

RESOLUTION NO. 10-20

A RESOLUTION AEMDNING THE VILLAGE OF PLAIN CITY EMPLOYEE POLICIES AND PROCEDURES HANDBOOK

WHEREAS, the Village of Plain City previously adopted a policies and procedures handbook applicable to all employees in order to provide a systematic and organized approach to the establishment, implementation, and administration of the personnel policies and practices relevant to all affected employees of the Village; and,

WHEREAS, Village administration periodically reviews the Village's personnel policies and practices to ensure compliance with state and federal labor laws and regulations and circumstances that arise through the course of Village operations; and,

WHEREAS, Village Council has reviewed the proposed amendments to the handbook over the course of several work session meetings; and,

WHEREAS, the those proposed amendments to the handbook are encompassed in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE BE IT RESOLVED by the Village Council of Plain City, Ohio, as follows

Section 1. The Village Council of Plain City hereby approves amendments to the Village of Plain City Employee Policies and Procedures Handbook as detailed by Exhibit A attached hereto and incorporated herein.

Section 2. The Village Administrator and Fiscal Officer are hereby directed to ensure the implementation of said amendments and obtain acknowledgment by all employees of the Village of their receipt of those amendments to the handbook.

Section 3. This Resolution shall be effective from and after the earliest period provided by law.

Passed: May 26, 2020.

Attest: Renee Samnett
Village Fiscal Officer

Darrin Love
Mayor

First reading: April 27, 2019. Vote: ___ yea ___ nay ___ abstain

Second reading: May 11, 2020. Vote: ___ yea ___ nay ___ abstain

Third reading: May 26, 2020. Vote: 6 yea ___ nay ___ abstain

Certificate of Publication

The undersigned, being Village Fiscal Officer of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 123.01 of the Codified Ordinances. The posting was done from _____, 2020 to _____, 2020 at the Office of the Fiscal Officer located at 213 South Chillicothe Street; the Plain City Public Library located at 305 W. Main Street; the Security National Bank located at 105 W. Main Street; the Richwood Banking Co. located at 601 W. Main Street; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: _____, 2020

Village Fiscal Officer

Exhibit A

Proposed Changes to Employment Manual

Note: New language within *existing sections* of the Handbook are identified in bold and underlined font. *New sections* to Handbook are identified by bold, underlined font of section and italicized font in the substance of the section.

5.1 Vacation Leave

5.1.1 Vacation Leave Accrual

~~Full-time permanent Village employees shall be entitled to vacation leave after completion of one (1) full year of service with the Village. Vacation time is credited on the employee's work anniversary. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of an employee's total service. Time not in paid status, except military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will begin on the first day of the first pay period in which a year of service is completed.~~

~~The amount of vacation leave earned varies by length of service with the Village, and is earned as follows:~~

Eligibility to Use Vacation Leave – Regular full-time employees who accrue vacation leave are eligible to use this benefit in accordance with the guidelines provided in this handbook. An employee may not use vacation leave for a period of six months after initial appointment or last break in service without the express written authorization of the Village Administrator or Police Chief (as applicable) at time of appointment or an end of a break in service. Allowance for the use a vacation leave within the initial six months is subject to the employee having accrued adequate vacation leave hours at the time of leave use.

Accrual of Vacation Leave – Regular full-time employees shall accrue vacation leave on a pro-rated basis per pay period based on the chart listed below. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of an employee's total service. Time not in paid status, except for military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will begin on the first day of the first pay period in which a year of service is completed. The amount of vacation leave earned varies by length of service with the Village, and is earned as follows:

Years of Total Service	Vacation Hrs./Year
Less than one (1) year	0
One (1) Zero (0) through less than five (5) years	80
Five (5) through less than ten (10) years	120
Ten (10) plus years	160

In accordance with O.R.C. 9.44, employees may be entitled to prior service credit for time spent working with the State of Ohio or any political subdivision of the State. It is the employee's responsibility to provide necessary documentation of prior service.

