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ORDINANCE NO. 13-16

AN ORDINANCE ESTABLISHING LIMITS FOR WAGES AND DETERMINING OTHER PROVISIONS RELATIVE TO POSITIONS OF EMPLOYMENT OF UNCLASSIFIED ADMINISTRATIVE SUPPORT STAFF (WAGES) TO DIVISION DIRECTORS AND ELECTED OFFICIALS IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, this Council desires to make provisions for the salaries and wages and other provisions relating to certain positions of employment of the City of Ashland, Ohio, in order to provide for the continued efficient, effective and adequate operation of the divisions of said City; and

WHEREAS, for the reason that it is immediately necessary to make such provisions for said salaries and wages in order to provide for the continued efficient, effective and adequate operation of said divisions of said City, this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, 5 members thereto concurring:

Section 1. That limits for salaries, wages, and other provisions relative to positions of employment of unclassified administrative support staff in the City of Ashland are hereby established as follows:

I. POSITIONS AND COMPENSATION

The various divisions of the City shall consist of the following created positions, except as otherwise authorized. Employees herein may receive compensation as set forth or within the respective ranges of amounts set herein. All compensation on a salary basis shall be paid biweekly. Once every eleven years there are 27 pays. The next time this occurs will be 2026, and in that year salaries will be divided in 27 equal pays. Paychecks will be made available by direct deposit except when a special exception has been approved by the Appointing Authority. Wage ranges do not specify starting wages. The starting wage is dependent on qualifications.

Position Title	Hourly Wage Range
POLICE	
Secretary to the Police Chief	$12.00 - $21.00
FIRE	
Secretary to the Fire Chief	$12.00 - $21.00

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HUMAN RESOURCES	
Human Resources Specialist(s) 2	$12.00 - $21.00
Human Resources Specialist(s) 1	$12.00 - $19.00
ENGINEERING	
Secretary to the City Engineer	$12.00 - $21.00
Building and Zoning Standards Specialist II	$12.00 - $30.00
Residential Building Inspector	$12.00 - $30.00
MAYOR	
Secretary to the Mayor	$12.00 - $21.00
Transit Coordinator	$15.00 - $21.00
EXECUTIVE SECRETARY	$15.00 - $21.00
PARKS & RECREATION	
Parks & Recreation Secretary	$12.00 - $21.00
PARK MAINTENANCE SUPERVISOR	$12.00 - $22.00
CITY SERVICES	
Secretary to the Director of City Services	$12.00 - $21.00
WATER DISTRIBUTION	
Utility Account Supervisor	$12.00 - $21.00
WATER TREATMENT AND POLLUTION	
Secretary to the Director of City Utilities	$12.00 - $21.00
Water Treatment Maintenance Supervisor	$12.00 - $25.00
Water Pollution Maintenance Supervisor	$12.00 - $25.00
Maintenance Supervisor	$12.00 - $27.00
LAW DIRECTOR OFFICE	
Administrative Assistant to the Law Director	$12.00 - $21.00
CITY COUNCIL	
Clerk to City Council	$12.00 - $21.00
FINANCE OFFFICE	
Income Tax Supervisor	$12.00 - $25.00

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Accounting Specialist(s)	$12.00 - $25.00
Account Supervisor	$12.00 - $25.00
Secretary to the Finance Director	$12.00 - $21.00

II. EMPLOEES' GROUP INSURANCE

The City shall continue to pay eighty percent (80%), including any increases thereof, of group insurance as designated by Council including but not limited to: medical, hospitalization, surgical and health care coverage. All permanent employees with a workweek of thirty (30) hours or more are eligible for Group Insurance.

The City shall provide, subject to limitations imposed by the insurance carrier, not less than $20,000.00 term life insurance group policy, as designated by Council, for all permanent employees with a workweek of thirty-two (32) hours or more. The total premium shall be paid by the City ~~effective April 1, 2006~~.

Deductions for health insurance and other benefits shall be made each pay period.

III. OVERTIME COMPENSATION

Each permanent and temporary hourly employee of the City, who is employed thirty-two hours or more per week by the City, shall be paid at the rate of one and one-half (1½) times his or her hourly rate of pay for each hour he or she is required to work excluding standing by, within a calendar week, in excess forty hours in a work week, including (as to permanent employees only) holidays and vacation, provided such overtime work is determined by the department head to be necessary and said determination is approved by the elected position, and further provided that in no event shall one and one-half (1½) times the hourly rate of compensation be paid unless the employee works in excess of forty (40) hours in said week.

