

ORDINANCE NO. 79-17

AN ORDINANCE AMENDING SECTION 31.13 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO VACATIONS, AND DECLARING AN EMERGENCY.

WHEREAS: Section 31.13 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows relating to Vacation:

SECTION 31.13 VACATION

(A) Benefits According to Service.

Each full-time employee shall earn and be entitled to paid vacation in accordance with the following schedule:

1. An employee who on December 31st has had credited service of less than one (1) full year with the City of Medina will receive a vacation with pay in the succeeding calendar year according to the following schedule:

Less than one (1) year of credited service and not over five (5) years, one (1) day for each month of service with the City of Medina, but not to exceed two (2) basic work weeks.

At least five (5) years of credited service, but less than eleven (11) years of public service, one and one-half (1-1/2) days for each full month of service with the City of Medina, but not to exceed three (3) basic work weeks.

At least eleven (11) years of credited service, but less than twenty (20) years of public service, two (2) days for each full month of service with the City of Medina, but not to exceed four (4) basic work weeks.

Twenty (20) years of credited service or more, two and one-half (2-1/2) days for each full month of service with the City of Medina, but not to exceed five (5) basic work weeks.

2. An employee who on December 31st has had credited service of at least one (1) year, but less than five (5) years, shall receive vacation pay of two (2) basic work weeks in the following calendar year.

3. An employee who on December 31st has had credited service of at least five (5) years, but less than eleven (11) years shall receive vacation pay of three (3) basic work weeks in the following calendar year.

4. An employee who on December 31st has had credited service of at least eleven (11) years, but less than twenty (20) years shall receive vacation pay of four (4) basic work weeks in the following calendar year.

5. An employee who on December 31st has had credited service of at least twenty (20) years, shall receive vacation pay of five (5) basic work weeks in the following calendar year.

6. Employees returning from leaves of absence, lay-off, or a period of termination will be entitled to a vacation in the succeeding year based on the schedule in (A)(1). Service time will not be accumulated during a leave of absence, lay-off, or period of employment termination.

(B) General Practices and Definitions.

1. Unused vacation time. Unused vacation time may be cumulative for not to exceed two years. Employees will be permitted to work for the City during their vacation period while receiving their normal compensation if they have already taken off work for at least three (3) weeks of vacation in a calendar year, they have the approval of their appointing authority, and the vacation time would otherwise be lost at year end.

2. Holiday during vacation period. When a City-observed holiday for which an employee is entitled to straight time pay falls within the scheduled vacation period, he will be given an additional day off with pay or, at the discretion of his supervisor, a day's pay.

3. Pay in advance. Paychecks for regular pay days falling within a vacation period may be obtained in advance upon written request at least one pay period before the check is desired. No other paychecks will be advanced nor will any other pay period be split.

4. Basic workweek. A basic workweek as used in Section 31.09.

5. Credited Service.

(a) For all employees hired after January 1, 1992, only service as an employee of the City will be credited for purpose of vacation eligibility.

(b) For all employees hired after January 1, 1997, only service in a full-time position with the City will be credited for the purpose of vacation eligibility.

(c) Effective January 1, 1997, individuals formerly employed on a part-time basis and being hired into a full-time position shall earn vacation eligibility in accordance with Section 31.13(B)(5)(b) above.

(C) Vacation Benefits for Employment Termination.

Any employee who leaves the employ of the City for any reason will receive vacation pay for any vacation he may have been eligible to receive on January 1st of the year of termination if not already taken at the time of his termination. In addition, an employee will be paid a vacation allowance proportionate to the number of full months worked in the calendar year of termination, if he meets any of the following conditions:

1. Resigns with the proper notice of two (2) weeks of work,
2. Is laid off on account of lack of work,
3. Retires under the City's retirement or disability plan,
4. Dies.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Section 31.13 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows pertaining to Vacation:

SECTION 31.13 VACATION

Section 1. Effective January 1, 2017, each full-time employee shall earn and be entitled to paid vacation in accordance with the following schedule:

- A. An employee with less than five (5) years of service shall earn vacation with pay at the rate of 3.1 hours per pay period with a maximum earning of two (2) basic work weeks, and may carry over a maximum of 160 hours of earned vacation. Employees shall not be able to take vacation until completion of one (1) year of service.
- B. An employee with five (5) years, but less than eleven (11) years of service shall earn vacation with pay at the rate of 4.6 hours per pay period with a maximum earning of three (3) basic work weeks, and may carry over a maximum of 240 hours of earned vacation.
- C. An employee with eleven (11) years, but less than twenty (20) years of service, shall earn vacation with pay at the rate of 6.2 hours per pay period (with a maximum earning of four (4) basic work weeks, and may carry over a maximum of 320 hours of earned vacation.
- D. An employee with twenty (20) or more years of service shall earn vacation with pay at the rate of 7.7 hours per pay period with a maximum earning of five (5) basic work weeks, and may carry over a maximum of 400 hours of earned vacation.
- E. Employees will not be permitted to carry over vacation into the succeeding calendar year beyond the carryover limits set forth above in this section, in paragraphs A-D.
- F. For employees on a leave of absence, lay-off, or a period of termination service time will not be accumulated during such leave of absence, lay-off, or period of employment termination.
- G. Credited Service. For all employees hired after January 1, 1992 only service as a full-time employee of the City of Medina will be credited for purposes of vacation eligibility.

Section 2. General practices and definitions.

- A. Employees will not be permitted to work for the City during their vacation periods and receive additional compensation; except an employee who has already taken off work for at least three (3) weeks of vacation in a calendar year may be compensated for additional accumulated and unused vacation if the Chief is unable to schedule the employee off prior to the end of the year and the vacation would be forfeited.

- B. Holiday During Vacation Period. When a City-observed holiday for which an employee is entitled to straight time pay, falls within the scheduled vacation period, he will be given an additional day off with pay or, at the discretion of his supervisor, a day's pay.
- C. Basic Work Week. A basic work week as used in Article 16.

Section 3. Vacation Benefits For Employment Termination. An employee who leaves the employ of the City for any reason will receive vacation pay for any vacation he may have been eligible to receive if not already taken at the time of his termination.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: May 22, 2017

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: May 23, 2017

SIGNED: Dennis Hanwell
Mayor