

ORDINANCE NO. 2000-105

**AMENDING THE CODE OF ORDINANCES OF THE CITY OF MASON,
OHIO, TO CHANGE SECTION 165.03, 165.06, 165.07 and 165.09,
GENERAL EMPLOYMENT PROVISIONS**

BE IT ORDAINED by the Council of the City of Mason, Ohio, **six (6)** members elected thereto concurring:

Section 1. That the Code of Ordinances of the City of Mason, Ohio shall be amended to add new Section as follows:

165.03 Holidays

Delete subsection (h).

165.06 Work Hours

(a) Work Week

(1) For all employees who are not included in (a)(2) below, the work week shall consist of seven (7) calendar days beginning at 12:01 a.m. on Sunday and ending at midnight on Saturday. During the work week, regular full-time employees shall normally be scheduled to work forty (40) hours and, generally, the forty (40) hours will be scheduled over five (5) days. However, for reasons of efficiency and effectiveness, the City Manager may adjust work schedules.

(2) Full-time fire suppression and/or emergency medical service employees who work the tour system, as designated by the City Manager, shall normally work twenty-four (24) hours followed by forty-eight (48) hours off (24/48) over a twenty-eight (28) day work period. The schedule may be adjusted with a periodic off day so as to limit the number of hours of work to two hundred twelve (212) in the twenty-eight (28) day work period.

(b) Overtime.

(1) Overtime is accrued for Classified employees who are non-exempt from the

(2) Each employee identified in subsection (b)(1) hereof, except as elsewhere provided for, shall receive overtime compensation calculated at one and one-half (1.5) times the employee's calculated hourly rate for all hours worked in excess of eight (8) hours worked in a work day or in excess of forty (40) hours worked in a work week. The department head, with the consent of the City Manager, may approve, for any employee under his supervision, compensatory time off in lieu of overtime pay provided that the compensatory time is used within the same work week in which it accrues. However, for employees subject to the Fair Labor Standards Act for whom a work period longer than the work week may be used in computing overtime compensation, compensatory time may be approved for overtime hours worked up to the maximum number of hours worked per work period as established under the Fair Labor Standards Act. Compensatory time, when approved, shall be granted at the rate of one and one-half (1.5) hours for each overtime hour worked. Compensatory time can only be scheduled and used with the prior approval of the department head and shall be taken in such increments as the department head shall authorize. Hours in attendance at seminars or training shall not be counted as hours worked for purposes of this section unless such seminars or training are required by the City.

(3) Scheduled overtime. For all work in excess of eight (8) hours per work day overtime shall appear on the employee's timesheet. This shall not preclude

the City Manager from limiting or otherwise directing the department head in authorizing overtime.

- (4) Emergency overtime. Emergency overtime may be authorized by the department head or the City Manager. In all cases the reasons for emergency overtime shall appear on the employee's timesheet. The City Manager has the authority to authorize emergency overtime work and payment for emergency services for employees other than those listed in subsection (b)(1) hereof, except that in no case shall payment for overtime work be made to the department or division heads unless specifically authorized by Council.
- (5) Overtime analysis. No later than one (1) week following the close of a pay period, the City Manager shall prepare and forward to Council an analysis of all overtime worked in that pay period. Such analysis shall show the department and/or division in which the overtime was worked, the specific reasons for the overtime, the number of persons who worked overtime and their positions, the number of hours of overtime per person, the overtime cost per person, the overtime cost per department and/or division, and the overall overtime cost for that pay period. Overtime cost shall be computed as described in subsection (b)(2) hereof, and shall be shown regardless of whether compensatory time is taken or wages paid.

165.07 Vacation

- (a) On or before January 1, 2001, each employee employed as of that date will receive a vacation credit of 6.67 hours for each month in which the member was employed by the City of Mason prior to January 1 of the year following the year in which the employee was hired. For example: Employee hired in July shall be credited for six months and receive forty (40) hours of vacation; a member hired in January shall be credited for twelve (12) months and receive eighty (80) hours of vacation. Effective January 1, 2001, and thereafter, employees shall accrue vacation in each bi-weekly period.
- (b) All regular full-time employees who work a forty (40) hour-week shall receive paid vacation as follows:
- (1) After the first six (6) months, forty (40) hours;
 - (2) Thereafter, the employee shall accrue vacation as follows:

YEARS OF SERVICE (FORTY HOUR WORK WEEK)	HOURS PER PAY PERIOD	APPROXIMATE ANNUAL ACCRUAL	MAXIMUM VACATION BALANCE
DURING THE FIRST FOUR YEARS OF EMPLOYMENT	3.08	80 hours	3 times the yearly balance to a maximum of 240 hours.
DURING THE FIFTH YEAR THROUGH THE NINTH YEAR	4.62	120 hours	3 times the yearly balance to a maximum of 360 hours.
AFTER THE NINTH YEAR OF EMPLOYMENT	6.16	160 hours	3 times the yearly balance to a maximum of 480 hours.

