

ORDINANCE NO. 30-2013 (Amended 6/4/13)

Offered by All of Council

AN ORDINANCE AMENDING CHAPTER 153, "EMPLOYEE PROVISIONS" OF THE ADMINISTRATIVE CODE

WHEREAS, this Council believes that all Village employees should be treated fairly and equitably; and

WHEREAS, employees of the Service Department have proposed changes to Chapter 153 of the Richfield Codified Ordinance to reflect treatment of non-union Village employees that is more consistent with the terms and conditions of employment for employees in the Fire and Police Divisions under their collective bargaining agreements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Chapter 153 of the Administrative Code, entitled AEmployee Provisions,@ be amended to read as follows:

**CHAPTER 153, AS AMENDED**

**153.01 BUDGET AND RECORDS; DEFINITIONS.**

(a) Budget and Records. An employee is a person who has been appointed to perform a job title created by the Charter or ordinances except elected public officials. The Mayor shall cause the head of each Department of this Municipality to submit annually a budget for the ensuing year. The Director of Finance shall be responsible for the records of all employees' benefits included in this chapter.

(b) Definitions. The following offices are defined as follows:

(1) "Elected official" means a person who has been elected to an office created by the Charter.

(2) "Contract employee" means a person who has been employed to perform specialized and personal services for the Village under the authority of an ordinance.

(c) Anniversary Date. The anniversary date shall be the date an employee began full-time employment. Length of service shall be computed from the anniversary date, for benefits. If an employee resigns and is later reinstated or reemployed, the date of reinstatement or reemployment shall constitute a new anniversary date. Persons employed by the Township of Richfield before incorporation shall have as their anniversary date the date of such employment by the Township. The anniversary dates for all full-time employees shall be certified by the Mayor and a record of such certification shall be maintained by the Finance Director. (Ord. 30-1986, Passed 5-20-86.)

### **153.02 EMPLOYEE CATEGORIES.**

Employee categories shall consist of the following:

- (a) Department heads as created by Charter:

Director of Finance  
Director of Public Service  
Zoning Inspector  
Chief of Police  
Chief of Fire  
Director of Public Safety

(b) "Full-time employee" means a person who is employed to work full-time for the Village throughout the entire year.

(c) "Part-time employee" means all other employees not listed herein and not entitled to any benefits other than from the Public Employees Retirement System. (Ord. 26-1985. Passed 4-16-85.)

### **153.03 EMPLOYMENT POLICY.**

(a) Beginning January 1, 1981, to qualify for all compensation and benefits hereinafter provided, each full-time employee shall have completed and submitted an employment application form before the commencement of employment. Each department head may review the employment application forms of all qualified applicants and make recommendations to the Mayor before employment in that department. The Mayor may give credit for previous experience toward starting salary schedules. The employment application form of each person employed, bearing the approval of the Mayor, shall be kept in the personnel file of such employee.

(b) An employee of the Village who is appointed, promoted or transferred shall be on a probationary status for a period of no less than 60 days but not more than six months from the date of the appointment, promotion or transfer. At the termination of an employees' probationary period, his appointment, promotion or transfer shall be confirmed by the Mayor in writing. If the employee does not successfully perform the duties assigned to him, he may be dismissed, demoted or transferred to his former position pursuant to the Charter.

(c) Police personnel who are appointed shall be on a probationary status for no less than six months from the date of such appointment. At the termination of the police personnel's probationary period, his appointment or removal shall be pursuant to the Charter.

(Ord. 6-1981. Passed 2-3-81.)

### **153.04 WORK HOURS.**

(a) Compensation and benefits shall be computed on a standard work week consisting of forty hours, starting at 12:01 a.m. Monday. The standard work year shall consist of 2,080 hours, unless otherwise specifically provided herein.

(b) Hourly compensation rates for all salaried personnel shall be determined by dividing the annual base compensation by 2,080.

(c) The normal work day for Village Offices shall consist of seven and one-half hours starting at 8:00 a.m. and ending at 4:30 p.m. The normal meal time shall be from 12:00 noon to 1:00 p.m. (Ord. 6-1981. Passed 2-3-81.)

