

CITY OF KIRTLAND

ORDINANCE NUMBER 21-O-58

AN ORDINANCE AMENDING SECTION 254.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND RELATING TO VACATION PAY, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 96-O-42 was passed on September 4, 1996, establishing Kirtland Code of Ordinance §254.03 relating to the vacation pay and holiday pay; and

WHEREAS, the City of Kirtland desires to hire the most qualified, best candidates available; and

WHEREAS, current market conditions indicate that new hires desire vacation during their first year of employment; and

WHEREAS, in order to hire the best candidates, the Mayor has determined that our structure of awarding vacation benefits should be modified to award some vacation pay during the first year of employment; and

WHEREAS, in order to award vacation during an employee's first year of employment at the City of Kirtland, Kirtland Codified Ordinance 254.03 must be amended.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

SECTION I: Codified Ordinance Section 254.03, enacted by Ordinance No. 96-O-42, passed on September 4, 1996, is hereby amended as set forth in Exhibit A, attached hereto and made a part hereof, as if fully written below.

SECTION II: That the heretofore existing Section 254.03 of the Codified Ordinances of the City of Kirtland, previously enacted and in force, be amended by the passage of this ordinance, and is hereby replaced as set forth in Section I hereinabove.

SECTION III:

(a) 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 of any of its committees that resulted in such formal action were in

meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to allow the City to hire the most qualified candidates this competitive environment; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2021.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2021.

Clerk of Council
Amend 254.03 Vacation Pay

Mayor Kevin F. Potter

§ 254.03 VACATIONS; HOLIDAY PAY.

- (a) Except for subsections (1) and (2), earned vacation shall be awarded on the employee's anniversary date in accordance with the schedule as set forth in this section:
- (1) Upon completion of 90 days of full-time service, each full-time employee shall be entitled to one week of paid vacation, for which salaried employees will be paid for one week of salary and hourly employees will be paid for 40 hours of wages.
 - (2) Upon completion of 180 days of full-time service, each full-time employee shall be entitled to one additional week of paid vacation, for which salaried employees will be paid for one week of salary and hourly employees will be paid for 40 hours of wages.
 - (3) Upon completion of one year of full-time service, each full-time employee shall be entitled to two weeks paid vacation, for which salaried employees will be paid for two weeks of salary, and hourly employees will be paid for 80 hours of wages.
 - (4) Upon completion of 60 continuous months of full-time service, each full-time employee shall be entitled to three weeks paid vacation, for which salaried employees will be paid for three weeks of salary, and hourly employees will be paid for 120 hours of wages.
 - (5) Upon completion of 180 continuous months of full-time service, each full-time employee shall be entitled to four weeks paid vacation, for which salaried employees will be paid for four weeks of salary, and hourly employees will be paid for 160 hours of wages.
 - (6) Upon completion of 240 continuous months of full-time service, each full-time employee shall be entitled to five weeks paid vacation, for which salaried employees will be paid for five weeks of salary, and hourly employees will be paid for 200 hours of wages.
- (b) Except as provided in subsection (c) hereof, payment for vacation time shall be based upon the employee's current rate of pay at the time the vacation is taken. Earned vacation shall be awarded on the employee's anniversary date in accordance with the schedule set forth in this section, provided that the employee is employed by the city at that time. Any employee who has accumulated and earned vacation time from being employed full-time by the state or any other political subdivision of the state, and who has become employed by the city within one year from his or her termination from such other public employer, shall, for the purpose of determining years of service, be credited for the years of full-time service at the state or other political subdivision, not to exceed three years.
- (c) Any vacation time earned pursuant to subsection (a)(1) or (a)(2) that is not used or paid for prior to the completion of the employee's first year of full-time service shall be forfeited. In all other cases, vacation time shall not be carried over from one year to another, and any earned vacation time that is not used or paid for within 12 months after it is earned shall be forfeited.

- (d) Each employee shall inform the city of a request for cash payment in lieu of taking a holiday within 30 days of such holiday. If such designation is not made, the employee will automatically be granted compensatory time. Compensatory time not scheduled as time off by the employer or taken by the employee prior to December 31 of each year, with the exception of those holidays occurring in the month of December which can be carried over to January 31, shall be forfeited.