

Proposed: 3/7/2016

ORDINANCE NO. 7-2016 (AS), *First Reading*

By Council Member

An Ordinance establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City; and declaring an emergency.

WHEREAS, Article 5, Section 4 of the Cleveland Heights Charter requires this Council to “fix by ordinance the salary, rate, or amount of compensation of all officers and employees of the City;” and

WHEREAS, Cleveland Heights Codified Ordinance Section 139.21 generally requires this Council to “establish employees’ wages, hours of work, sick leave benefits, paid hospitalization benefits, vacations, legal holidays, and all other forms of fringe benefits and other conditions of employment by ordinance.”

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio that:

Except as otherwise specifically provided herein, effective the date stated in the separate sections hereof, the following salary schedules and other compensation for described position classifications will be in effect for such classifications as of April 1, 2016; provided, however, that if the revenues received by the City are not sufficient to meet the foregoing salaries, all salaries shall be reduced by the City Manager to a point which will not exceed the appropriated revenues of the City.

The salary of any officer or employee may, from time to time, be reduced or increased by the City Manager or her designee, but not below or above the amounts specifically fixed herein for such classifications.

Additional temporary classifications may be established by the City Manager when, in the judgment of the City Manager, job specifications and duties differ significantly from existing classifications as herein provided when a new temporary classification is warranted.

The City Manager shall advise Council when such new classification is warranted with the salary being determined by using the hourly rate for the full-time position as a maximum rate.

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**SECTION 1.** The following position classifications and salary schedules are hereby established.

|   | <u>Minimum</u> | <u>Maximum</u> |
|---|----------------|----------------|
| <b><u>LEGISLATIVE:</u></b>                    |                |                |
| Council Member                                |                | 9,270.00       |
| Mayor   |                | 11,840.00      |
| <b><u>ADMINISTRATIVE:</u></b>                 |                |                |
| Building Commissioner/Chief Building Official | 60,000.00      | 90,000.00      |
| City Manager –Assistant to                    | 60,200.00      | 90,000.00      |
| City Manager – Assistant                      | 75,000.00      | 110,000.00     |
| - Vice  | 8,000.00       | 20,000.00      |
| City Manager                                  | 90,000.00      | 150,000.00     |
| Parks & Recreation Director                   | 70,000.00      | 110,000.00     |
| Deputy Police Chief                           | 70,000.00      | 110,000.00     |
| Economic Development Director                 | 70,000.00      | 110,000.00     |
| Finance Director – Assistant                  | 60,000.00      | 85,000.00      |
| Finance Director                              | 70,000.00      | 110,000.00     |
| Fire Chief – Assistant                        | 70,000.00      | 110,000.00     |
| Fire Chief                                    | 90,000.00      | 135,000.00     |
| Housing Programs Director                     | 70,000.00      | 110,000.00     |
| Human Resources Director                      | 70,000.00      | 110,000.00     |
| Information Systems Director                  | 70,000.00      | 110,000.00     |
| Law Director and Police Prosecutor            | 70,000.00      | 110,000.00     |
| Law Director – First Assistant (Full-time)    | 60,000.00      | 85,000.00      |
| Law Director – Assistant (Full-time)          | 50,000.00      | 80,000.00      |
| Law Director – Assistant (Part-time)          | 10,000.00      | 60,000.00      |
| Planning Director – Assistant                 | 50,000.00      | 70,000.00      |

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|                                   |           |            |
|-----------------------------------|-----------|------------|
| Planning Director                 | 70,000.00 | 110,000.00 |
| Police Chief                      | 90,000.00 | 135,000.00 |
| Public Works Director – Assistant | 60,000.00 | 85,000.00  |
| Public Works Director             | 70,000.00 | 110,000.00 |
| Special Project Coordinator       | 35,000.00 | 65,000.00  |
| Utilities Commissioner            | 60,000.00 | 90,000.00  |

**SUPERVISORY:**

|   |           |           |
|---|-----------|-----------|
| Cain Park Manager                             | 40,000.00 | 60,000.00 |
| Capital Projects Manager                      | 50,000.00 | 80,000.00 |
| Chief Building / Housing Inspector            | 38,000.00 | 65,000.00 |
| Community Center Manager                      | 60,000.00 | 80,000.00 |
| Forester                                      | 40,500.00 | 68,400.00 |
| Information Systems Manager                   | 50,000.00 | 90,000.00 |
| Parks and Recreation – Assistant Commissioner | 35,000.00 | 55,000.00 |
| Public Relations Coordinator                  | 40,000.00 | 70,000.00 |
| Public Works Supervisor                       | 50,000.00 | 80,000.00 |
| Recreation Supervisor                         | 30,000.00 | 55,000.00 |
| Supervisor of Office on Aging                 | 20,000.00 | 65,000.00 |
| Supervisor of Utility Administration          | 29,200.00 | 55,000.00 |
| Youth Sports Coordinator                      | 40,000.00 | 60,000.00 |

