

## ***Record of Ordinances***

**Ordinance No.: 2012-27**

**Passed: September 10, 2012**

AN ORDINANCE ESTABLISHING 2012 BENEFIT, PAY SCHEDULE/SCALE FOR THE VILLAGE OF WEST LAFAYETTE AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

BE IT ORDAINED by the Council of the Village of West Lafayette, State of Ohio as follows:

### **PAY & BENEFITS**

#### **Section 1. Full-Time Employees**

- A. The following positions are considered Full-Time Employees. Employees shall not be considered Full-time until the successful completion of the required probationary period:

<u>Position</u>	<u>Classification</u>
1. Chief of Police	Exempt
2. Captain	Non-exempt
3. Lieutenant	Non-exempt
4. Sergeant	Non-exempt
5. Patrolmen Class II	Non-exempt
6. Village Administrator	Exempt
7. Fiscal Officer	Exempt
8. Office Manager	Non-exempt
9. Utility Technician II	Non-exempt
10. Plant Superintendent	Non-exempt
11. Class III Laborer/Foreman	Non-exempt
12. Class II Laborer	Non-exempt

- B. All full time employees are “employed at will” and nothing contained herein shall be relied upon as a contract for a specific term of months or years. The

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employee may be terminated from employment for cause or without cause at any time.

- C. For all Full-time Employees, except for the Office Manager, one day of vacation, holiday, personal, or sick time will be considered to be eight (8) hours of straight time pay.
- D. For the Office Manager, one day of vacation, holiday, personal, or sick time will be considered to be seven (7) hours of straight time pay.

### **Section 2. Sick Days**

- A. Full time employees of the Village will be entitled to sick leave of seven (7) days with pay per year beginning on the first day of each calendar year after the date of their hiring as a full time employee.
- B. Upon becoming full time, employees shall receive two (2) sick days.
- C. With supervisor approval, sick leave may be taken in one hour increments.
- D. Any employee who is unable to report for work and who is not on a previously approved day of vacation, sick leave, personal leave, or leave of absence, shall be responsible for notifying the employee's immediate supervisor that he/she will be unable to report for work. The notification must be made at least one (1) hour before the employee is scheduled to report for work, unless emergency conditions prevent such notification.
- E. After thee (3) consecutive days of sick leave or sick leave combined with personal time or vacation time then the supervisor may request written verification be obtained from the employee's physician before benefits will be paid and before the employee may return to work. In addition to the previous requirements, the Village reserves the right to send the employee to a physician selected by the Village.
- F. Upon approval of an employee's supervisor, sick leave may be used by the employee only for the following reasons:
  - 1. Illness, injury or pregnancy-related conditions of the employee.

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2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of the public and of other employees.
3. Illness, injury or pregnancy-related conditions of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
4. "Immediate family" for the purpose of this provision means the spouse, child, step-child, foster child (If living in the employee's home) grandchild, son-in-law, daughter-in-law, parent, step-parent, grandparent, mother-in-law, father-in-law, brother, brother-in-law, sister, sister-in-law of the employee.
5. On the first day of each calendar year an employee shall be entitled to carry over from the prior year a maximum of twenty-one (21) days of accrued but unused sick leave provided pursuant to this ordinance.

### **Section 3. Separation from Service**

- A. For this purpose of this provision, the term "separation" shall mean retirement into the Village paid pensions plans described in Section 7.
  1. Any employee who has any unused sick leave accrued pursuant to the provisions of this ordinance shall be entitled to a cash benefit of one-half of the balance of such unused sick leave accrued pursuant to Section 1 of this ordinance including amounts carried over pursuant to the provisions of this ordinance upon separation from service at their election.
  2. In order to be eligible for the conversion of their accrued but unused sick leave into cash, an employee must have one (1) year of regular full time employment prior to separation
  3. Any employee whose employment is terminated shall be considered a new employee upon re-hire with no accrued months of employment for computation of paid vacations, sick pay and paid holidays, and any unused sick leave which was not liquidated to a cash benefit pursuant to paragraph A above shall not be allowed as a carryover.
  4. In event of termination for cause an employee will not be entitled for payment for any remaining unpaid sick pay.

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### **Section 4: Personal Leave**

- A. Upon becoming full time, non-exempt employees shall receive two (2) days of personal leave with full pay.
- B. Two (2) days of personal leave shall be granted on January 1 of each calendar year.
- C. With supervisor approval, personal leave may be taken in one hour increments
- D. No carry-over into the next calendar year shall be allowed for unused personal days.

