciplinary action greater than a written reprimand during the prior five years;
2. Have had no actions, conduct, or situations that, as determined by the sole discretion of the City Manager, are contrary to the best interest of the City or that could have an unfavorable impact on the City, regardless of whether those actions, conduct or situations resulted in a negative performance evaluation rating or discipline;
3. The position in which the employee is being rehired for is a key or technical position in the unclassified service for which the employee possesses unique skills and/or qualifications; and
4. The rehiring of the retiring employee is in the best interest of the City, as determined in the sole discretion of the City Manager.

A retiring employee will be paid for their accrued, unused leave balances (employee leave, extended sick leave) in accordance with the relevant provisions of the Personnel Policies. A rehired retiree will accumulate and may utilize applicable paid leave but will not be eligible for payout upon leaving employment with the City. A rehired retiree's prior public service (including service with the City) will not be included for the calculations of benefits such as employee leave time.

A rehired retiree will be subject to the same insurance premium contributions and insurance program benefits in effect as his or her new employment date.

Rehired retirees shall be subject to a 12.5% reduction in salary. Such salary reduction shall become effective the first full pay period from the date of re-employment. Rehired retirees shall not be eligible for step increases but will be eligible for cost-of-living increases.

It shall be the sole discretion of the City Manager as to which exempt employees are offered to be rehired and nothing within the Personnel Manual shall be construed as providing any promise or right to any employee of such rehire.

Rehired retirees shall be deemed “at will” employees of the City, serving at the pleasure of the City Manager, who shall evaluate said employee’s performance annually and determine their retention.

The purpose of this policy is to benefit both the rehired employee and the City. Those benefits include, but are not limited to, the ability of the rehired retiree to be rehired without having to complete the recruitment and application process. However, this policy shall in no way preclude an employee from applying for any position of employment with the City through any other recruitment and application process.