**TECHNICAL – PROFESSIONAL:**

|   |           |           |
|---|-----------|-----------|
| Accountant                                | 26,600.00 | 50,200.00 |
| Commercial Development Officer            | 40,000.00 | 65,000.00 |
| Community Relations Assistant (Part-time) | 10,400.00 | 23,800.00 |
| Development Officer                       | 40,000.00 | 65,000.00 |

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|   |           |           |
|---|-----------|-----------|
| Fire Warden                               | 60,000.00 | 80,300.00 |
| Government TV Program Coordinator         | 30,000.00 | 60,000.00 |
| Graphic Designer                          | 30,000.00 | 55,000.00 |
| Housing Counselor                         | 26,000.00 | 47,200.00 |
| Human Resources Generalist                | 45,000.00 | 65,000.00 |
| Office Manager                            | 25,000.00 | 40,000.00 |
| Paralegal                                 | 20,800.00 | 39,000.00 |
| Payroll Administrator                     | 45,000.00 | 70,000.00 |
| Planner                                   | 31,200.00 | 65,000.00 |
| Planner (Part-time)                       | 20,000.00 | 33,000.00 |
| Program Coordinator Assistant             | 21,000.00 | 40,000.00 |
| Public Relations Specialist               | 30,000.00 | 55,000.00 |
| Social Worker (Part-time)                 | 10,400.00 | 21,000.00 |
| Zoning Administrator                      | 40,000.00 | 60,000.00 |
| <b><u>PARA-PROFESSIONAL:</u></b>          |           |           |
| Engineer / Inspector                      | 40,000.00 | 56,700.00 |
| Fire Inspector                            | 50,000.00 | 75,000.00 |
| Inspector: Building Inspector (Full-time) | 31,200.00 | 55,200.00 |
| Building Inspector (Part-time)            | 16,600.00 | 31,000.00 |
| Commercial Properties                     | 31,200.00 | 54,000.00 |
| Electrical                                | 31,200.00 | 58,600.00 |
| Housing                                   | 31,200.00 | 58,600.00 |
| Plumbing                                  | 31,200.00 | 51,700.00 |
| Utility                                   | 31,200.00 | 55,300.00 |
| Zoning                                    | 31,200.00 | 55,300.00 |

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|                                 |            |            |
|---------------------------------|------------|------------|
| Law Clerk                       | 10.00/hour | 20.69/hour |
| Program Coordinator             | 35,000.00  | 60,000.00  |
| Program Coordinator (Part-time) | 7,100.00   | 27,600.00  |
| Rehabilitation Specialist       | 35,000.00  | 65,000.00  |
| Senior Inspector                | 35,000.00  | 55,200.00  |
| Van Driver / Scheduler          | 9.20/hour  | 13.80/hour |

**CLERICAL:**

|                                      |            |            |
|--------------------------------------|------------|------------|
| Accounting Clerk                     | 20,000.00  | 46,000.00  |
| Cashier                              | 20,000.00  | 36,000.00  |
| Clerk                                | 20,000.00  | 28,800.00  |
| Clerk (Part-time)                    | 10,400.00  | 22,800.00  |
| Head Cashier                         | 26,000.00  | 50,000.00  |
| Information Systems Technician       | 25,000.00  | 50,000.00  |
| Intern                               | 9.00/hour  | 12.00/hour |
| Legal Secretary                      | 25,000.00  | 40,000.00  |
| Office Assistant (Full-time)         | 20,800.00  | 40,000.00  |
| Office Assistant (Part-time)         | 10.00/hour | 13.80/hour |
| Radio Dispatcher (Police)            | 20,800.00  | 45,000.00  |
| Receptionist / Secretary             | 22,900.00  | 35,000.00  |
| Secretary                            | 22,900.00  | 45,000.00  |
| Secretary / Administrative Assistant | 26,000.00  | 60,000.00  |
| Executive Assistant to City Manager  | 32,000.00  | 70,000.00  |
| Secretary to Director / Chief        | 26,000.00  | 65,000.00  |
| Senior Utility Billing Clerk         | 23,900.00  | 47,100.00  |
| Utility Billing Clerk                | 21,900.00  | 46,000.00  |