### **Section 5. Vacation**

- A. Each full time employee shall be entitled to paid vacation time as follows which shall accrue on the hiring date as a full time employee:
  - 1. One year from the hiring date, a full time employee shall be eligible for a total of 10 days of paid vacation per calendar year. An employee can request one week paid vacation after six months with supervisor approval.
  - 2. Five years from the hiring date, a full time employee shall be eligible for a total of 15 days of paid vacation per calendar year.
  - 3. Ten years from the hiring date, a full time employee shall be eligible for a total of 20 days of paid vacation per calendar year.
- B. In event of termination for cause an employee will not be entitled for payment for any remaining unpaid vacation.
- C. Any employee who has any unused vacation at the time termination pursuant to the provisions of this ordinance shall be entitled to a cash benefit of one-half of the balance of such vacation. All vacation must have prior approval of the supervisor prior to the use of the vacation.
- D. For all non-exempt employees the scheduling of vacation must be done in advance per the following guidelines:
  - 1. All requests for vacation must be submitted to your supervisor by April 1<sup>st</sup>.

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2. Your Supervisor will return all vacation requests by May 1<sup>st</sup> with which weeks are approved.
3. Employees have 30 days to re-schedule any vacation requests which were not approved.
4. Employees must schedule all but one week of the available vacation time.

Your Supervisor shall have the right to schedule the vacation time for any employee in accordance with the needs, requirements and convenience of the department.

- E. All vacation time must be taken in a minimum of half day increments.
- F. No carry-over into the next calendar year shall be allowed for unused vacation days.
- G. Non-exempt employees in the police department may sell vacation time back to the Village with supervisor approval per the following:
  1. If the employee has 2 weeks of eligible vacation they may sell back a maximum of 40 hours.
  2. If the employee has 3 weeks of eligible vacation they may sell back a maximum of 40 hours.
  3. If the employee has 4 weeks of eligible vacation they may sell back a maximum of 80 hours.

All requests for selling back vacation must be turned in by December 1<sup>st</sup>.

### **Section 6. Death in the Immediate Family**

- A. For purposed of this section "immediate family" shall be defined as in Section 2 Paragraph F Item 4.
- B. Upon death of a member of an employee's immediate family, that employee shall be allowed:
  1. Three (3) days with pay when the funeral is held within the State of Ohio, with one (1) day of said three (3) day period being the day of the funeral.

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2. Five (5) days with pay when the funeral is held out of the State of Ohio, with one (1) day of said five (5) day period being the day of the funeral.

### **Section 7. Pension contributions**

- A. The employee of the Village of West Lafayette shall be covered by the following pension plans with all employer contributions made as required by the Village of West Lafayette:
  1. Full time police officers – Ohio Police & Fire Pension & Disability Fund
  2. All other Full time employees – Public Employees Retirement System of Ohio

### **Section 8. Health and Life Insurance**

- A. All Full Time employees of the Village of West Lafayette working a normal schedule of 40 hours per week shall be covered by a reasonable health insurance plan. The expense of the plan shall be paid as follows: 95% by the Village and 5% by the employee.
- B. All Full Time employees of the Village of West Lafayette shall be covered by a life insurance policy in the minimum amount of \$20,000.00.

### **Section 9. Pay Schedules**

- A. Over time pay at the rate of one and one half (1½) times the regular per hour rate shall be paid for hours in excess of forty (40) hours worked within a scheduled pay week.
- B. Un-worked holidays will be considered as time worked for the purpose of computing overtime when the holiday falls on a regularly scheduled worked day. Un-worked holidays will not be considered as time worked for the purpose of computing overtime when the holiday falls on a regularly scheduled day off.
- C. For the purposes of computing over time hours; Vacation, Personal Leave, Death in the Family, or Sick Days will not be considered time worked.
- D. If an employee has eligible “paid time off” (Vacation, Personal, Death in the Family, or Sick Leave) it must be used before an employee can request “no pay”.

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E. The rates of compensation of various officials and officers and employees of the Police Department of the Village of West Lafayette shall be and herewith are established as follows:

i. Chief of Police:	\$38,228 per year
ii. Captain	\$14.60 per hour
iii. Lieutenant	\$14.19 per hour
iv. Sergeant	\$13.69 per hour
v. Patrolmen Class II	\$13.12 per hour (Full-Time)
vi. Patrolmen Class II	\$12.00 per hour (Probationary Period)
vii. Patrolmen Class I	\$12.00 per hour (After Probationary Period)
viii. Patrolmen Class I	\$10.00 per hour (Starting)

F. The rates of compensation of various positions and classes of the Street, Water and Sewer Departments of the Village of West Lafayette shall be and herewith are established as follows:

i. Class III Labor/Foreman	\$13.50 per hour (Full-Time)
ii. Class III Labor/Foreman	\$13.00 per hour (Probationary Period)
iii. Class II Labor	\$12.68 per hour (Full-Time)
iv. Class II Labor	\$11.18 per hour (Probationary Period)
v. Class I Labor	\$ 9.63 per hour (Part-Time)
vi. Plant Superintendent	\$15.18 per hour
vii. Utility Technician II	\$13.68 per hour (Full-Time)
viii. Utility Technician II	\$12.68 per hour (Probationary Period)
ix. Utility Technician I	\$11.68 per hour (Part-Time)