Water Treatment and Pollution Control Maintenance Supervisors may receive, in lieu of said overtime, time off with pay at the rate of specified above; provided, however, that any such time off with pay be scheduled subject to the approval of the Director to which such employee is assigned and further subject to the following conditions:

1. Such compensatory time shall be given in lieu of pay, and any such overtime on any day shall be compensated for either as pay or as compensatory time but not as a combination thereof; provided however, overtime to be calculated as compensatory time on any day shall be for a minimum of one hour.

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2. Compensatory time, which is unscheduled as time off, may be accrued by an employee up to an amount not to exceed twenty-four (24) hours at any one time. Any overtime hours worked which would result in an excess of twenty-four (24) hours unscheduled compensatory time shall be paid on the pay date for the pay period in which the hours were worked and consistent with paragraph (1) above.

IV. VACATIONS

There is created, for and during the period of each calendar year, a vacation period for each of the administrative employees of the City whose regularly scheduled service consists of twenty-four hours or more shall be entitled to vacation. Each administrative employee must be employed by the City at the time the vacation is taken. When an employee's employment by the City terminates, the vacation benefit ceases. Eligibility for vacations shall be as follows:

- After the completion of one year continuous service – two weeks vacation
- After the completion of seven years continuous service - three weeks vacation.
- After the completion of fourteen years continuous service – four weeks vacation.
- After the completion of twenty years continuous service – five weeks vacation.

The amount of vacation, within the balance of the calendar year from the date of hire, shall be prorated in order that, thereafter, vacation accrual and wages shall be on a calendar-year basis.

Employees will receive full pay when taking vacation.

If any employees entitled to vacation under this section are deceased before taking their vacation, their heirs or estates will receive the vacation pay the deceased employee would have received.

Employees who resign or retire will receive their vacation pay, provided they give notice in writing to the appointing authority at least two weeks prior to their separation. Employees who are separated from employment by the City because of reduction in force will receive their vacation with pay before separation of employment.

Vacations are to be taken at such times and in such manner so as not to hinder or interrupt the operations of the various divisions and shall be at the discretion of the appointing authority or division director. Vacation time shall be used no less than in one-hour increments.

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An employee may request that vacation time be carried over from one year to another, but not without the express written authorization of the appointing authority. This carry-over shall be limited to one regularly scheduled week and determined on a case by case basis. Other amount of vacation time that is unused within the year granted, unless a carry-over is granted, shall be deemed forfeited. The deadline for requesting vacation carryover is the first day of November. Also, see City of Ashland C.O. 155.03

V. PERMANENT FULL TIME EMPLOYEES' SICK LEAVE

Employees of the City of Ashland whose regularly scheduled service consists of thirty-two hours or more shall be entitled to sick leave. Employees working a forty hour or more work week shall earn four and six-tenths (4.6) hours per each completed eighty hours of service. Employees working a thirty-two hour work week shall earn three and sixty-eight hundredths (3.68) hours per each completed sixty-four hours of service. Employees may use sick leave, upon approval of the division director, for absence due to personal illness, pregnancy, injury, exposure to contagious disease that could be communicated to other employees, or due to illness or injury in the employee's immediate family. "Immediate family" shall be defined to only include the employee's spouse and children including non-residential children for whom the employee must assume temporary primary care, children shall be defined as being eighteen (18) years of age or younger; and the employee's parents, parents-in-law or grandparents in the event of a medical emergency that requires the presence of the employee or for whom the employee has primary care with verifiable evidence.

When sick leave is used for death in the immediate family, "immediate family" shall be defined as mother, father, brother, sister, child or step-child, spouse, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent-in-law, legal guardian or other person who stands in the place of parent (in loco parentis) of employee or employee's spouse. Up to three (3) days of sick leave may be used for death in the immediate family.

When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work (no less than one-hour increments) unless otherwise approved by the Appointing Authority (elected officials).

Each employee, at the time of retirement from active service with the City and with ten or more years of service with the City, may elect to be paid in cash for one-fourth of the value of his accrued, but unused sick leave credit. Such payment shall be based on the employee's rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee. The maximum payment that may be made under this paragraph shall be for one-fourth of 344 days. Due to the varying work schedules

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of employees of the City, a "day," within the meaning of this paragraph, shall consist of the number of hours as follows:

1) 6.4 hours for a regular work week of 32 hours
2) 8.0 hours for a regular work week of 40 hours
3) In the case of any other regular workweek, in excess of 32 hours, the number of hours in a "day," for the purpose of this provision, shall be determined by dividing the number of hours of the regular workweek by five, and the result thereof being the number of hours in a day for that work schedule.

In the event of the death of an active employee of the City, having at the time of death ten or more years of service with the City, the estate of such employee shall be entitled to be paid in cash for one-fourth of the value of his accrued but unused sick leave credit, subject to the same limitations and provisions as set forth above.