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**RECREATION PROGRAMS: SWIMMING POOLS:**

|                                     |   |                 |
|-------------------------------------|---|-----------------|
| Assistant Supervisor                | 9.36/hour   | 15.50/hour      |
| Aquatic Program Supervisor          | 9.36/hour   | 13.48/hour      |
| Cashier                             | 7.95/hour   | 12.36/hour      |
| Guard (A.L.S.)                      | 7.95/hour   | 11.59/hour      |
| Head Guard                          | 10.00/hour  | 12.36/hour      |
| Head Cashier                        | 8.30/hour   | 12.36/hour      |
| Head Coach (Summer)                 | 364.14/<br>Per biweekly pay period                        | 573.68/         |
| Head Coach Assistant                | 260.10/<br>Per biweekly pay period                        | 573.68/         |
| Learn to Swim Coordinator           | 260.10/per season   | 573.68/season   |
| Preschool Learn to Swim Coordinator | 260.10/per season   | 573.68/season   |
| Pool Attendant                      | 8.10/hour   | 10.33/hour      |
| Pool Maintenance                    | 8.10/hour   | 10.33/hour      |
| Pool Manager                        | 10.40/hour  | 16.07/hour      |
| Private Instructor Fee              | 2/3 of private instruction;<br>Fees charged and collected |                 |
| Resident Services Supervisor        | 8.10/hour   | 10.33/hour      |
| Security Guard                      | 8.10/hour   | 9.53/hour       |
| Sports Assistant                    | 8.10/hour   | 11.33/hour      |
| Sports Coordinator                  | 10.40/hour  | 23.65/hour      |
| Sports Supervisor                   | 8.10/hour   | 23.65/hour      |
| Tennis Court Attendant              | 8.10/hour   | 9.18/hour       |
| Tennis Lesson Instructor            | 10.40/hour  | 17.22/hour      |
| Tennis Program Coordinator          | 2,601.00/season   | 4,489.45/season |

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|                           |                    |                |
|---------------------------|--------------------|----------------|
| Umpire                    | 10.40/hour         | 23.65/hour     |
| Water Aerobics Instructor | 182.07/per session | 286.84/session |

**PLAYGROUNDS:**

|                                 |   |            |
|---------------------------------|---|------------|
| Private Instructor Fee (Tennis) | 2/3 of private instruction;<br>Fees charged and collected |            |
| Summer Basketball Coordinator   | 13.53/hour  | 20.11/hour |
| Summer Basketball Counselor     | 11.44/hour  | 16.55/hour |

**CAIN PARK THEATRE:**

|                           |                                    |               |
|---------------------------|------------------------------------|---------------|
| Artistic Director         | 520.20/<br>Per biweekly pay period | 1,035.00/     |
| Arts Festival Director    | 5,202.00/year                      | 9,040.00/year |
| Arts Festival Coordinator | 3,121.20/year                      | 6,460.00/year |
| Events Manager            | 520.20/<br>Per biweekly pay period | 1,165.00/     |
| Helper (Part-time)        | 8.10/hour                          | 12.96/hour    |
| Operations Manager        | 520.20/<br>Per biweekly pay period | 1,100.00/     |
| Park Associate            | 318.36/<br>Per biweekly pay period | 674.00/       |
| Park Crew / Maintenance   | 208.08/<br>Per biweekly pay period | 775.00/       |
| Production Manager        | 416.16/<br>Per biweekly pay period | 905.00/       |
| Program Coordinator       | 312.12/<br>Per biweekly pay period | 674.00/       |

**ICE SKATING RINK:**

|                  |           |                 |
|------------------|-----------|-----------------|
| Cashier          | 8.10/hour | 12.36/hour      |
| Hockey Director  | 2,184.84  | 2,300.00/season |
| Ice Safety Guard | 8.10/hour | 11.20/hour      |

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Instructor - Private 90% of private instruction fees charged and collected. Or a flat fee of \$75.00 (if instructor teaches a minimum of four Learn to Skate classes per session) or \$150.00 (if instructor does not teach or is no longer available for the minimum number of Learn to Skate classes)

|                            |                 |                 |
|----------------------------|-----------------|-----------------|
| Instructor – Group         | 16.65/hour      | 57.31/hour      |
| Learn to Skate Coordinator | 208.08/per week | 520.00/per week |
| Office Assistant           | 8.32/hour       | 11.26/hour      |
| Supervisor – Assistant     | 9.36/hour       | 14.76/hour      |
| Supervisor – Head          | 10.40/hour      | 17.22/hour      |

