

TEMPORARY ORDINANCE NO. 11-22

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE (LCO) 41-21, REPEAL AND REPLACE EXISTING LCO 41-21, FOR THE FAIRFIELD COUNTY MUNICIPAL COURT JUDICIAL AND PROBATION PERSONNEL PAY ORDINANCE

WHEREAS, Permanent Ordinance 41-21, Fairfield County Municipal Court Judicial and Probation Personnel Pay Ordinance, was passed by City Council on December 13, 2021; and

WHEREAS, certain modifications to the Fairfield County Municipal Court Judicial and Probation Personnel Pay Ordinance are now necessary;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO,

SECTION 1. That Permanent Ordinance 41-21, Fairfield County Municipal Court Judicial and Probation Personnel Pay Ordinance, be amended as shown in Exhibit A.

SECTION 2. That existing Permanent Ordinance 41-21, Fairfield County Municipal Court Judicial and Probation Personnel Pay Ordinance, be repealed and replaced in its entirety.

SECTION 3. That in the interest of the health, safety, and welfare of the community and in order to maintain workforce continuity, City Council does hereby declare an emergency so that this ordinance shall take effect and be in full force immediately.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Finance Committee



TEMPORARY ORDINANCE NO. 41-21

PERMANENT ORDINANCE NO. 41-21

AN ORDINANCE TO ESTABLISH BENEFITS, TITLES, AND COMPENSATION FOR FAIRFIELD COUNTY MUNICIPAL COURT JUDICIAL AND PROBATION PERSONNEL EMPLOYED BY THE CITY OF LANCASTER, OHIO FOR THE YEAR 2022, AND TO DECLARE AN EMERGENCY

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio:

SECTION 1. MUNICIPAL COURT PERSONNEL

<u>DEPARTMENT</u>	<u>JOB TITLE</u>	<u>NUMBER OF EMPLOYEES</u>
Municipal Court --Judicial	Judicial Office Assistant	1
	Bailiff	3
	Judicial Administrative Asst.	2
Municipal Court -Probation	Probation Administrative Asst.	1
	Probation Officer	7
	Probation Officer/Lab Technician	2
	Senior Probation Officer	1

SECTION 2. PAY SCALE.

The bi-weekly and annual compensation for the employees referenced in Section 1 of this Ordinance above, effective Payroll 1, 2022, shall be within the total annual amount as set forth in the 2022 salary spreadsheet.

- A. The Presiding Judge has the authority to set the annual salary of each employee within the lump sum dollar amount approved by the City Council for salaries for the upcoming year, including any approved cost of living increases.

SECTION 3. RETIREMENT PICK-UP.

Employees under this Ordinance do not receive retirement pension pick up.

SECTION 4. LONGEVITY PAY.

Employees covered by this ordinance, who were hired on or after January 1, 2006 are not eligible to receive this benefit.

Full-time employees covered by this Ordinance, who were hired on or before December 31, 2005, shall, after five years of continuous service with the City, receive a \$3.25 bi-weekly payment for each year of service. An employee shall be paid longevity pay commencing January 1<sup>st</sup> of the year in which the anniversary of employment occurs.

SECTION 5. PRO-PAY.

Employees covered by this Ordinance shall be paid an additional \$25.00 bi-weekly for an Associate's Degree or \$40.00 bi-weekly for a Bachelor's Degree.

SECTION 6. HOLIDAY PAY.

Employees will follow The City’s holiday schedule. Employees who are scheduled to, and do work on the holidays, shall be compensated for working such holidays at the rate of one and one-half times such employee’s normal rate of pay. ~~Employees must work their scheduled day before and after the holiday to receive holiday pay.~~ TO 11-22 3/14/2022

SECTION 7. PERSONAL TIME.

Employees covered by this Ordinance shall receive 40 hours of personal time each year. Personal time must be used in the year in which it was accrued and will not accumulate. Part-time employees are exempt from this benefit. The use of personal time must be approved by a supervisor.

SECTION 8. VACATION LEAVE.

The vacation schedule for employees covered by this Ordinance is hereby established as follows:

<u>Continuous Service</u>	<u>Vacation Hours</u>		
1 – 5 years	80 hours		
6 – 14 years	120 hours		
15 – 24 years	160 hours	TO 11-22	3/14/2022
25 + years	200 hours	TO 11-22	3/14/2022

As used in this section, “year” means any 12 month period following the first date of employment with the City during which the employee is continuously employed with the City and works an average of 30 hours or more per week.

Employees covered by this Ordinance shall accrue 80 hours of vacation leave upon completion of one full year of service with the City, and thereafter on the first day of January during any subsequent calendar year during which the employee is in active service with the City in accordance with the schedule listed above.

Employees covered by this Ordinance may carry-over no more than 40 hours of vacation leave into the subsequent calendar year, except as otherwise authorized by the Service-Safety Director or elected official responsible for supervision of that department.

SECTION 9. FUNERAL LEAVE.

Employees covered by this Ordinance shall be granted funeral leave with pay for the death of a family member as follows:

For a death within the employee’s immediate family (e.g., spouse, parent, parent of spouse, child, step-child, step-parent, or sibling), an employee shall be granted five days of leave within seven days of the death of the family member.

For a death not within the employee’s immediate family (e.g., brother in law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, appointed legal guardian, aunt, uncle, or grandparent of spouse), an employee shall be granted three days of leave within seven days of the death of the family member.

Days of leave shall be defined as normal average working hours. An employee may elect to take up to two additional bereavement days as other paid leave.

SECTION 10. MEDICAL INSURANCE.

Employees must work an average of 30 hours or more per week over the previous twelve (12)

months to be eligible for medical insurance. Employees covered by this Ordinance shall pay an amount equal to 15% of the monthly premium for both family and single coverage. These deductions will be made pursuant to the City's 125 plan.

The employee and members of his or her family shall be included under the Employee Insurance Coverage, but only one plan of Employee Insurance Coverage will apply per family even if more than one member of an employee's immediate family is employed by the City.

The insurance benefits provided in this Ordinance shall be substantially equal to those currently provided during the life of this Agreement. The City shall choose the insurance provider and plan, and the benefits provided herein are subject to the rules and regulations of the insurance carrier.

#### SECTION 11. LIFE INSURANCE.

The City shall provide to all full-time employees covered by this Ordinance a term life insurance program as follows:

##### Coverage Amount

\$26,000.00 per employee

\$ 2,000.00 per employee spouse

Up to \$2,000.00 per employee child (to age 19)

An employee will be eligible for insurance under this provision during the term of his or her employment with the City. An employee on leave without pay is not eligible for this program.

#### SECTION 12. SICK LEAVE PAYOUT.

A. An employee covered by this Ordinance who maintains a sick leave "bank" of more than 960 hours may elect to "cash in" up to \$500.00 of accrued but unused sick leave annually; provided, however, that an employee may "cash in" only accrued but unused sick leave in excess of 960 hours. In addition, employees with a sick leave "bank" of more than nine hundred sixty (960) hours may cash in two (2) hours of sick leave for one (1) hour of pay up to an additional five hundred dollar (\$500) payout provided the employee maintains a sick leave "bank" of at least nine hundred sixty (960) hours. The value of the sick time per hour is an employee's regular hourly rate.

B. An employee covered by this Ordinance who has a bank of more than nine hundred sixty (960) hours can exchange a minimum of eight (8) hours, or one day, for an additional vacation day, not to exceed forty (40) hours. (TO 28-19 for 2020)

C. Full-time employees covered by this Ordinance and hired on or before December 31, 2010 shall be granted the following:

1. If, upon retirement, an employee has a "bank" of at least 960 hours of accrued but unused sick leave, that employee will be paid 100% of the value of the employee's accrued but unused sick leave up to 960 hours, and 25% of the value of that employee's accrued but unused sick leave in excess of 960 hours.
2. If, upon retirement, an employee does not have a "bank" of 960 hours of accrued but unused sick leave, that employee will be paid the value of 32 hours of the employee's accrued but unused sick leave for each year of the employee's continuous

employment with the City, but in no case shall an employee be paid out more than the value of 960 hours of accrued but unused sick leave pursuant to this provision.

D. Full-time employees covered by this Ordinance, who were hired on or after January 1, 2011 and who have at least ten years of continuous service with the City, shall be granted the following:

1. Upon retirement, an employee may elect to be paid 25% of the value of the employee's accrued but unused sick leave. Regardless of the amount of the payment, a payout under this provision shall eliminate all of that employee's accrued but unused sick leave. An employee may elect to receive one or more payments, but the aggregate value of all payouts under this provision shall not exceed the value of 240 hours of accrued but unused sick leave.
2. For purposes of this section, the value of one hour of sick leave is equivalent to the employee's current regular hourly rate.

#### SECTION 13. SICK LEAVE EXCHANGE.

Employees covered by this Ordinance who maintain a sick leave "bank" of at least 960 hours may cash in sick leave for personal leave, at a ratio of two days of sick leave for one day of personal leave, for up to three personal days annually.

Employees who maintain a sick leave "bank" of at least 640 hours may cash in sick leave for personal leave, at a ratio of three days of sick leave for one day of personal leave, for up to three personal days annually.

#### SECTION 14. UNEXCUSED ABSENCES.

There will be no pay for unexcused absences the scheduled day before or after a holiday or vacation day. **TO 11-22 3/14/2022**

#### SECTION 15. SUPERVISOR DISCRETION.

The Presiding Judge may, in the exercise of his or her sound discretion, adjust the pay and/or benefits (e.g., vacation leave, personal time, and compensatory time) of an employee covered by this Ordinance in light of that employee's experience, education, performance, or other extenuating circumstances. Any adjustment under this provision must be in writing and, upon delivery to the City Auditor; the adjustment shall be made as soon as practicable.

#### SECTION 16. FORCE AND EFFECT.

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the continued and uninterrupted services by the City of Lancaster. Wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: 12/13/21 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: 12/13/21

T. Lee

President of Council

Attest: Jessie Lee Sandy

David Schepke

Mayor

Offered by: Tommy

Second by: Melody L. Bobbitt

Requested by Finance Committee