5.1.2 Vacation Leave Use

No employee may take vacation leave without the prior written approval of the Department Head. Department Heads will make such approvals based on the staffing needs of the Village. Approval of vacation leave requests is not guaranteed.

No employee may utilize vacation leave unless such leave has been earned. All vacation leave must be taken within twelve (12) months following an employee's anniversary date. Unused vacation may be carried forward one (1) year, provided, however, that the vacation time accumulated by an employee at any given time shall not exceed the equivalent of two (2) years' accrued vacation time. Vacation leave may not otherwise be carried forward into succeeding years without the approval of the Department Head or supervisor, and Village Council. Accrued vacation leave that is not taken within the time period permitted under this policy is forfeited.

Vacation time may not be used with any other paid time off, including holidays and sick leave, unless approved in advance by the Department Head or supervisor. Vacation time may not be used after an employee's final active day of service with the Village, leading up to a termination or resignation of employment.

An employee in full-time status who is to be separated from the Village service through discharge, resignation, retirement or layoff, and who has unused vacation leave to his/her credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his/her last day of active service with the Village. Such payment shall be paid at the employee's hourly rate of pay at time of separation.

5.2 Sick Leave

5.2.1 Sick Leave Accrual

Each full-time Village employee shall be entitled for each completed eighty (80) hours of service to sick leave of 4.6 hours, and unused sick leave may be accumulated without limit.

Sick leave will accrue for regular work hours, vacation leave, holidays, personal leave and bereavement leave. Sick leave will not accrue during an unpaid leave of absence, for overtime hours, or during a period that sick leave is being used.

Each year between the last pay period in November and the first payroll in December, individuals with a sick leave balance of more than four hundred eighty (480) hours will be offered the opportunity to cash-in excess sick leave. Only sick leave hours in excess of four hundred eighty (480) hours are eligible for this cash-in option. As to those eligible hours they elect to cash-in, an individual will be paid at one half (1/2) his/her current hourly rate for each hour cashed in.

5.2.2 Sick Leave Use

Employees may use sick leave, upon approval of the Department Head, for absence due to personal illness, pregnancy, injury, exposure to contagious disease that could be communicated to other employees, and illness, injury, or death in the employee's immediate family. The definition of "immediate family" for purposes of this section shall be: spouse, significant other ("significant other" is defined to mean one who stands in place of a spouse, and who resides with the individual,) child, grandchild, parents, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, brother, sister, brother-in-law, sister-in-law or legal guardian or other person who stands in the place of a parent. In cases where both parents are employed by the Village, only one parent may be granted sick leave to care for a child at home on the same day.

An employee who uses three (3) or more consecutive sick leave days may be required by the employee's supervisor to submit a written doctor's excuse verifying the necessity of such leave and generally describing the nature of the illness or injury.

Such doctor's excuse shall be delivered to the individual's Department Head, who shall in turn deliver a copy to the Village Fiscal Officer. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including termination.

Any employee separated from Village service for other than just cause or service retirement shall be paid for all accumulated and unused sick leave on the basis of one (1) hour of pay for every two (2) hours of unused sick leave. Total sick leave payouts cannot exceed four hundred eighty (480) hours of pay.

Any employee who retires from service with the Village shall receive 100% payout of all accumulated and unused sick leave, up to a maximum of four hundred eighty (480) hours of pay.

5.2.3 Sick leave donation [NEW]

All regular full-time employees are eligible for donated time benefits, subject to the terms of this handbook to relieve hardship resulting from extended illnesses.

Procedure – When an employee’s sick time credit, accrued vacation, and personal leave have been or is about to be exhausted, an employee may request for a sick leave donation by notifying the employee’s department head. The department head will investigate the employee’s request. The department head shall execute a letter to the Sick Leave Donation Review Board (“The Board”) which shall be made up of the Village Administrator, Fiscal Officer, and Police Chief setting forth:

- 1. The details of the investigation; and*
- 2. Any recommendation the department head may have concerning the employee’s eligibility as a recipient of donated time.*

If the Board approves a recommendation for an employee to be the recipient of donated time, an employee wishing to voluntarily donate sick time for the benefit of such approved recipient shall submit a request to the Board listing the name of the beneficiary with the number of hours to be donated. Sick time can only be donated in eight-hour increments. Any employee requesting to donate sick time to an eligible recipient shall maintain a minimum sick leave balance of 240 hours after donation.