**SUMMER CAMPS:**

|                                |            |            |
|--------------------------------|------------|------------|
| Day Camp Counselor             | 8.10/hour  | 12.64/hour |
| Day Camp Assistant Coordinator | 10.40/hour | 14.19/hour |

**YOUTH SPORTS PROGRAMS:**

|                                     |                                      |   |
|-------------------------------------|--------------------------------------|---|
| Youth Hockey Coach                  | 10.40/hour<br>2,601.00/              | 22.96/hour or<br>4,592.00/season                    |
| Youth Hockey Program Coordinator    | 10.40/hour<br>2,601.00/              | 22.96/hour or<br>4,265.00/season                    |
| Youth Hockey Skating Instructor     | 10.40/hour                           | 45.92/hour  |
| Basketball Supervisor               | 8.10/hour<br>520.20/                 | 13.91/hour or<br>2,296.00/season                    |
| Basketball Coordinator              | 10.40/hour<br>2,080.80/<br>2,601.00/ | 22.96/hour or<br>3,171.00/winter<br>4,318.00/summer |
| Girls Softball League Supervisor    | 8.10/hour<br>1,040.40/               | 13.78/hour or<br>2,296.00/season                    |
| Youth Baseball League Supervisor    | 8.10/hour<br>1,040.40/               | 13.78/hour or<br>2,870.00/season                    |
| League / Program / Camp Assistant   | 8.10/hour                            | 9.18/hour   |
| Sports Camp Supervisor / Instructor | 8.10/hour<br>2,601.00/               | 13.91/hour or<br>1,148.00/camp                      |



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|                    |            |            |
|--------------------|------------|------------|
| Sports Coordinator | 10.40/hour | 23.65/hour |
|--------------------|------------|------------|

|                          |           |            |
|--------------------------|-----------|------------|
| Sports Program Assistant | 8.10/hour | 11.33/hour |
|--------------------------|-----------|------------|

**ADULT SPORTS PROGRAMS:**

|                             |                         |                                  |
|-----------------------------|-------------------------|----------------------------------|
| League / Program Supervisor | 10.40/hour<br>1,040.40/ | 22.96/hour or<br>2,296.00/season |
|-----------------------------|-------------------------|----------------------------------|

|  |                         |                                  |
|--|-------------------------|----------------------------------|
| Softball Umpire-In-Chief / Assistant Umpire in Chief | 10.40/hour<br>1,040.40/ | 22.96/hour or<br>1,722.00/season |
|--|-------------------------|----------------------------------|

**FIELDHOUSE / FITNESS CENTER:**

|                            |           |            |
|----------------------------|-----------|------------|
| Community Center Attendant | 8.32/hour | 11.00/hour |
|----------------------------|-----------|------------|

|                      |           |            |
|----------------------|-----------|------------|
| Fieldhouse Assistant | 8.32/hour | 11.07/hour |
|----------------------|-----------|------------|

|                       |           |            |
|-----------------------|-----------|------------|
| Fieldhouse Supervisor | 9.50/hour | 12.36/hour |
|-----------------------|-----------|------------|

|   |            |            |
|---|------------|------------|
| Fieldhouse Instructor / Aerobics Instructor | 10.40/hour | 12.64/hour |
|---|------------|------------|

|                      |           |            |
|----------------------|-----------|------------|
| Front Desk Assistant | 8.10/hour | 13.39/hour |
|----------------------|-----------|------------|

|                  |            |   |
|------------------|------------|---|
| Personal Trainer | 10.40/hour | 12.64/hour or<br>2/3 of rate charged by trainer |
|------------------|------------|---|

|                                    |   |  |
|------------------------------------|---|--|
| Head of Personal Training Services | Additional 5% of total personal training program revenue (3% city portion/ 2% trainer portion) for administration of the program. |  |
|------------------------------------|---|--|

**MISCELLANEOUS:**

1. The City Manager shall also serve without additional compensation as Director of Public Safety and Director of Public Services.
2. The Director of Finance shall also serve without additional compensation as Clerk of Council.
3. In addition to the salary herein above provided, the Director of Law and the Assistant Law Directors may be compensated at an overtime rate of not to exceed \$225.00 per hour for time spent in representing the City in court appearances and special projects over and above the normal work hours as approved by the City Manager.

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4. School Crossing Guard           \$40.49 per day (based upon a 4-hour day)  
School Crossing Guard           \$10.12 per hour
5. “Minimum” and “maximum” as used in this Section are deemed to be exclusive of provisions for longevity, sick leave and vacation conversion, health care, deferred compensation, and other forms of non-salary compensation for which express authority is provided by ordinance.
6. To reduce criminal activity and promote safe neighborhoods, the City Manager may lease or transfer City-owned property to Basic Patrol Officers and/or members of the Classified Service of the Division of Police at fair market value.
7. The City Manager shall have the authority, when deemed in the best interests of the City, to issue a monetary car allowance in lieu of issuing a City-owned vehicle to an employee.

