

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 05 –22 - 10

AN ORDINANCE APPROVING AMENDMENTS TO ARTICLES 3 AND 22 OF THE CITY'S PERSONNEL PRACTICES MANUAL

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

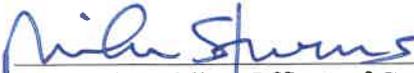
WHEREAS, the City Staff has recommended specified amendments to Articles 3 and 22 of the Personnel Practices Manual as shown on the attached *Exhibit A*.

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

1. That Articles 3 and 22 of the City's Personnel Practices Manual are hereby amended 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 May 5, 2022 and May 19, 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 MAY 19, 2022.

AUTHENTICATION:

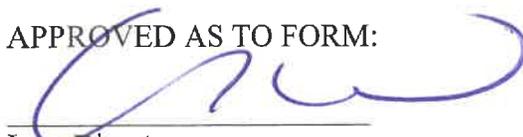


Mayor (Presiding Officer of Council)



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

May 25, 2022

Paula J. ...
CLERK

ARTICLE 3 EMPLOYEE SELECTION

A. Equal Opportunity Employer

The City of Clayton is an equal opportunity employer and as such, recruits, appoints, assigns, and disciplines all employees or prospective employees without regard for race, color, religion, gender, age, national origin or ancestry, ethnic heritage, disability, sexual orientation, gender identity or expression, genetic information, veteran status or any other factor precluded by applicable laws.

It is the policy of the City of Clayton to ensure equal employment opportunity in accordance with the Ohio Revised Code 125.111 and all applicable federal regulations and guidelines. Employment discrimination against employees and applicants due to race, color, religion, sex (including sexual harassment), national origin, sexual orientation, gender identity or expression, disability, age (40 years old or more), military status or veteran status is illegal.

It is the policy of this City that employees engaging in discriminatory actions will be appropriately disciplined. Such disciplinary action may include discharge from employment. Persons who believe the City of Clayton has discriminated against them may file a discrimination complaint with Personnel Director.

B. Affirmative Action Program

1. **EEO Recruitment Strategies**: City of Clayton will make a good faith effort to recruit a diverse group of employees and provide equal opportunity for minorities, women and disabled persons to become competitive in state contracting opportunities. City of Clayton will advertise positions in media outlets that will provide information and access to the underserved populations.
2. **EEO Selection Strategies**: City of Clayton will utilize procedures, processes and techniques that are fair and do not have an adverse impact on minorities, women or disabled persons. Prospective employees will not be excluded from the hiring process due to race, color, religion, sex (including sexual harassment), national origin, sexual orientation, gender identity or expression, disability, age (40 years old or more), military status or veteran status.
3. **EEO Placement/Orientation**: City of Clayton will provide newly hired employees with basic employment information during the first couple weeks on the job. New employee position descriptions, fringe benefits information, policies, procedures and EEO are a few of the topics which should be covered. Employees will not be denied fringe benefits and/or opportunities for promotion based on race, color, religion, sex (including sexual harassment), national origin, sexual orientation, gender identity or expression, disability, age (40 years old or more), military status or veteran status

4. **EEO Performance Evaluation**: City of Clayton will evaluate the performance of their employees on an annual basis. It should provide the necessary supervisory feedback to identify areas to be improved as well as to reinforce those activities that meet or exceed standards. Performance appraisal will be evaluated without race, color, religion, sex (including sexual harassment), national origin, sexual orientation, gender identity or expression, disability, age (40 years old or more), military status or veteran status
5. **EEO Training Strategies**: City of Clayton will attempt to diversify workforce by utilizing training and apprenticeship programs with diverse participants. Training and apprenticeship programs can increase the number of qualified minorities, women, disabled persons and veterans available for job placement.
6. **EEO Discipline Strategies**: City of Clayton will set clear disciplinary standards and warn of consequences for non-compliance. Discipline will be designed to rehabilitate employees who choose to correct their behavior as well as justify the termination of those who do not. The employer will not mistreat or unfairly discipline an employee based on race, color, religion, sex (including sexual harassment), national origin, sexual orientation, gender identity or expression, disability, age (40 years old or more), military status or veteran status.
7. **EEO Separation Strategies/Exit Interviews**: City of Clayton will conduct exit interviews as a problem-solving tool in an attempt to reveal employee turnover. Exit interviews can provide the organization with information about how to correct the causes of discontent and reduce the costly problem of employee turnover.
8. **EEO Monitoring Strategies**: City of Clayton will ensure Human Resources managers and supervisors understand this plan and hold managers and supervisors accountable for the effective of this plan.
9. **Minority Business Enterprise Solicitation Strategies**: City of Clayton will make a good faith effort to solicit business from certified minority owned businesses (MBE). City of Clayton will utilize the State of Ohio, Equal Opportunity Division's webpage to access certified MBEs.
<http://das.ohio.gov/Eod/MBESearch/index.asp>.

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.
- **Employees with ten (10) years or less of full-time service with the Clayton Fire Department, are eligible to carry over seventy-two (72) hours of compensatory time. Any hours more than seventy-two (72) that are not used by November 30th or not scheduled to be used by December 31st will be paid out according to City policy.**
- 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).
- **Every other pay period (28-day cycle), employees will receive guaranteed work period overtime in accordance with the Fair Labor Standards Act.**
- **Employees who have attained an Associate's or Bachelor's degree in a Fire or EMS related field approved by the City Manager, from an accredited or approved college, university or technical school shall be paid the following amounts the first pay in November:**

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|--------------------|------------|
| Associate's degree | \$800.00 |
| Bachelor's degree | \$1,200.00 |