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G. The rates and compensation for administrative and office employees of the Village of West Lafayette shall be and herewith are established as follows:

i. Village Administrator	\$41,520 per year
ii. Fiscal Officer	\$32,740 per year
iii. Office Manager	\$12.05 per hour (Full-Time)
iv. Office Manager	\$10.30 per hour (Probationary Period)

H. For any employee of the Village of West Lafayette who successfully completes the training required and passes the required examinations to obtain a Class I, or Class II operator's license for the water or wastewater treatment plants, the pay rate for said employee shall be increased by an additional \$2.00 per hour for the first license. For each additional license, the employees pay shall increase by \$1.00 per hour. This amount will be added to the pay rates in the above sections.

I. One half of the amount in Section 9 Paragraph H. will be paid upon successfully passing the required test and then the remaining amount will be paid when the license is issued by the Ohio EPA.

J. The rate of compensation of the Fire Chief, Assistant Fire Chief of the Village of West Lafayette and bonus payment of the Volunteer Fire Fighter officers and firemen of the Fire Department of the Village of West Lafayette shall be and herewith are established as follows:

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|----------------------|--|
| a. Fire Chief        | \$2,000.00 per year, to be paid annually |
| b. Assistant Chief   | \$2,000.00 per year, to be paid annually |
| c. Volunteer Firemen | \$10.00 per fire run                     |
- d. Notes: The per fire run payment does not apply to either the Fire Chief or the Assistant Fire Chief
- i. The Volunteer Firemen will be paid annually per reports provided by the Fire Chief
  - ii. The bonus payment for the purpose of this ordinance shall be defined as compensation for services rendered in reporting to emergency calls. The bonus payment is paid only when the person reports to and arrives at the fire station.



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- K. A village employee may also serve as a village volunteer fireman. A village employee may not be paid for a fire run simultaneously with his pay for village work. If the fire run commences before the end of the village employee's work shift, the employee may be paid for his village shift work and the fire run if the fire run lasts for any period of time after the end of the employee's work shift.
- L. Non-exempt employees in the Police Department working Special Events will be paid at a rate of 1.5 times their normal straight time rate for working said event. A Special Event is defined as an event whereby the Village is reimbursed by the third party sponsoring the Special Event. The Police Chief will negotiate a rate with the third party event sponsor to include all costs incurred by the Village.

### **Section 10. Holiday Schedule**

- A. Eligibility to receive holiday pay is defined as follows:
  - 1. A full time employee.
  - 2. Employed thirty (30) consecutive days prior to the said holiday.
  - 3. The employee shall work the scheduled workdays directly proceeding and following the said holiday. An employee who uses available "Paid time off" (Vacation, Personal, Death in the Family, or Sick time) the schedule work day directly proceeding and/or following the said holiday the employee will have that "Paid Time Off" considered as day(s) worked for the purpose of qualifying for holiday pay.
- B. Any village employee scheduled to work on a holiday shall receive 1.5 times his regular rate in addition to his regular holiday pay.

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C. The paid holidays for the calendar year 2012 shall be as follows:

January 2	New Years Day
April 6	Good Friday
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
November 22	Thanksgiving Day
November 23	Day after Thanksgiving Day
December 24	Day before Christmas Day
December 25	Christmas Day

D. Generally, if a holiday falls on Saturday, the holiday will be observed on the Friday before the actual day. If holiday falls on Sunday, the holiday will be observed on the Monday following the actual day.

### **Section 11. Applicable Time Periods**

- A. This ordinance shall be applicable to all employees of the Village of West Lafayette, Ohio, on and after January 1, 2012 in regard to all employee benefits covered herein. Pursuant to Ohio Revised Code Section 9.44 it is herewith declared that the anniversary date of employment is the anniversary date of the most recent hiring as a full time employee.
- B. All provisions of Ordinances and Resolutions inconsistent with the provisions herein shall be and herewith are amended to the extent they otherwise would be applicable to the pay rates of the above pay categories and classifications on and after January 1, 2012, otherwise however, they shall remain in full force and effect.

### **Section 12.**

- A. All provisions of Ordinances and Resolutions in conflict with the provisions and terms of this ordinance shall be and is herewith amended in accordance with this ordinance.

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- B. That this resolution shall be and is hereby declared to be an emergency measure for reason that the Village needs to establish who is eligible for health benefits, and for reason thereof this ordinance shall be effective immediately upon passage, signing by the Mayor, and posting.

Passed on this \_\_\_\_\_ day of September, 2012

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Jack L. Patterson, Mayor

Attest:

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Lisa M. Stiteler, Fiscal Officer