**BOARD AND COMMISSION MEMBERS:**

1. Architectural Board of Review,                               \$75.00/meeting attended  
Three members, each
2. Architectural Board of Review,                               \$75.00/meeting attended  
Two Alternate Members, each                               (at request of ABR Secretary)
3. Board of Zoning Appeals,                                       \$90.00/meeting attended  
Five Members, each  
One Alternate Member                                       (at request of Planning and Development Director)
4. Civil Service Commission,                                       \$90.00/meeting attended  
Three Members, each
5. Planning Commission,   \$90.00/month  
Seven Members, each                                       (provided the member attends at least one meeting, either  
regular or special during the month)

**SECTION 2.           POLICE**

Sworn members of the Police Department who are members of the police bargaining units shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the Northern Ohio Patrolmen’s Benevolent Association. The agreement covers the period commencing April 1, 2015 through March 31, 2018. The fire arms proficiency, gun upon retirement, educational incentive bonus, and the clothing maintenance allowance shall apply to all sworn members of the

Department. A copy of the labor agreement and related documents are on file in the Office of the City Manager.

**SECTION 3. POLICE DISPATCH**

Employees in the bargaining unit as described in the memorandum of understanding and other related documents between the City of Cleveland Heights and the Fraternal Order of Police, Ohio Labor Council, Inc., representing police dispatchers shall have those terms, conditions, and benefits of employment as described in said memorandum of understanding and related documents. The agreement covers the time period commencing **May 21, 2014, through March 31, 2016**. A copy of the memorandum of understanding and other related documents are on file in the Office of the City Manager.

**SECTION 4. FIRE**

Sworn members of the Fire Department who are represented by the International Association of Fire Fighters shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the International Association of Fire Fighters. The agreement covers the period commencing April 1, 2015 through March 31, 2018. The paramedic compensation, academic achievement bonus, and the clothing maintenance allowance shall apply to all sworn members of the Department. A copy of the labor agreement and other related documents are on file in the Office of the City Manager.

**SECTION 5. JOINT FIRE DISPATCH**

Employees in the bargaining unit as described in the memorandum of understanding and other related documents between the City of Cleveland Heights and National Production Workers Union Local 707 of Cleveland representing Fire Dispatchers shall have the terms, conditions and benefits of employment as described in said memorandum of understanding and other related documents. That agreement covers the time period commencing **April 1, 2016 through March 31, 2019**. A copy of the memorandum of understanding and other related documents are on file in the Office of the City Manager.

**SECTION 6. PUBLIC WORKS**

Employees in the bargaining unit as described in the memorandum of understanding and other related documents between the City of Cleveland Heights and National Production Workers Union Local 707 of Cleveland representing Service Employees shall have the terms, conditions, and benefits of employment as described in said memorandum of understanding and other related documents. That agreement covers the time period commencing January 1, 2015 through December 31, 2017. A copy of the memorandum of understanding and other related documents are on file in the Office of the City Manager.

**SECTION 7.            MUNICIPAL COURT**

Judge: Base pay according to the Ohio Revised Code 1901.11 is \$61,750.00

Administrative Judge compensation: \$1,500.00

Total salary: \$63,250.00

|                                | <u>Minimum</u> | <u>Maximum</u> |
|--------------------------------|----------------|----------------|
| Acting Clerk of Court          | 51,000.00      | 65,402.00      |
| Bailiff                        | 31,518.00      | 81,600.00      |
| Chief Deputy Clerk             | 35,700.00      | 66,300.00      |
| Clerk of Court                 | 45,900.00      | 91,800.00      |
| Chief Accounting Clerk         | 25,500.00      | 40,800.00      |
| Chief Probation Officer        | 30,600.00      | 71,400.00      |
| Court Administrator            | 31,518.00      | 81,600.00      |
| Deputy Bailiff                 | 23,460.00      | 51,000.00      |
| Deputy Clerk                   | 23,460.00      | 44,800.00      |
| Housing Specialist             | 30,600.00      | 61,900.00      |
| Information Systems Technician | 25,500.00      | 40,800.00      |
| Law Clerk                      | 10.30/hour     | 16.75/hour     |
| Magistrate                     | 35,700.00      | 96,645.00      |
| Probation Officer              | 30,600.00      | 60,710.00      |
| Secretary                      | 23,460.00      | 44,166.00      |
| Security                       | 17.34/hour     | 25.50/hour     |

The compensation herein provided for and approved shall be payable in the manner and from the sources as provided for by applicable provisions of the Ohio Revised Code.