(d) The normal work week for employees of the Department of Public Service shall consist of forty hours. Days of the week and shift hours may vary to accommodate effective use of personnel and equipment in circumstances such as but not limited to longer daylight hours during summer months and seasonal work such as brush chipping in the spring and fall and snow plowing in the winter. An unpaid half hour off for lunch will be provided. (Ord. 21-2010. Passed 5-4-10.)

(e) The normal work day for the employees of the Division of Police and Dispatch Office shall consist of twenty-four hours, starting at 7:00 a.m. The twenty-four hours shall be divided into three shifts of eight hours each, starting at 7:00 a.m. to 3:00 p.m., 3:00 p.m. to 11:00 p.m. and 11:00 p.m. to 7:00 a.m. Patrolmen shall be provided one-half hour during each shift for meals, and such time shall be taken when time shall allow. (Ord. 6-1981. Passed 2-3-81.)

#### **153.05 ANNUAL LEAVE.**

(a) All full-time employees shall be entitled to the following paid vacation:

<u>Years of Service</u>	<u>Annual Leave</u>
Employment years 00 through 01	0 weeks vacation
Employment years 02 through 04	2 weeks vacation
Employment years 05 through 09	3 weeks vacation
Employment years 10 through 19	4 weeks vacation
Employment years 20+	5 weeks vacation

~~(b) The part-time Janitor shall continue to receive two weeks paid vacation, but this benefit will not be extended to any new part-time Janitor except as otherwise provided by Council.~~

(e-b) Annual leave shall be taken at such time as the department head directs, subject to the department head's administrative discretion.

(d c) Each employee will be encouraged to take full vacation in the year in which it is earned. ~~In the event an employee is unable to take full vacation due to scheduling difficulties, up to forty hours of vacation time may be carried over, but must be taken in the first quarter of the succeeding year.~~ Full-time employees may bank up to one half (1/2) of their vacation time annually, up to a maximum of twenty (20) weeks. Employees shall ~~otherwise have the option to~~ be paid for unused vacation time at the end of the anniversary year in which it is earned at the rate in effect in the year it is earned.

(e d) Upon separation from employment, an employee shall be entitled to compensation for any unused annual leave and banked vacation time up to twenty (20) weeks. An employee who has less than one year of service shall not be entitled to compensation.

(f e) In case of the death of an employee the value of unused annual leave shall be paid to the spouse of the deceased, and if no surviving spouse, then to the estate.

(g f) A record shall be maintained for each employee showing days earned, days used and the balance available for annual leave.

(h g) All part-time employees who were employed by the Village in any prior year in excess of 1,600 hours shall be entitled to the following paid vacations:

(1) Years of Service	Annual Leave
Less than 1	None
1 or more	To accumulate at the rate of .038 hours per hour worked with a maximum of 80 hours annually.

The annual leave for each eligible part-time employee shall be taken as the department head directs subject to his administrative discretion. Such annual leave is not cumulative and shall not be postponed until the following anniversary year. All other rules and regulations concerning annual leave for full-time employees shall apply to an annual leave for an eligible part-time employee. (Ord. 24-2007. Passed 6-5-07.)

**153.06 PAID HOLIDAYS.**

(a) In addition to the vacation periods set forth in Section 153.05, all full-time employees shall be entitled to the following paid holidays:

- New Year's Day, plus one extra day
- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving and the Friday thereafter
- Christmas Day, plus one extra day.

(b) The extra holiday with Christmas and New Year's Day shall be the day prior to or the day after Christmas and New Year's Day whichever is convenient to the weekend and shall be determined by the Mayor.

(c) Where one of the above holidays is Saturday, the employee shall be entitled to the preceding Friday as a paid holiday. Where one of the above holidays is on Sunday, the employee shall be entitled to the following Monday as a paid holiday.

(d) A payment for a holiday is qualified only if the employee works the scheduled work day before and the scheduled work day after the holiday, except for absence due to vacation, approved sick leave or death in the family.

