

ORDINANCE NO. 239 (22-23)

An Ordinance to amend Section 161.01(Vacations) of the Codified Ordinances of the City of Marietta, Ohio, and declaring an EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

Section 1: That Section 161.01 of the Codified Ordinances of the City of Marietta, Ohio, shall be and is hereby amended to read as follows:

**Section 161.01 (VACATIONS)**

- (a) All full-time and part-time employees of the City of Marietta, Ohio, hired after September 30, 2022, not otherwise provided for by contract or separate ordinance, shall receive a one-week paid vacation after six months of employment with the City of Marietta.
- (b) All full-time and part-time employees of the City, not otherwise provided for by contract or separate ordinance, shall receive a two-week paid vacation after one year of service; three weeks after five years; four weeks after ten years; and five weeks after fifteen years, and an additional day of vacation for each full year of service over twenty years, up to a maximum of five such additional days. with the City of Marietta, Ohio.
- (c) A person must work six-months before becoming eligible for his or her first vacation. Successive vacations may be taken any time during the calendar year. A person becoming eligible for additional vacation may take that vacation any time during the calendar year he or she becomes eligible.
- (d) Pay rates for a vacation period shall be the same as those in effect at the time vacation is taken.
- (e) There will be no premium for vacations not taken, nor will earned, but unused, vacation time carry over from one year to the next; provided however, that the Director of Public Safety and Service, or other appropriate appointing authority, may grant written approval for an employee to carry over a maximum of three weeks of vacation, which shall be taken in the next calendar year. At no time shall an employee have an accumulation of more than three weeks unused vacation time carried over from any prior year; provided however, that an employee who has submitted a written letter of resignation to be effective within one year of the date of submission, may, upon written permission of the Director of Public Safety and Service, or other appropriate appointing authority, accumulate up to forty days of unused vacation in anticipation of retirement. The forty days permitted to be accumulated is a maximum, inclusive of any three weeks unused vacation time that may have been carried over, and not in addition to it.

Provided further, however, that the Fire Chief and Assistant Fire Chief may accumulate vacation to be used in anticipation of retirement, with vacation for their final year of service up to a maximum of ten weeks.

- (f) Employees will be given the chance to state preference for vacation periods, but final decision will rest with the respective superior so that vacation schedules can be set with a minimum of disruption to City services. In the event of competing preferences, where not all vacation requests can be granted, length of service shall be the deciding factor.
- (g) Upon termination, employees shall be paid for vacation earned, but not taken. The amount of time due shall be prorated from the employee's anniversary date.

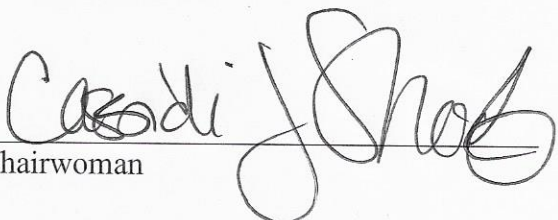
Section 2: That existing Section 161.01 of the Codified Ordinances of the City of Marietta, Ohio, shall be and is hereby repealed.

Section 3: That this Vacation Policy, as outlined herein, shall be retroactive back to October 1, 2022.

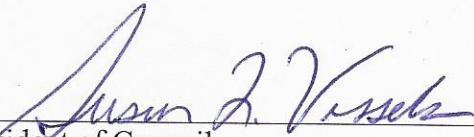
Section 4: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that this change needs to be made effective immediately, so as to attract new hires to the City of Marietta, Ohio.

WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Introduced by the Employee Relations Committee, Cassidi Shoaf, Chairwoman.

  
Chairwoman

Passed this 4<sup>th</sup> day of May, 2023.

  
President of Council

ATTEST:

  
Clerk of Council

Approved this 4<sup>th</sup> day of May, 2023.

  
Mayor

First Reading April 6, 2023

Second Reading April 20, 2023

Third Reading May 4, 2023