**SECTION 8.            VACATION**

(a) All full-time permanent city employees shall accrue vacation leave according to the following schedule:

ALL FULL-TIME PERMANENT CITY EMPLOYEES

| <u>Length of Service</u>           | <u>Accrual Per Pay Period</u> |
|------------------------------------|-------------------------------|
| Up to and including the sixth year | 3.08 hours                    |
| 7 up to and including 12 years     | 4.60 hours                    |
| 13 up to and including 18 years    | 6.20 hours                    |
| 19 years or more                   | 7.70 hours                    |

Accrual of vacation days shall be by pay period and begin in the pay period in which the employee's first day of employment occurs. Vacation leave requests will be granted by the department heads in line with the needs of the department. To accommodate scheduling needs, vacation leave may be taken before actually accrued upon approval of the City Manager. When an employee terminates his employment with the city, the City Manager shall deduct from the employee's final pay periods the number of hours of vacation leave taken but not yet accrued. No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year.

Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more. Permanent part-time employees after one year of employment are entitled to one week of vacation a year on a prorate basis. After fourth year as a permanent part-time employee, the schedule will follow permanent full-time employee vacation schedules on a prorate basis.

All other full-time employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for the length of their consecutive service in the former public agency, in accordance with the provisions of the Administrative Code, for purposes of determining accrual of vacation leave during their employment with the City of Cleveland Heights. Accrual of vacation for transfer employees shall be determined according to the schedule set out in subsection (a). Employees who wish to receive credit for their prior public service shall obtain a certified copy of their employment record from their prior employer.

Vacation leave granted under this Section shall be administered pursuant to rules adopted by the City Manager.

(b) For purposes of this Section, the hourly rate of payment for accrued vacation leave shall be determined by the following formula: annual base pay at the time of employee separation divided by 2,080 hours.

**SECTION 9.            SICK LEAVE**

(a) Full-time permanent employees may be eligible for paid sick leave. Sick leave will be accrued at the rate of 4.6 hours per pay period. Approved sick leave taken shall be charged against the employee's accumulated sick leave.

The amount of unused sick leave accumulated as of December 17, 1976 by permanent full-time employees shall be determined under the applicable terms of the Ordinances of the City of Cleveland Heights.

Employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for unused sick leave accrued during such prior public employment, in accordance with the provisions of the Administrative Code. Credit for accrued sick leave shall not exceed the limits specified for all other employees in subsection (a). Employees who wish to receive credit for accrued sick leave under this subsection shall obtain a certified copy of their sick leave record from their former employer.

All full-time, permanent employees who are in the employ of the City and who have been in the employ of the City for over ten (10) consecutive years may be eligible for payment for accrued unused sick leave earned at the City of Cleveland Heights, accumulated from January 1, 1969 upon termination of their employment for other than disciplinary reasons. The aforesaid requirement that the sick leave be earned at the City of Cleveland Heights shall apply only to employees hired after April 1, 1990. An employee shall be paid out one-quarter (.25) or 25% of sick time accumulated with a maximum of 960 hours for payout purposes. Therefore, the maximum payout that could be achieved is 240 hours.

| Accrued Sick Leave | Conversion Ratio |
|--------------------|------------------|
| 0 - 960 Hours      | 1/4              |
| 961+ Hours         | Not Eligible     |

For purposes of this Section, the hourly rate of payment for accrued sick leave shall be determined by the following formula: annual base pay at the time of termination of employment divided by 2,080 hours.

No employee shall be entitled to sick leave compensation in the event of injury, occupational disease or sickness resulting directly and proximately from the performance of any gainful employment or self-employment other than with the City of Cleveland Heights. A determination not to provide sick leave compensation under this Section shall be made by the City Manager, who shall adopt rules relating to the making of such determination.

Sick leave granted under this Section shall be administered pursuant to rules adopted by the City Manager.

**SECTION 10.           LEGAL HOLIDAYS**

(a)           The following-named days shall be deemed paid holidays for all employees. No employee shall be required to work on such holidays unless it is determined by the City Manager that public necessity requires his or her services.