(e) (1) Each full-time employee of the Division of Police shall be entitled to eighty hours of holiday leave in each year.

(2) The leave shall be based on the following designation of holidays:

New Year's Day and one day prior thereto  
Martin Luther King Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day and the Friday thereafter  
Christmas Day and the day prior thereto

(3) The Mayor, shall, with the assistance of the Chief of the Division, fix the policy for the use of holiday leave.

(4) Any time not used by the end of the calendar year shall be converted to additional pay to be paid to the employee at his/her regular rate of pay at that time.

(f) Each full-time employee of the Village, except those specified in Section 153.02(a), shall be compensated at one and one-half times their base rate of pay for work performed on a holiday recognized by the Village.

(Ord. 24-2007. Passed 6-5-07.)

(g) All full-time employees shall be entitled to three (3) personal days annually, beginning the first day of January of each year.

(h) Personal days shall be for full-time employees only, and may not be accrued from year to year.

(i) Personal days shall be paid at the full-time employee's regular rate of pay, and shall be scheduled three days prior to use and agreed to by the department head.

(Ord. 24-2008. Passed 5-6-08.)

#### **153.07 SICK LEAVE.**

(a) Each full-time employee of the Village is entitled to paid sick leave for each month of service completed which shall be credited at the rate of four and sixty-two hundredths (4.62) hours per pay period. Sick leave shall be applied, upon the approval of the responsible department head, against absence due to illness, to personal injury, to exposure to a contagious disease and to illness or injury in the employee's immediate family, as defined in Section 153.08. Unused sick leave shall be cumulative.

(Ord. 5-1990. Passed 2-20-90.)

(b) Each full-time employee with ten or more years of service shall receive payment based on the employee's rate of pay at retirement for unused accumulated sick leave up to a maximum accumulation of sixty days (480 hours) at retirement. Such retirement shall be in accordance with Public Employees Retirement System or Police and Firemen's Disability Pension Fund. (Ord. 6-1981. Passed 2-3-81.)

(c) Subsection (b) hereof shall be in effect for all full-time Village employees hired after January 1, 1981. All full-time employees of the Village on the payroll on January 1, 1981 shall receive payment based on the employee's rate of pay at retirement for all unused accumulated sick leave up to a maximum accumulation of 120 days (960 hours) at retirement. Such retirement shall be in accordance with Public Employees Retirement System or Police and Firemen's Disability Pension Fund. (Ord. 4-2001. Passed 1-16-01.)

(d) Heads of departments shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If sick leave is taken so that an employee might receive medical attention, a certificate stating the nature of the illness or injury from a licensed practitioner may be required. Falsification of either the written signed statement or the practitioners' statement, and using sick leave for purposes other than illness, injury, or exposure to contagious disease shall be grounds for disciplinary action including dismissal. (Ord. 6-1981. Passed 2-3-81.)

(e) All part-time employees who were employed by the Village in any prior year in excess of 1,600 hours shall be provided with sick leave at the rate of fifty-seven thousandths (.057) hours of sick leave for each hour worked. Such sick leave shall be cumulative up to a maximum of 120 hours. Sick leave shall be applied upon approval of the responsible department head against illness, absence due to personal injury, exposure to contagious disease and to illness or injury in the employee's immediate family, as specified in Section 153.08. All other rules and regulations pertaining to sick leave for full-time employees shall apply to sick leave for eligible part-time employees. (Ord. 32-1990. Passed 5-1-90)

#### **153.08 BEREAVEMENT LEAVE.**

There shall be allowed a leave of three days for the purposes of attending funerals and related funeral duties as the result of the death of an a member of the employee's immediate family, which is defined as the employee's spouse, mother, father, brother, sister, children, or grandchildren, and grandparents, or in-laws (mother-, father-, sister-, or brother-in-law). There shall be allowed a leave of one day for the blood relatives not part of the employee's immediate family, and the immediate family of the employee's spouse. Additional time necessitated by unusual circumstances may be granted by the Mayor.

(Ord. 24-2007. Passed 6-5-07.)