(k) Thereafter the eligible employee shall accrue vacation as follows:

YEARS OF SERVICE (ELIGIBLE PART-TIME EMPLOYEES)	HOURS PER PAY PERIOD	APPROXIMATE ANNUAL ACCRUAL	MAXIMUM VACATION BALANCE
DURING THE FIRST FOUR YEARS OF EMPLOYMENT	1.54	40 hours	3 times the yearly balance to a maximum of 120 hours.
DURING THE FIFTH YEAR THROUGH THE NINTH YEAR	2.3	60 hours	3 times the yearly balance to a maximum of 180 hours.
AFTER THE NINTH YEAR OF EMPLOYMENT	3.07	80 hours	3 times the yearly balance to a maximum of 240 hours.

(l) Beginning January 1, 2001, all eligible, part-time regular employees who are not on probation will be placed upon an accrual system by bi-weekly pay periods as outlined above.

(m) Part-time regular employees eligible for vacation accrual may not use more vacation per day than they normally work. For example: An employee who works an average of four (4) hours every work day Monday through Friday may not take eight (8) hours of vacation that day and continue to work the remaining four days and accrue overtime.

165.09 Pay During Periods of Absence/Personal Business

(a) Personal Business/Leave Up to three (3) personal leave days are available to regular full-time employees, with the approval of department head. Personal business, for this section, means a short, definite period of time during which the eligible employee is compelled by forces beyond his/her control to be absent during work hours. Paid time off for personal business will be limited to circumstances involving serious compelling situations, including, but not limited to the death of a non-immediate family member and jury duty. For the death of the employee's spouse, parent, child, sibling, grandparent, mother-in-law or father-in-law, the employee may receive up to three (3) days of pay, ending with the day of the funeral. If the employee is subpoenaed as a witness or for jury duty, the employee will receive the difference between regular pay and the witness/juror fee provided that the employee makes every effort to appear for work during the portion of the employee's normal work day and that does not conflict with court time.

1. At the first payroll of the year, eligible employees will be credited with Personal Business/Leave as outlined in (a) above.

2. Personal Business/Leave must be used within the calendar year and is not allowed to be carried over without the express, written permission of the City Manager.

3. Part-time employees may avail themselves of a pro-rated payment of

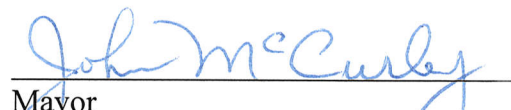
(b) Sick Pay Sick pay will be provided to an employee when the employee is unable to work because of a personal illness or injury, or when a member of the employee's immediate family is ill or injured and the employee requests an absence to care for the family member.

1. For full-time regular employees who work a regular forty (40) hour work week three and seven tenths (3.7) hours of sick leave will be credited for each full pay period worked following hire.
2. For employees working a forty-eight (48) hour work week, as outlined in 165.06(a)(2), approximately four and four tenths (4.4) hours of sick leave will be credited for each full pay period worked following hire, not to exceed one hundred fifteen (115) hours per calendar year.
3. Part-time regular employees who regularly work twenty (20) hours or more on a consistent basis will be credited two (2) hours of sick leave for each full pay period worked following hire.
4. Sick pay credit accumulates without limit.
5. A request for sick leave must be made to the department head/director
6. Sick leave may be taken for, but is not limited to the following:
 - A. Illness or injury of the employee;
 - B. Any condition related to pregnancy and/or childbirth;
 - C. Paternity leave not to exceed five (5) days immediately following the birth of the child.
 - D. Non-emergency medical treatment of the employee or the
 - E. Illness in employee's immediate family if the employee has
 - F. Attendance at a funeral for a person other than a member of the immediate family with prior approval by the department head/director, provided the member has exhausted available personal days.
7. Sick leave accrual is not increased because of overtime worked.

Section 2. That all other sections of Chapter 165 and all other provisions of Ordinance 99-124 remain in full force and effect.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 24th day of July, 2000.



Mayor

Attest:



Clerk of Council