- |                                   |                                       |
|-----------------------------------|---------------------------------------|
| 1. The first day of January;      | 7. The eleventh day of November;      |
| 2. The third Monday in January;   | 8. The fourth Thursday in November;   |
| 3. The third Monday in February;  | 9. The fourth Friday in November;     |
| 4. The last Monday in May;        | 10. The twenty-fifth day of December; |
| 5. The fourth day of July;        | 11. Personal Day;                     |
| 6. The first Monday in September; | 12. Personal Day                      |

(b)           If any such day falls upon a Sunday, the Monday following shall be deemed to be the holiday. If any such day falls upon a Saturday, the Friday immediately preceding shall be deemed to be the holiday.

(c)           Employees paid by the day or hour may be granted leaves of absence with full pay on any holiday named herein when, in the judgment of the City Manager, the public service will not be impaired by their absence.

(d)           The foregoing notwithstanding, officers and employees who are exempt employees under the Fair Labor Standards Act shall receive no extra compensation if required to work on any holiday named herein.

**SECTION 11.           DEFERRED COMPENSATION PLANS**

(a)           The City shall sponsor a 457(b) Plan through payroll deductions, through one or more vendors subject to Council approval. Council hereby authorizes ICMA-RC and the Ohio Public Employees Deferred Compensation Program as vendors for all employees. Council hereby authorizes Lineweaver Financial Group as a vendor for the members of the Fire Department who are represented by the International Association of Fire Fighters.

(b)           The administration of the Deferred Compensation Plans shall be under the direction of a committee of three (3) members which shall include the Director of Finance, the City Manager or her designee, and one other employee who shall be appointed by the City Manager and shall be a participating member of the Plan. Payroll deductions shall be made in each instance by the Director of Finance.

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(c) The Deferred Compensation Plans hereby authorized shall exist and serve in addition to retirement, pension or benefit systems established for the benefit of employees of the City and no deferral of income under the Deferred Compensation Plans shall effect a reduction of any retirement, pension or other benefit provided by law. However, any sum deferred under a Deferred Compensation Plan shall not be included for the purposes of any taxes withheld on behalf of any such employee, except municipal income tax.

(d) In order to encourage and reward extraordinary employee dedication and performance, the City Manager may award a particular employee additional non-salary compensation through contributions to an employee's deferred compensation account.

**SECTION 12. WORK DAYS AND WORK HOURS**

(a) City Hall shall be open from 8:30 a.m. to 5:00 p.m., Monday through Friday. Scheduling of employees to meet the needs of such hours of business shall be conducted through the City Manager.

(b) The normal work hours for employees of the following designated classifications shall be as follows:

1. Employees working in jobs classifications defined as exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall work such hours as determined by the City Manager.

2. Employees working in jobs defined as non-exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall work thirty eight (38) hours to forty (40) hours per week as determined by the City Manager. Days of the week and work hours shall be in accordance with the needs of the city, which shall be determined by the City Manager.

3. The Clerk of Courts office shall be open from 8:30 a.m. through 5:00 p.m. or as otherwise determined by the Municipal Court Judge. Employees shall work such hours as established by the Municipal Court Judge.

**SECTION 13. HEALTH CARE INSURANCE AND ANCILLARY BENEFITS**

(a) The City shall purchase or subscribe to and maintain in full force and effect for each full-time employee of the City a health care insurance plan, including medical-surgical protection, covering hospital and surgical benefits and related coverage, through one or more vendors subject to Council approval. Such health care insurance plan shall be maintained so long as such employee remains in the employ of the City. Council hereby authorizes Medical Mutual Ohio, MetroHealth Select, and HealthSpan as vendors. The City shall contribute ninety percent (90%) of the cost of the plan elected by the employee and the employee shall be responsible for any costs above the amount of established employer contribution, *i.e.*, ten percent



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(10%) of the cost for coverage, except that new enrollees of HealthSpan shall pay an adjusted premium to cover the additional cost of the HealthSpan plan.

(b) All full-time employees shall be offered participation in a prescription plan through one or more vendors subject to Council approval. Council hereby authorizes ExpressScripts, 90-day Supply Mail Order, MetroHealth Select, and HealthSpan Pharmacy as vendors.

(c) The City shall offer dental coverage for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum benefit of \$1,500 per person. Coverage shall include two (2) yearly cleanings and check-up exams and coverage of eighty percent (80%) of basic and major services, less deductibles. Orthodontia benefits for dependents age 19 or younger also shall be offered with a \$1,000 maximum benefit per dependent. Council hereby authorizes Dentemax as a vendor.

(d) The City shall offer a vision plan for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum reimbursement of \$150 per person. Council hereby authorizes Medical Mutual as a vendor.