#### **153.09 SPECIAL LEAVES OF ABSENCE.**

(a) Full-time employees who serve in the U.S. Military Reserve are entitled to a leave of absence from their respective duties without loss of seniority for a period of one year or in case of declaration of war emergency, for the duration.

(b) Full-time employees who serve in the Military Reserve shall be entitled to receive the difference between the pay received from the Federal Government for on-field training or active duty periods not to exceed twenty-five days in any one calendar year, and the regular pay from the Village. However, if such employees use their vacation time for their reserve training period, they shall receive from the Village their full pay for that period of time not to exceed twenty-five days per year.

(c) Special Leave With Pay. Upon approval of the Mayor, an employee may be granted special leave with pay to attend professional and technical conferences, meetings, and schools related to employment duties or to visit other municipalities to obtain information and observe practices relating to his duties.

(d) Special Leave Without Pay. Leave without pay may be granted by the Mayor in case of emergency but only if the employee's absence does not materially affect the operation of his department and the circumstances warrant such leave.

(e) Pregnancy Leave. Pregnancy leave, for purposes of this chapter shall be treated as sick leave and employees shall be entitled to pay in accordance with Section 153.07. However, in addition to the rights created in Section 153.07, a pregnant employee shall be entitled to receive time off from work, in grade for a maximum period of thirty days pre-birth and forty-two days post birth without loss of the appointment; provided, however, that the employee shall have provided satisfactory medical evidence to the department head showing a medical need for such time off from work. On return, the employee shall also provide satisfactory medical evidence such employee is able to perform the duties of the appointment.

(f) Jury Leave. A permanent full-time employee who is called for jury duty shall be reimbursed for the difference between his jury pay and his regular wages. Time spent on jury leave shall not be deducted from an employee's sick leave or annual leave.  
(Ord. 6-1981. Passed 2-3-81.)

### 153.10 LONGEVITY.

(a) Full-time employees of the Village shall receive additional compensation for continuous length of time in service in accordance with the following schedule:

Five through nine years	<del>\$3.00</del> <u>\$4.00</u> per month
Ten through fourteen years	<del>4.00</del> <u>5.00</u> per month
Fifteen through nineteen years	<del>5.00</del> <u>6.00</u> per month
<del>Twenty years or more</del>	<del>6.00</del> per month
<u>Twenty through twenty-four years</u>	<u>7.00</u> per month
<u>Twenty-five years or more</u>	<u>8.00</u> per month

(b) The total amount for additional compensation shall be due and payable on the regularly scheduled date of pay immediately after the anniversary date of employment.

(c) Notwithstanding any of the foregoing, the maximum annual additional compensation due and payable to any employee shall be not more than ~~one thousand nine hundred dollars (\$1,900).~~ two thousand one hundred dollars (\$2,100.00).

(d) The length of service shall be computed on the basis of the employee's anniversary date as defined in Section 153.01 (c).  
(Ord. 24-2007. Passed 6-5-07.)

### **153.11 OVERTIME PAY AND POLICY.**

(a) Employees Covered; Standards. All employees of the Village, except those specified in Section 153.02(a) and 147.04, shall be paid overtime pay for work in excess of forty hours in any one work week, in cash or in compensatory time off as hereinafter determined. Any day off with pay shall be considered a work day. The department head shall keep all necessary records.

(b) Application to Department Heads. The person who holds positions created by the Charter and specified in Section 153.02(a) and the persons employed therein shall not be entitled to the overtime pay provided for in subsection (a) hereof. In fixing the annual compensation for these positions, Council shall give due consideration to the responsibilities of each position and the duties and obligations imposed upon those persons.

(c) Minimum Call Out Time. In all cases where a full-time employee is called to duty in an emergency or otherwise, the employee shall be paid a minimum of two hours based on the employee's base rate of pay in accordance with subsection (a) hereof.

(d) Overtime Rate. Employees shall be paid overtime pay at the rate of one and one-half times the hourly rate.

(e) Compensatory Time. An employee shall be entitled to accumulate compensatory time not to exceed ~~eighty~~ ninety (90) hours and said time may be carried through to the next calendar year.

