

# Record of Ordinances

Ordinance No.: 2018-17

Passed 4/23/2018

AN ORDINANCE ESTABLISHING THE BENEFIT SCHEDULE 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:

## 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:

Chief Of Police	Exempt
Patrolman II	Non-Exempt
Village Administrator	Exempt
Operator III	Non-Exempt
Operator II	Non-Exempt
Operator I	Non-Exempt
Operator	Non-Exempt
Tech	Non-Exempt
Office Manager / Tax Administrator	Non-Exempt
Labor II	Non-Exempt
Fiscal Officer	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 employee may be terminated from employment for cause or without cause at any time.
- C. For all Full-time Employees one day of vacation, holiday, personal, or sick time will be considered to be eight (8) 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.

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- 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 three (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.
  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 424 hours of accrued but unused sick leave provided pursuant to this ordinance.

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

- A. For the purpose of this provision, the term "separation" shall mean retirement into the Village paid pension plans described in Section 7.

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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.

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

- A. Upon becoming full time, non-exempt employees shall receive three (3) days of personal leave with full pay.
- B. Three (3) 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.

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- B. Any employee who has any unused vacation at the time termination for cause or without cause pursuant to the provisions of this ordinance shall be entitled to a cash benefit for any remaining unpaid vacation.
- C. 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 1st.
  - 2. Your Supervisor will return all vacation requests by May 1st 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. With supervisor approval, vacation time may be taken in one-half day increments.
- F. Any employee may carry-over a maximum of five unused vacation days into the next calendar year.
- G. Any non-exempt employee may sell vacation time back to the Village with supervisor approval.
  - a. Any employee who has eligible vacation time of five (5) or more days must take at least five days (5) of vacation.
  - b. Any remaining vacation hours may be sold back to the Village.
  - c. All requests for selling back vacation must be turned in by December 1st.

### Section 6. Death in the Immediate Family

- A. For purposes of this section "immediate family" shall be defined as in Section 2 Paragraph F Item 4.

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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.
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 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 eligible to participate in a Dental Insurance Plan. The expense of the plan shall be paid as follows: 50% by the Village and 50% by the employee.

C. All Full-Time employees of the village of West Lafayette shall be eligible to participate in a Vision Insurance Plan. The expense of the plan shall be paid as follows: 100% by The Village and 0% by the employee.

D. 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. The expense of the plan shall be paid as follows: 100% by The Village and 0% by the employee.

E. Effective January 1, 2015, each employee using tobacco products shall be responsible to pay the increased cost of his/her insurance over a nonuser of tobacco products insurance cost to the Village. The employee shall cooperate in all means requested by the Village or Village's insurer to determine if the employee is a user of tobacco products.

F. Any Village employee currently receiving this benefit may continue to elect not to receive medical, dental, or vision insurance and they may receive an amount equal

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to the Village's cost of said insurance for them and their family, not to exceed Five Thousand and 00/100 (\$5,000.00) Dollars in the aggregate as additional salary. The employee may elect to receive this at a rate of \$2.50 per hour worked until the cap is reached or as a lump sum on the Last Friday of December annually. In the event that the employee(s) receiving this benefit terminate their employment with the Village of West Lafayette this amount shall be prorated.

### Section 9. Clothing Allowance

A. The following full-time positions are eligible to receive an annual clothing allowance of \$500.00 per year for work related items:

- |                          |                     |
|--------------------------|---------------------|
| 1. Police Chief          | 6. Operator II      |
| 2. Patrolmen Class II    | 7. Operator I       |
| 3. Village Administrator | 8. Class II Laborer |
| 4. Operator              | 9. Operator III     |
| 5. Tech                  |                     |

B. The following Part-Time positions are eligible to receive an annual clothing allowance of \$150.00 per year for work related items as long as they have worked 100 hours or more by December 31<sup>st</sup>, of the previous calendar year:

1. Patrolman Class I

C. The Police Department may use this allowance for the purchase of a service weapon and/or equipment.

D. No one employee shall receive more than a total of \$500.00 per calendar year

E. All non-exempt employees must get supervisor approval prior to using this benefit.

F. Unused funds do not carry over into the next calendar year.

### 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

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have that "Paid Time Off" considered as day(s) worked for the purpose of qualifying for holiday pay.