In no case will donated sick time be used to extend an employee’s period of active duty beyond a recommended retirement day as established by the appropriate retirement board’s physician. Any donated sick time processed and not needed by a recipient due to retirement, return to duty, or other reasons shall be returned to the donor. Donated sick time shall be paid to the recipient at his/her rate of pay.

The recipient may only use donated sick time after all other accrued paid leave has been exhausted. Absent extenuating circumstances, an employee may request donated sick leave once during the course of their employment. Donated sick time will be used in place of the employee’s regularly scheduled hours of work. No sick leave, vacation leave, or other applicable benefit shall accrue to the employee for any hours paid through donated sick time.

5.3 Holidays

All full-time employees are eligible for the following eight-hour paid holidays in each calendar year:

- New Year’s Day (January 1st);*
- Martin Luther King Jr. Day (third Monday in January);*
- President’s Day (third Monday in February);*

Memorial Day (last Monday in May);
Independence Day (July 4th);
Labor Day (first Monday in September);
~~Columbus Day (second Monday in October);~~
~~Veteran's Day (November 11th);~~
Thanksgiving Day (fourth Thursday in November); and
Christmas Day (December 25th).

In addition to the paid holidays listed, each regular full-time employee is provided two floating holidays to be used the same as allotted annual personal days. Use of these two floating holidays shall be governed by the procedures pertaining to the use of personal days. Unused floating holidays shall not be carried over to a subsequent year. Upon the termination of an individual, whether on a voluntary or involuntary basis, no payment shall be made by the Village for unused personal leave, and such leave shall be considered forfeited.

For Village employees, if the holiday falls on a Saturday, it shall be observed on the preceding Friday. If the holiday falls on a Sunday, it shall be observed on the following Monday. If the holiday occurs while an employee is on vacation leave, the vacation day will not be charged against such leave. An employee shall receive holiday pay rather than paid sick leave for any holiday which occurs when he or she is absent on sick leave. Holiday pay will not be given to any employee who is on a leave of absence without pay. An employee must be on approved leave status before and after the holiday in order to be eligible for holiday pay.

All employees required to work on any of the above holidays, unless regularly scheduled to work on such holiday, shall receive their regular pay for the holiday plus one and one-half (1 1/2) times their regular wage rate for hours worked in excess of their standard work week. The hour equivalent of the paid holiday shall be deemed time worked for the purpose of this overtime computation.

[Proposed New Section 5.13] Health Insurance Opt-Out

In the event a non-bargaining employee chooses to decline medical health care coverage provided by the Village of Plain City, the employer agrees to pay the non-participating employee an opt-out bonus in lieu of providing health care coverage in an amount equal to 50% of the Village's annual premium cost for single coverage. Payment of the bonus will be paid by the employer on a quarterly basis to employee. The employee shall provide adequate proof of insurance of private medical health care coverage. This opt-out program does not extend to dental and vision insurance.

[Proposed New Section 5.14] Tuition Reimbursement

The continuing education and development of all employees is most desirable; in order to encourage such advancement an Educational Assistance Program is offered. The Village will pay up to 80% of the tuition, necessary fees, and course materials for courses related

to the development of a regular full-time employee that would otherwise be paid by the employee subject to annual appropriation by Council. The Village may apply this concept to cover fees and costs of training and higher education programs which it determines to qualify as an appropriate employee benefit. This Program does not pertain to customary and standard training and certification costs required by law or administrative policy of the Village that are required or necessary for employees to perform their specific job functions and have been typically paid for by the Village in the past.