(1) Requests for compensatory time shall be made no later than forty-eight hours prior to the date requested, and no earlier than six months prior to the date requested, subject to the approval of the department head. Request for the use of compensatory time for the relief from an all night snowplow call out may be granted by the Service Director and the employee's immediate supervisor.

(2) Compensatory time shall be charged in minimum units of ~~one-~~ half (1/2) hour.

(3) Upon the employee's request, accumulated compensatory time may be cashed-in to be paid within thirty days.

(Ord. 24-2007. Passed 6-5-07.)

(f) Part-time paid fire personnel shall be paid at the rate of one and one-half times the hourly rate when they work on holidays effective January 1, 2007.

(Ord. 17-2007. Passed 3-6-07.)



**153.12 UNIFORM AND CLOTHING ALLOWANCE.**

(a) The Village shall provide allowances for authorized uniforms, special clothing and equipment for employees of the Safety Forces and Service Department and for such other Village employees as may require special clothing and equipment in the performance of their municipal duties, and the Village shall provide for the maintenance and replacement of clothing and equipment as determined by Council on an annual basis.

(b) The Department Head, after approval by the Mayor, shall determine the uniform and/or special clothing policy required for the duties to be performed by the department's employees. Uniform and clothing allowance is to be disbursed to the employee by March 1<sup>st</sup>. Employee is responsible for purchasing the uniform and/or special clothing required by the Department Head. The Department Head shall be responsible for enforcement of the uniform and/or special clothing policy. (Ord. 20-2003. Passed 2-18-03.)

**153.13 EMPLOYEE EXPENSES AND MILEAGE REIMBURSEMENT.**

(a) The following is hereby adopted as the expense reimbursement travel policy effective January 1, 2003 for all employees of the Village of Richfield:

- (1) Mileage - Point of departure shall be Village Town Hall; rate as permitted by Internal Revenue Service.
- (2) Hotel - For multiple day business trips only, reasonable reimbursement as determined by the Finance Director.
- (3) Meals - For multiple day business trips only, not to exceed \$35.00 per day.
- (4) Tips - None.
- (5) Phone - For business purposes only.
- (6) Parking - Reasonable reimbursement as determined by the Finance Director.
- (7) Basis/pay - Eight (8) hour day for out-of-town training, seminars, etc.

b) The Finance Director is hereby authorized to implement the foregoing policy. For definition purposes, "multiple day business trips" are trips in excess of 120 miles one way, which shall include trips to Columbus, Ohio and immediately contiguous areas if approved by the Mayor. Written documentation and receipts will be required to obtain any reimbursements. (Res. 5-2003. Passed 1-7-03.)

**153.14 EMPLOYEE INSURANCE.**

(a) All full-time employees shall receive group dental, hospital and surgical and vision insurance coverage under such amounts and under such terms as Council may authorize.

(b) All firemen shall receive supplemental benefits under the Ohio State Fireman's Association Group Accident Insurance Plan.

(c) False arrest insurance shall be provided for the employee of the Division of Police.

(d) The employer will provide all full-time employees with term life insurance while employed with by the Village in the amount of fifty thousand dollars (\$50,000). All full-time employees shall be afforded the opportunity to purchase additional amounts above that provided

by the employer through the same term life insurance company. Additional coverage amounts above that provided shall be the responsibility of the employee, and shall be deducted from the employee's pay on a monthly basis.

(Ord. 24-2007. Passed 6-5-07.)

#### **153.15 BONDS.**

(a) There shall be secured a corporate surety blanket bond in the penal sum of not less than ten thousand dollars (\$10,000) naming the Village obligee therein, and the bond shall guarantee the fidelity of all elected officials, officers and employees of the Village excepting those who are required to file individual bonds and the Director of Finance.

(b) There shall be secured a corporate surety bond in the penal sum of not less than ten thousand dollars (\$10,000) naming the Village obligee therein, and the bond shall guarantee the fidelity of the Director of Finance. (Ord. 3-1987. Passed 1-6-87.)