(e) The City shall offer a Flexible Spending Account for qualified medical or dependent care expenses to be funded with employee gross earnings through one or more vendors subject to Council approval. Council hereby authorizes NEO Administration as a vendor.

(f) The City shall offer all employees access to an Employee Assistance Program provided by ease@work which offers short-term counseling; assistance with locating reliable childcare, general and special educational needs, and resources for the elderly; no cost attorney consultations with discount if retained; no cost financial consultations; nutritional coaching; and fitness coaching.

(g) The availability of health care insurance and ancillary benefits described in this Section to individual, part-time employees may be determined by City Manager pursuant to Codified Ordinance Section 139.20.

**SECTION 14. LIFE INSURANCE**

(a) The City shall purchase or subscribe for and maintain in full force and effect life insurance of \$10,000.00 for each full-time employee until the employee reaches age 70; at age 70, benefits will be reduced by thirty-five percent (35%); and at age 75, benefits will be reduced an additional twenty percent (20%) through one or more vendors subject to Council approval.

(b) The City shall purchase or subscribe for and maintain in full force and effect for each full-time employee accidental death and dismemberment insurance at no cost to employee through one or more vendors subject to Council approval.

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(c) Each employee shall be provided the option to buy additional term insurance through payroll deductions through one or more vendors subject to City Council approval.

(d) City Council hereby approves Lincoln National Insurance as a vendor.

**SECTION 15. LONGEVITY**

In addition to their regular salary, all full-time, permanent employees covered by this Ordinance shall be paid for each biweekly pay period additional compensation for length of service, as follows:

|  | <u>April 1, 2014</u> |
|--|----------------------|
| 1 <sup>st</sup> through 5 <sup>th</sup> year of service              | No entitlement       |
| 6 <sup>th</sup> through 10 <sup>th</sup> year of service, inclusive  | 16.92                |
| 11 <sup>th</sup> through 15 <sup>th</sup> year of service, inclusive | 33.85                |
| 16 <sup>th</sup> through 20 <sup>th</sup> year of service, inclusive | 51.24                |
| 21 <sup>st</sup> through 25 <sup>th</sup> year of service, inclusive | 69.23                |
| 26 <sup>th</sup> year and thereafter                                 | 76.93                |

The longevity compensation shall take effect for the entire pay period following the employee's anniversary. All service on a full-time basis with the City shall be considered in applying this section and such service need not be continuous. For the purpose of determining credit for prior periods of employment, only full months of service shall be considered; credit shall be given for employment during authorized leaves of absence for military duty.

All permanent, part-time employees who have served an equivalent of five (5) years of full-time employment with the city will be eligible on a prorata basis for longevity bonus payable on an annual basis on or about January 31, 2017. Entitlement will be effected during the first full year, after the employee meets the five-year threshold. The permanent, part-time employee will follow the same longevity schedule as the permanent full-time employee on a prorata basis.

**SECTION 16. OVERTIME**

All employees working in job classifications defined as non-exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall be compensated for overtime at a rate of one and one-half (1.5) times their regular hourly rate of pay. Overtime as used herein shall mean time actually worked over and above forty (40) hours per week when ordered to do so by the City Manager or her designee.

The City Manager shall have the authority, when deemed in the best interests of the City, to pay overtime to those individuals defined as exempt by the Fair Labor Standards Act, as determined by the City Manager in consultation with the Director of Law, at a rate not to exceed one and one-half (1.5) times their regular rate of pay.

**SECTION 17. EMPLOYEE INDEMNIFICATION**

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The City shall comply with Chapter 2744 of the Ohio Revised Code relating to employee indemnification.

**SECTION: 18:      PENSION**

All employees shall be covered as required by law under the Public Employees Retirement System of Ohio unless covered by Ohio Police & Fire Pension Fund. The City shall make all contributions required by law.

**SECTION 20.**

To the extent that a provision in this Ordinance is covered by a separate labor agreement described in Sections 2, 3, 4 5, or 6 herein, the labor agreement shall supersede the provision of this Ordinance.

**SECTION 21.**

The provisions of this Ordinance shall be deemed to be in effect as of midnight, April 1, 2016. Effective midnight, April 1, 2016, Ordinance No. 22-2015 (AS) and all amendments thereto and provisions of all other ordinances heretofore adopted are repealed to the extent inconsistent herewith.

**SECTION 22.**

Notice of Passage of this Ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

**SECTION 23.**

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and welfare of the inhabitants of the City of Cleveland Heights, such emergency being to provide a schedule of adequate compensation for various officers and employees of the City, in order that satisfactory personnel may be retained in the City employ. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

ORDINANCE NO. 7-2016 (AS)

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CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED: