

ORDINANCE NO. 23-2020 (AS), *Second Reading*

By Council Member Seren

An Ordinance amending Section 6 of Ordinance No. 17-2020, "Wage and Salary Ordinance," to provide clarity and fill-in gaps on various provisions; and declaring an emergency.

WHEREAS, on March 2, 2020, this Council, pursuant to Article V, Section 4 of the Charter of the City of Cleveland Heights and Section 139.21 of the Codified Ordinances of the City of Cleveland Heights, adopted Ordinance No. 17-2020, establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City; and

WHEREAS, this Council wishes to amend Ordinance No. 17-2020 to provide further clarity on various terms contained therein and fill-in various gaps.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Section 6 of Ordinance No. 17-2020, the "Wage and Salary Ordinance," shall be and hereby is amended to henceforth read as follows:

SECTION 6. VACATION

(a) All full-time permanent city employees shall accrue vacation leave according to the following schedule:

<u>Period</u>	<u>Length of Service</u>	<u>Accrual Per Pay</u>
	Up to and including the sixth year	3.08 hours
	7 up to and including 12 years	4.60 hours
	13 up to and including 18 years	6.20 hours
	19 years or more	7.70 hours

Accrual of vacation days shall be by pay period and begin in the pay period in which the employee's first day of employment occurs. Vacation leave requests will be granted by the department heads in line with the needs of the department. To accommodate scheduling needs, vacation leave may be taken before actually accrued upon approval of the City Manager. When an employee terminates his employment with the city, the City Manager shall deduct from the employee's final pay periods the number of hours of vacation leave taken but not yet accrued. No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year.

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Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more.

(b.) Permanent part-time employees with a base schedule of 20 or more hours per week will accrue vacation. Permanent part-time employees shall accrue hours based on the actual hours worked in the preceding pay period divided by 80 hours multiplied by the accrual per pay period.

<u>Period</u>	<u>Length of Service</u>	<u>Accrual Per Pay</u>
	Up to and including the fourth year	1.54 hours
	5 up to and including 6 years	3.08 hours
	7 up to and including 11 years	4.6 hours
	12 up to and including 17 years	6.2 hours
	18 years or more	7.7 hours

No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year.

Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more.

All other full-time employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for the length of their consecutive service in the former public agency, in accordance with the provisions of the Administrative Code, for purposes of determining accrual of vacation leave during their employment with the City of Cleveland Heights. Accrual of vacation for transfer employees shall be determined according to the schedule set out in subsection

(a). Employees who wish to receive credit for their prior public service shall obtain a certified copy of their employment record from their prior employer.

Vacation leave granted under this Section shall be administered pursuant to rules adopted by the City Manager.

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(b). Eligible permanent part-time employees hired on or before April 1, 2019 will receive a one time lump sum deposit of vacation hours equal to one week of their base schedule deposited into their vacation bank the first paycheck in April 2020. Accruals shall begin with the first full pay period in April 2020.

(c). For purposes of this Section, the hourly rate of payment for accrued vacation leave shall be determined by the following formula: annual base pay at the time of employee separation divided by 2,080 hours.

SECTION 2. All remaining provisions of Ordinance No. 17-2020 shall remain in full force and effect.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the amendments to Ordinance No. 17-2020 to be effective at the earliest time possible to provide sufficient clarity to City employees as to their compensation and benefits. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

JASON S. STEIN, Mayor
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED: June 1, 2020