#### **153.16 LUMP SUM PAYMENT UPON DEATH OF FULL-TIME EMPLOYEE**

(a) The Mayor and the Director of Finance shall pay, in the event of the death of a full-time employee, a lump sum payment in money calculated on the value of accrued sick leave, unused vacation pay, unused holiday pay and longevity pay, attributable to such employee.

(b) The value of accrued sick leave for employees hired before January 1, 1981, shall not exceed 120 days multiplied by the daily rate of pay in effect on the date of death.

(c) The value of accrued sick leave for employees hired on or after January 1, 1981, shall not exceed sixty days multiplied by the daily rate of pay in effect on the date of death.

(d) Payment of the lump sum referred to in subsection (a) hereof shall be paid to the person who is entitled thereto in accordance with the law of the State applicable to the administration of estates, which law is in effect on the date of death of such employee.

(Ord. 35-1986. Passed 8-6-86.)

#### **153.17 CONTRIBUTIONS TO POLICE AND FIREMEN'S DISABILITY AND PENSION FUND.**

(a) Pursuant to present Federal and State law, all full-time employees of the Police and Fire Divisions of the Village who contribute to the Police and Firemen's Disability and Pension Fund of Ohio may defer Federal and State income taxes on a portion of their wages and salaries if the Village would pick-up the statutorily required contribution by such employees to the Police and Firemen's Disability and Pension Fund.

(b) The Village will not incur any additional costs in the deferment of Federal and State income taxes.

(c) Effective January 1, 1985, the full amount of the statutorily required contribution to the Police and Firemen's Disability and Pension Fund shall be withheld from the gross pay of each employee and shall be picked up (assumed and paid to the Police and Firemen's Disability and Pension Fund). This pick-up shall be designated as the public employee's contribution and shall

be in lieu of contributions to the Police and Firemen's Disability and Pension Fund by each employee. No employee subject to this pick-up shall have the option of choosing to receive the statutorily required contribution to the Police and Firemen's Disability and Pension Fund directly instead of having it picked up by the Village or being excluded from the pick-up.

The Village shall, in reporting and making remittance to the Police and Firemen's Disability and Pension Fund, report that the public employee's contribution for each person subject to this pick-up has been made as provided by statute.

(d) The gross wage or salary of any person subject to the pick-up provided by this section shall not change as a result of this pick-up.

(e) The Director of Finance is hereby directed to implement this section to effect the pick-up of the statutorily required contributions to the Police and Firemen's Disability and Pension Fund for those employees within the classes established in subsection (a) hereof so as to enable them to obtain the resulting Federal and State tax deferments and other benefits.

(Ord. 53-1984. Passed 10-2-84.)

### **153.18 CONTRIBUTIONS TO PUBLIC EMPLOYEES RETIREMENT SYSTEM.**

(a) Pursuant to present Federal and State law, all elected and appointed employees of the Village (excluding employees of the Police and Fire Divisions) who contribute to the Public Employees Retirement System may defer the Federal and State income tax on a portion of their wages and salaries if the Village would pick-up the statutorily required contribution by such employees to the Public Employees Retirement System.

(b) The Village will not incur any additional costs in the deferment of Federal and State income taxes.

(c) Effective January 1, 1985, the full amount of the statutorily required contribution to the Public Employees Retirement System shall be withheld from the gross pay of each employee and shall be picked up (assumed and paid to the Public Employees Retirement System). This pick-up shall be designated as the public employee's contribution and shall be in lieu of contributions to the Public Employees Retirement System by each employee. No employee subject to this pick-up shall have the option of choosing to receive the statutorily required contributions to the Public Employees Retirement System directly instead of having it picked up by the Village or being excluded from the pick-up.

The Village shall, in reporting and making remittance to the Public Employees Retirement System, report that the public employee's contribution for each person subject to this pick-up has been made as provided by statute.

(d) The gross wage or salary of any person subject to the pick-up provided by this section shall not change as a result of this pick-up.