In order to receive compensation while absent on sick leave, each employee shall promptly take steps, in the manner as may be specified by the division head, to notify his immediate superior of his illness and, thereafter, shall make written application for such compensation.

Employees shall receive one (1) day of vacation bonus for perfect attendance for any fixed three (3) month period the employee does not use any sick leave. Such time must be taken within one (1) full year of the date earned or it will be forfeited. Usage of such bonus shall be in whole days. Injury leave used pursuant to Section VII or Funeral Leave pursuant to Section VIII shall not affect the earning of such bonus. Time off for disciplinary action per the City of Ashland Standards of Conduct will cause the employee to be ineligible to earn a bonus day for the fixed period. Fixed periods to be: Fixed periods to be: January 1 – March 31; April 1 – June 30; July 1 – September 30; October 1 - December 31.

Perfect attendance days shall not apply to permanent full-time hourly employees whose first day as a fulltime employee for the City of Ashland is after JAN 01, 2009.

When sick leave abuse may be indicated and before an absence may be charged against accumulated sick leave, the Appointing Authority may require proof of illness, injury or death as may be satisfactory to the Appointing Authority, or may require the employee to be examined by a physician designated by the Appointing Authority and paid by the Employer.

If an employee fails to submit adequate proof of illness, injury or death upon request, or in the event that such proof is submitted or upon the report of medical examination, the Appointing Authority finds there is not satisfactory evidence of illness, injury or death sufficient to justify the employee's absence, such leave may be considered an unauthorized leave and shall be without pay, as well as subject to disciplinary action.

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Involuntary Disability Separation. An employee who is unable to perform the functions of his/her position due to illness or injury for a period of not less than ninety (90) days and who is unable to provide a point in time at which he/she may be able to return to full duty, may be subject to Involuntary Disability Separation. With the Approval of the Appointing Authority, the administrative employee may receive payment in full of accrued benefits, including sick leave and may be eligible to receive a severance payment.

VI. HOLIDAYS

All permanent employees of the City contained in this ordinance who are employed twenty-four hours or more per week by the City shall receive a regular working day's pay for the following holidays: New Year's Day, President's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving, the Day After Thanksgiving and Christmas and one personal holiday. (An employee shall earn personal time based on average regular hours worked per week.) To be eligible to receive any holiday compensation, as herein provided, an employee must have been continuously employed with the City for at least thirty (30) days. To be eligible for the personal holiday an employee must be continuously employed with the City for at least ninety (90) days. Said personal holiday shall be taken within the calendar year and may be taken as a whole day or any part thereof, but is subject to the approval of the appropriate division head.

Personal holiday does not apply to unclassified administrative support staff whose first day as a fulltime employee for the City of Ashland is after JAN 01, 2009.

Any hourly employee required to work a day which is a City recognized holiday, said work being part of the employee's regularly scheduled service, shall be paid at the rate of one and one-half (1½) times their regular rate for such service, in addition to receiving their holiday compensation provided for herein; or, with the approval of the division director and the appointing authority shall be paid at their regular hourly rate for such service, and shall be granted a day off later within the current calendar year, receiving holiday compensation at that time.

VII. INJURY LEAVE

Any employee who suffers an occupational work related injury or occupational illness may elect to receive wage continuation in lieu of compensation from the Ohio Bureau of Workers' Compensation per the City's Wage Continuation Program as described in the Employee Handbook.

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VIII. FUNERAL LEAVE

To qualify for funeral leave, the employee must be permanent working no less than 40 hours per week.

In the event of death in the immediate family of an employee, the employee may be granted leave, with full pay, not to exceed two (2) workdays, or the equivalent total number of hours equaling two (2) workdays, to make household adjustments or to attend funeral services.

For this purpose, "immediate family" shall be defined to only include the employee's spouse, children and their spouses, dependent(s) living in the home of the employee and the employee's parents and parents-in-law.

IX. ADMINISTRATIVE LEAVE

Administrative Leave may be granted to the employee upon approval of the Appointing Authority and Division Director. Such leave shall be without pay and shall not be used in conjunction with sick leave or FMLA, unless specifically requested by the employee and approved by the appointing authority. The appointing authority may determine to continue benefits during the period of absence upon a showing of good cause.

X. MISCELLANEOUS

A. ~~PAYROLL SAVINGS~~

~~A payroll deduction shall be made available to all employees wishing to enroll in a payroll savings plan.~~

B. CHRISTMAS GIFT

Each permanent employee, who is employed with the City as of November 15th, may receive as part of his or her compensation for his or her services, in addition to any and all compensations otherwise provided, a gift card, certificate or cash in the amount of $20.00 to be presented to each employee during the Christmas holiday season.

