

ORDINANCE NO. 2024-12

AN ORDINANCE

AMENDING CERTAIN SECTIONS OF CHAPTER 145, EMPLOYEES GENERALLY, OF THE CODIFIED ORDINANCES OF WAITE HILL VILLAGE TO ENACT NEW REGULATIONS APPLICABLE TO VACATION LEAVE, PERSONAL LEAVE, AND HOLIDAY COMPENSATION FOR VILLAGE EMPLOYEES, AND DECLARING AN EMERGENCY.

WHEREAS, the Waite Hill Village Council, in consultation with the Village's administration, wishes to revise certain provisions for paid time-off for Village employees.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That existing Section 145.06, Vacation Leave, of the Codified Ordinances of the Village of Waite Hill is hereby amended to provide as follows:

“145.06 VACATION LEAVE

(a) Each full-time employee of the Village, who has been employed by the Village full time for a period of twelve (12) months continuous service, shall have earned and will be due upon the attainment of the anniversary of the first-year of employment, forty (40) hours of vacation leave with full pay.

(b) Each full-time employee of the Village, who has been employed by the Village full time for a period of twenty-four (24) months continuous service, shall have earned and will be due upon the attainment of the anniversary of the second year of employment and annually thereafter, eighty (80) hours of vacation leave with full pay.

(c) Each full-time employee of the Village, who has been employed by the Village full time for a period of sixty (60) months continuous service, shall have earned and will be due upon the attainment of the anniversary of the fifth year of employment, and annually thereafter, one hundred twenty (120) hours of vacation leave with full pay.

(d) Each full-time employee of the Village who has been employed by the Village full time for a period of one hundred eighty (180) months continuous service, shall have earned and will be due upon the attainment of the anniversary of the fifteenth year of employment and annually thereafter, one hundred sixty (160) hours of vacation leave with full pay.

(e) On an employee's anniversary date Village that employees shall forfeit their right to take vacation leave to their employee's credit which is in excess of the accrual of eighty (80) hours. Such excess shall be eliminated from the employee's leave balance before any new leave is credited to the employee's account.

(f) If a Village employee desires to take more than one hundred sixty (160) hours of vacation leave in any two (2) month period, approval of the employee's supervisor and the Mayor shall first be obtained.

(g) At the discretion of the department head and the Mayor, an employee may receive monetary compensation up to a maximum of forty (40) hours per

calendar year, paid at the employee's regular rate of pay, in lieu of taking vacation leave as paid time off.

(h) In the event an employee has served the Village for at least ten (10) years and gives notice to the Village of the employee's retirement on a date at least thirty (30) days before retirement, the Village will purchase any unused vacation, up to a maximum of forty (40) hours, at the employee's base hourly rate in effect at the time of retirement. If an employee is terminated, if an employee retires after less than ten (10) years of service to the Village, or if an employee does not give notice to the Village more than thirty (30) days before retirement there will be no right to have the eligible vacation time bought.

(i) In the event that a candidate for employment has prior experience that is desirable to the Village, the Mayor may offer the new employee vacation leave that is in excess of the vacation leave identified in subsections (a) through (d) of this Section. Upon a motion and majority vote of Council, which may be made contemporaneously with Council's vote to confirm the Mayor's appointment of the new employee, the vacation leave offered by the Mayor and approved by Council shall be awarded to the new employee and the employee shall be thereafter treated as though the employee has been employed by the Village for the period of time identified in subsections (a) through (d) that is commensurate with the vacation leave that has been awarded to the new employee. (Example: if a new employee has worked for five years for another community, the Mayor may offer, and the Council award, one hundred twenty hours of vacation leave to the employee. Thereafter, the employee shall receive the vacation time authorized pursuant to subsection (c) of this section until the new employee has continuously served one hundred twenty (120) months with the Village, at which time the employee shall receive vacation leave as provided under subsection (d) of this section).

(j) The Mayor may propose that an employee being hired receive a credit for a number of months of professional experience acquired in another community. Upon a motion and majority vote of Council, which may be made contemporaneously with Council's vote to confirm the Mayor's appointment of the new employee, Council may establish the new employee's vacation benefit as though the new employee had served with the Village for that prior period of time. ”

SECTION 2. That existing Section 145.17, Holiday Leave, of the Codified Ordinances of the Village of Waite Hill is hereby amended to provide as follows:

“145.17 HOLIDAY PERSONAL LEAVE

(a) All full-time employees of the Village shall be entitled to eighty (80) hours of holiday personal leave per calendar year, which shall be permitted leave from work for days that would have otherwise been scheduled workdays. Said holiday personal leave may be scheduled at any time during the calendar year subject to approval by the Department Head. When applicable to maintain the efficient operation of the Village, employee seniority shall be utilized.

(b) Holiday Personal leave shall be taken annually and shall not carry over into the following calendar year.

(c) New employees or employees who terminate their employment for any reason shall be entitled to holiday personal leave on a pro-rata basis for each full

month of service in the calendar year of hire or termination, respectively. If said an employee has used more than their pro-rata share of holiday personal leave, upon termination of employment they shall have deducted from their final check in ~~the~~ an amount equivalent to such overpayment.”

SECTION 3. That existing Chapter 145, Employees General, is amended by the addition of a new Section 145.20, Holiday Compensation, which shall provide as follows:

“145.20 HOLIDAY COMPENSATION.

In the event that any Village employee is required to work on a holiday, that employee shall receive compensation for those hours worked at one and one-half (1.5) times the amount of the employee's regular rate of pay. For the purposes of this section, “holiday” shall include from midnight to 11:59 pm on each of the following national holidays New Years Day, Easter, Memorial Day, the 4th of July, Labor Day, Thanksgiving Day, and Christmas Day.”

SECTION 4. That existing Sections 145.06 and 145.17, and any ordinance or any part of any Ordinance that conflicts with this Ordinance, is repealed to the extent of the conflict.

SECTION 5. That Council ratifies all compensation paid in accordance with this Ordinance.

SECTION 6. That the actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 7. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Waite Hill and, further, for the reason that this Ordinance must be immediately effective in order to permit the Village to compensate employees properly and immediately, based upon the proposed changes to the code; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: _____, 2024

Council President

Submitted to the Mayor
for his approval on this

_____ day of _____, 2024

Approved by the Mayor

ATTEST:

_____, 2024

Clerk-Treasurer

Mayor