(e) The Director of Finance is hereby directed to implement this section to effect the pick-up of the statutorily required contributions to the Public Employees Retirement System for those

employees within the classes established in subsection (a) hereof so as to enable them to obtain the resulting Federal and State tax deferments and other benefits.  
(Ord. 54-1984. Passed 10-2-84)

**153.19 DEFERRED COMPENSATION PLAN.**

(a) Council hereby authorizes the Mayor and Director of Finance to enter into a Deferred Compensation Plan complying with Section 457 of the Tax Reform Act of 1986 with Aetna Life and Annuity Company of Hartford, Connecticut in the form now on file in the office of the Director of Public Service.

(b) Aetna Life and Annuity Company of Hartford, Connecticut is named as an additional contractor for the employees of the Village Deferred Compensation Plans.  
(Ord. 7-1987. Passed 2-17-87.)

**153.20 EMPLOYEE CO-PAY FOR INSURANCE.**

Employees will contribute the following amounts toward the cost of premiums on health insurance provided by the Village:

~~As of January 1, 2008 7% of premium~~  
As of January 1, 2013 8.5% of premium  
As of January 1, 2014 10% of premium

(Ord. 68-2007. Passed 12-18-07.)

**153.21 COFFEE, MEALS, ETC.**

(a) The Finance Director, upon proper appropriation, is authorized to pay for coffee, meals, refreshments and other amenities which are considered fringe benefits for municipal officers and employees of the Village subject to the following conditions:

- (1) The purchase must be reasonable;
- (2) The purchase must be incurred in the course of employment and job- related; and
- (3) If purchased off-site, the purchase must be documented.

(b) The Finance Director be, and hereby is, authorized and directed to develop rules and regulations for the implementation of this section.

(Ord. 108-2003. Passed 12-16-03.)

**153.22 LINE OF DUTY INJURY LEAVE FOR EMPLOYEES OF THE SERVICE DEPARTMENT.**

(a) Purpose. Line of Duty Injury Leave is intended to recognize the unusual exposure to dangerous situations experienced by members of the Service Department.

(b) Definitions.

(1) "Actual discharge of duty" means injuries incurred specifically in the performance of activities unique to duties within the Service Department, such as road and ditch repair and the operation of power equipment.

(2) "Physician" means a Doctor of Medicine (M.D.), a Doctor of Osteopathic Medicine (D.O.), duly licensed to practice medicine in the State of Ohio.

(3) For purposes of this section, "injury" shall mean physical injury and/or disease that results from Service Department functions that present a unique risk of serious physical injury, including road and ditch repair, operation of power equipment that poses a unique danger of injury and other similar dangers.

(c) Permanent full-time Service Department employees who are injured in the actual discharge of duty, and who, as a result thereof, are physically unable to perform their regularly assigned duties shall receive full pay and benefits for such time as may be equitable, but not to exceed ~~twelve~~ twenty-four (24) work weeks provided that all of the following requirements are met:

(1) A physician provides a written statement certifying that the employee is unable to physically perform his/her assigned duties due to the injury sustained while in the actual discharge of duty as defined in subsection (b)(1), and the employee provides the physician's statement to the Service Director;

(2) The Service Director recommends the approval of the requested injury leave to the Mayor; and

(3) The Mayor approves the requested injury leave.

Approved injury leave shall not be charged against use of sick leave. However, a deduction may be made to the extent of any payments received under the Worker's Compensation Act. Employees shall not be eligible to receive Worker's Compensation temporary total disability benefits for the duration of this paid leave without prior approval of the Village.

(d) The Service Director or Mayor may require the employee requesting or receiving such leave to submit to a medical examination by a physician appointed by the Village.

(e) Employees will not be entitled to this pay in the event:

(1) The employee is able to return to work with restrictions;

(2) A job with those restrictions is available; and

(3) The employee refuses the light duty job.

(Ord. 24-2007. Passed 6-5-07.)

SECTION 2. That all ordinances and resolutions inconsistent with this Ordinance be, and the same hereby are, repealed.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 18, 2013

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

Dated: June 18, 2013

ATTEST:

  
\_\_\_\_\_  
Clerk of Council