To be eligible to participate in this Program, the employee must complete a Request For Educational Assistance form for each course and the form must be approved by the employee's Department Head and the Tuition Reimbursement Review Board ("the Board") which shall be made up of the Village Administrator, Fiscal Officer, and Police Chief. Employees should submit one copy of the form and receive approval prior to starting any course. Upon satisfactorily completing the course, the employee must provide the Village with proof of satisfactory completion, as well as a copy of proof of tuition and necessary fee and textbook payments from the educational institution, in order to receive reimbursement.

At his/her option, an employee eligible to participate in the Village's Educational Assistance Program by having completed and received approval on a Request For Educational Assistance form, may request advance reimbursement of the Village's portion of tuition and necessary fee and text costs, prior to completion of the educational course. To exercise this option, the employee must complete and submit for approval of the Board a Request For Advance Tuition Reimbursement form along with proof of payment for such costs.

An employee eligible to participate in the Village's Educational Assistance Program may also request an advance of monies that are normally reserved for a future year's educational expenses, having exhausted funds available for the current calendar year. To exercise this option, the employee must already have submitted and received approval of the Request For Educational Assistance and the Request For Advance Tuition Reimbursement forms. In addition, the employee must complete and submit for approval of the Department and the Board, a Request For Future Years Tuition Reimbursement form together with an estimate of the necessary funds to be advanced for this purpose.

The Fiscal Officer is responsible for maintaining those records necessary for the financial administration of this Program. Employees who terminate within two years of completion of a course will be required to return the Village's outlay on a pro-rated basis. The Board is authorized to waive this requirement under unusual and justifiable circumstances.

The maximum annual reimbursement which regular full-time employees participating in this Program is \$2,500 per employee.

Benefits under this Program are not guaranteed. The Village may end this Program at any time, with or without notice, in order to best serve the Village's services and operations.

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Columbus Day (second Monday in October);
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Christmas Day (December 25th).

In addition to the paid holidays listed, each regular full-time employee is provided two floating holidays to be used the same as allotted annual personal days. Use of these two floating holidays shall be governed by the procedures pertaining to the use of personal days. Unused floating holidays shall not be carried over to a subsequent year. Upon the termination of an individual, whether on a voluntary or involuntary basis, no payment shall be made by the Village for unused personal leave, and such leave shall be considered forfeited.

For Village employees, if the holiday falls on a Saturday, it shall be observed on the preceding Friday. If the holiday falls on a Sunday, it shall be observed on the following Monday. If the holiday occurs while an employee is on vacation leave, the vacation day will not be charged against such leave. An employee shall receive holiday pay rather than paid sick leave for any holiday which occurs when he or she is absent on sick leave. Holiday pay will not be given to any employee who is on a leave of absence without pay. An employee must be on approved leave status before and after the holiday in order to be eligible for holiday pay.

All employees required to work on any of the above holidays, unless regularly scheduled to work on such holiday, shall receive their regular pay for the holiday plus one and one-half (1 1/2) times their regular wage rate for hours worked in excess of their standard work week. The hour equivalent of the paid holiday shall be deemed time worked for the purpose of this overtime computation.

[Proposed New Section 5.13] Health Insurance Opt-Out

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To be eligible to participate in this Program, the employee must complete a Request For Educational Assistance form for each course and the form must be approved by the employee's Department Head and the Village Administrator. Employees should submit one copy of the form and receive approval prior to starting any course. Upon satisfactorily completing the course, the employee must provide the Village with proof of satisfactory completion, as well as a copy of proof of tuition and necessary fee and textbook payments from the educational institution, in order to receive reimbursement.

At his/her option, an employee eligible to participate in the Village's Educational Assistance Program by having completed and received approval on a Request For Educational Assistance form, may request advance reimbursement of the Village's portion of tuition and necessary fee and text costs, prior to completion of the educational course. To exercise this option, the employee must complete and submit for approval of the Village Administrator a Request For Advance Tuition Reimbursement form along with proof of payment for such costs.

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