B. The paid holidays for each calendar year shall be as

follows: New Year's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Day after Thanksgiving Day

Day after/before Christmas

Christmas Day

By December 15th of each calendar year, the Ordinance Committee shall submit the exact calendar days for each holiday to the Mayor for approval. Upon approval by the Mayor, the Mayor will send in writing the approved dates to Council, Fiscal Officer, Police Chief, and the Village Administrator.

### 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, 2018 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 above benefits on and after January 1, 2018, 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.

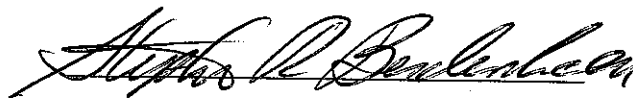
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B. That this resolution shall be and is hereby declared to be an emergency measure for reason that the Village needs to establish who is eligible for health benefits, and for reason thereof this ordinance shall be effective immediately upon passage,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

Passed on this 23 day of April, 2018



Stephen R. Bordenkircher, Mayor

Attest:

\_\_\_\_\_  
Sara Warne, Fiscal Officer



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This Revision Log is for reference only and is not part of the Ordinance

## Revision Log:

<u>Date:</u>	<u>Revision:</u>
2/26/2015	Changed Ordinance Number from 2014-31 to 2015-06.
2/26/2015	On Page 2, in Section 2, paragraph F.5, changed 21 days to 424 hours
2/26/2015	On Page 4, in Section 5, paragraph E, changed "one hour" to one-half day".
2/26/2015	On Page 4, in Section 5, paragraph F, changed "No carry over into the next calendar year shall be allowed for unused vacation days" to "Any employee may carry over a maximum of five unused vacation days into the next calendar year".
2/26/2015	On Page 6, in Section 8, added paragraph F. The language from Ordinance 2008-17.
2/26/2015	Page 7, Changed Section 11 to Section 12.
2/26/2015	Page 8, Change Section 10 to 11
2/26/2015	Page 7, Changed Section 9 to 10.
2/26/2015	Page 6, Added new Section 9 to document Clothing Allowance practice. Changed amount from \$400 to \$500 and added Village Administrator to the list.
2/26/2015	Page 7, Section 10, paragraph B, changed "The paid holidays for the calendar year 2015 shall be as follows:" to "The paid holidays for each calendar year shall be as follows:"
2/26/2015	Page 7, Section 10, paragraph B removed all calendar dates. Added "By December 15th of each calendar year, the Ordinance Committee shall submit the exact calendar days for each holiday to the Mayor for approval. Upon approval by the Mayor, the Mayor will send in writing the approved dates to Council, Fiscal Officer, Police Chief, and the Village Administrator".
2/26/2015	Page 9, Changed "Roberta Moore, Fiscal Officer" to "Christie Maurer, Acting Council Clerk".
2/26/2015	Page 1, Section 1, paragraph A5 changed "Office Manager" to "Office Manager/Tax Administrator"
2/26/2015	Page 1, Section 1, paragraph C removed "except for the Office Manager".
2/26/2015	Page 1, Section 1, paragraph D was removed.
2/17/2016	Page 6, Section 8, Paragraph F, Updated
2/17/2016	Page 6, Section 9, Paragraph C, Added
4/11/2016	Added New Positions Created by Payroll Ordinance
10/24/2016	Changed Section 9, Paragraph D to Section 9, Paragraph E. Changed Section 9, Paragraph E to Section 9, Paragraph F. Added Section 9, Paragraph D.
3/7/2017	Amended Section 8, Paragraph F.
3/26/2018	Page 1, Section 1, Paragraph A, Updated
3/26/2018	Page 6, Section 9, Paragraphs A and B Updated