C. EDUCATION

An Unclassified Administrative Support Staff employee, who has received an Associate Degree in a field of study complimentary to his/her administrative responsibilities, shall receive additional pay in the amount of three hundred dollars ($300.00) annually.

Any Unclassified Administrative Support Staff employee who has received a Bachelor of Arts or a Bachelor of Science Degree in a field of study complimentary to his/her administrative responsibilities shall receive

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additional pay in the amount of seven hundred dollars ($700.00) annually, and

Any Unclassified Administrative Support Staff employee having a Bachelor of Arts or a Bachelor of Science degree that has successfully completed (A or B average) thirty (30) post graduate hours in a field of study complimentary to his/her administrative responsibility shall receive an additional amount of three hundred dollars ($300.00) annually, or

Any Unclassified Administrative Support Staff employee having a Bachelor of Arts or a Bachelor of Science degree that has successfully completed (A or B average) a Masters Degree in a field of study complimentary to his/her administrative responsibility shall receive, in addition to compensation for the Bachelor of Arts or Bachelor Science degree, an additional amount of four hundred dollars ($400.00) annually.

Any Unclassified Administrative Support Staff employees holding a degree or in pursuit of a Masters Degree as indicated above shall submit a copy of transcript of degree to the Director of Human Resources upon the passage of this ordinance or upon receiving the degree. Any employee receiving a degree within the year shall be on a pro-rata basis.

Payment shall be paid on or before the first of December each year.

Employees with multiple college degrees as of December 06, 2011 may receive multiple education stipends. Employees who attain multiple college degrees after December 06, 2011 are entitled to receive only one education stipend for their highest degree.

Education compensation shall not apply to unclassified administrative support staff whose first day as a fulltime employee for the City of Ashland is after JAN 01, 2009.

D. STIPEND

An Unclassified Administrative Support Staff Stipend of $300.00 shall be given to each employee who serves as an unclassified administrative support staff to an Elected Official or Division Director by request of the Division Director and approval of the Appointing Authority for their responsibility to assist their Elected Official or Division Directors in matters of confidentiality and eminent importance to the City of Ashland and the community. Payment shall be paid on or before the first of December each year.

Unclassified administrative support staff stipend shall not apply to unclassified administrative support staff whose first day as a fulltime employee for the City of Ashland is after JAN 01, 2009 and thereafter.

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E. JURY DUTY
An hourly employee required to be available for jury selection or services or an employee who is subpoenaed as a disinterested witness (no character witness, financial or other interest in outcome of trial) for a criminal or civil trial shall suffer no loss in pay, providing any fees or payments received by the employee are surrendered to the Employer.

G. LAY OFFS
Any employee in this ordinance who is currently drawing retirement from a retirement system including but not limited to Public Employees Retirement System and Police and Fire Retirement System, shall be the first employee laid off where because of lack of work, lack of funds or reorganization resulting in abolishment of job or functions, the employer determines it necessary to reduce the size of its work force.

Section 2. The benefits provided herein shall be effective from January 1, 2016 and shall remain in effect until further action by Council. Wage and salary benefits may be implemented as follows for those permanent employees with one year's continuous employment with the City who are not members of a bargaining unit. Effective the first full pay period of January 2016, employees shall receive a 2% wage increase.

a) Any wage or salary granted in accordance with the provisions of this Ordinance for any City employee may only be granted with approval of the Mayor, or Director of Finance, or Director of Law, or Judge of the Ashland Municipal Court, or President of City Council, taking into consideration the division director's recommendation and/or employee evaluations. Also with the approval of a majority of City Council, employees may be granted a temporary wage increase while performing duties of a position temporarily vacated due to extended sick leave, retirement, or other extended Leave of Absence. Paychecks will be made available by direct deposit except when a special exception has been approved by the Appointing Authority.

Section 3. In the event this ordinance is not passed by the first pay of 2016, the above described wage or salary shall be retroactive to ~~January 1, 2016~~ DECEMBER 27, 2015 for current employees only.

Section 4. The rate of base compensation (i.e. not including other benefits, such as, but not limited to, overtime, holiday compensation, sick leave conversion upon retirement, working during one week of vacation, etc.) paid to any employee for any individual pay period during the effective period of this Ordinance shall at no time be in excess of the base salary or hourly wage range or specific amount, as the case may be, as set forth in this Ordinance.

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Section 5. This ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: February 16, 2016

Ruth Detrow, President of Council

Attest: Jody Toms, Clerk of Council

Approved: Glen P. Stewart, Mayor

Approved as to form and correctness:

Richard P. Wolfe II, Director of Law

Date: February 16, 2016