

CITY OF KIRTLAND

ORDINANCE NUMBER 23-O-67

AN ORDINANCE AMENDING SECTION 254.065 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND REGARDING SICK LEAVE TRANSFERS, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 97-O-20 was passed on March 3, 1997, establishing Kirtland Code of Ordinance §254.065 relating to sick time transfers; and

WHEREAS, the City of Kirtland desires to modify said ordinance to delineate that an eligible employee who can receive another employee's banked sick time must first exhaust all of his/her banked sick time, compensatory time, and vacation time.

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 254.065, enacted by Ordinance No. 97-O-20, is hereby amended to read as follows:

§ 254.065 SICK LEAVE TRANSFERS

(a) If an employee exhausts sick leave, but has not qualified for disability retirement benefits, other city employees may donate up to 40 hours from their own sick leave accumulation to be credited to the sick leave accumulation of the requesting employee, for a maximum of 128 hours to be given to any individual employee from any and all sources.

(b) Any donation of sick leave hours shall be in writing and signed by the donating employee, shall specify the employee to whom the hours and/or days are to be donated, and must first be approved by the department head.

(c) Transfer of sick leave under this policy is allowed only one time per calendar year.

(d) Eligible employee. To be eligible for the receipt of a sick leave transfer, an employee or a member of the employee's immediate family must have a serious illness or injury. Further, an eligible employee must first exhaust all of his or her sick leave, vacation time, personal holidays, and compensatory time prior to the receipt of any donated sick leave. The donated sick leave hours shall be used only in accordance with this section and other provisions of this chapter.

(e) Miscellaneous Provisions:

- (1) Sick leave transfers are voluntary.
- (2) Any sick leave that was donated but not used by the eligible employee cannot be returned to the donating employee(s).
- (2) Donated sick leave hours are not available for cash-out including a retirement cash-out.
- (3) Recipients of sick leave transfers may not “pay back” those who donated sick leave.

SECTION II:

(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 appropriately compensate and retain its workforce; 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
_____, 2023.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2023.

Clerk of Council
Amend 254.065 – Sick Leave Transfers

Mayor Kevin F. Potter