

Proposed: 3/2/2015

ORDINANCE NO. 22-2015(AS), *Second 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, 2015; 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>
<u>LEGISLATIVE:</u>		
Council Member		9,270.00
Mayor		11,840.00
<u>ADMINISTRATIVE:</u>		
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 & Community Services Director	70,000.00	108,000.00
Deputy Police Chief	70,000.00	110,000.00
Economic Development Director	75,000.00	90,000.00
Finance Director – Assistant	60,000.00	85,000.00
Finance Director	70,000.00	108,000.00
Fire Chief – Assistant	70,000.00	110,000.00
Fire Chief	80,000.00	135,000.00
Housing Programs Director	60,000.00	108,000.00
Human Resources Director	60,000.00	108,000.00
Information Systems Director	60,000.00	108,000.00
Law Director and Police Prosecutor	60,000.00	106,000.00
Law Director – First Assistant (Full-time)	51,000.00	80,000.00
Law Director – Assistant (Full-time)	40,000.00	80,000.00
Law Director – Assistant (Part-time)	10,000.00	51,500.00
Parks and Recreation Commissioner	60,000.00	90,000.00

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Planning Director – Assistant	50,000.00	70,000.00
Planning Director	70,000.00	108,000.00
Police Chief	90,000.00	135,000.00
Public Works Director – Assistant	60,000.00	85,000.00
Public Works Director	70,000.00	108,000.00
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	51,000.00	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

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Development Officer	40,000.00	65,000.00
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
<u>PARA-PROFESSIONAL:</u>		
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

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Zoning	31,200.00	55,300.00
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
<u>CLERICAL:</u>		
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

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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/ Per biweekly pay period	573.68/
Head Coach Assistant	260.10/ 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	90% of private instruction; 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

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Tennis Program Coordinator	2,601.00/season	4,489.45/season
Umpire	10.40/hour	23.65/hour
Water Aerobics Instructor	182.07/per session	286.84/session

PLAYGROUNDS:

Private Instructor Fee (Tennis)	90% of private instruction; 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/ 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/ Per biweekly pay period	1,165.00/
Helper (Part-time)	8.10/hour	12.96/hour
Operations Manager	520.20/ Per biweekly pay period	1,100.00/
Park Associate	318.36/ Per biweekly pay period	674.00/
Park Crew / Maintenance	208.08/ Per biweekly pay period	775.00/
Production Manager	416.16/ Per biweekly pay period	905.00/
Program Coordinator	312.12/ Per biweekly pay period	674.00/

ICE SKATING RINK:

Cashier	8.10/hour	12.36/hour
Hockey Director	2,184.84	2300.00season

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Ice Safety Guard	8.10/hour	11.20/hour
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
<u>SUMMER CAMPS:</u>		
Day Camp Counselor	8.10/hour	12.64/hour
Day Camp Assistant Coordinator	10.40/hour	14.19/hour
<u>YOUTH SPORTS PROGRAMS:</u>		
Youth Hockey Coach	10.40/hour 2,601.00/	22.96/hour or 4,592.00/season
Youth Hockey Program Coordinator	10.40/hour 2,601.00/	22.96/hour or 4,265.00/season
Youth Hockey Skating Instructor	10.40/hour	45.92/hour
Basketball Supervisor	8.10/hour 520.20/	13.91/hour or 2,296.00/season
Basketball Coordinator	10.40/hour 2,080.80/ 2,601.00/	22.96/hour or 3,171.00/winter 4,318.00/summer
Girls Softball League Supervisor	8.10/hour 1,040.40/	13.78/hour or 2,296.00/season
Youth Baseball League Supervisor	8.10/hour 1,040.40/	13.78/hour or 2,870.00/season
League / Program / Camp Assistant	8.10/hour	9.18/hour

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Sports Camp Supervisor / Instructor	8.10/hour 2,601.00/	13.91/hour or 1,148.00/camp
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 1,040.40/	22.96/hour or 2,296.00/season
Softball Umpire-In-Chief / Assistant Umpire in Chief	10.40/hour 1,040.40/	22.96/hour or 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 2/3 of rate charged by trainer

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.
4. School Crossing Guard \$40.49 per day (based upon a 4-hour day)
 School Crossing Guard \$10.12 per hour

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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 Building Department Supervisor)
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, 2013 through March 31, 2015. 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, 2012 through March 31, 2015. 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, 2013 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 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	44,166.00
Housing Specialist	30,600.00	61,200.00
Information Systems Technician	25,500.00	40,800.00
Law Clerk	10.20/hour	16.58/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 AND ONE-TIME BUYOUT

(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) An employee may be eligible to be compensated for unused vacation hours accrued prior to January 1, 2015, in excess of the employee's allowable maximum carryover (see table below) under a one-time buyback. If as of March 28, 2015, an employee has a vacation

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balance accrued prior to January 1, 2015, that exceeds the employee's annual maximum carryover, the City will buy back the difference at the employee's rate of pay as of March 28, 2015. The maximum carryover is determined by the following table:

Length of Service	Maximum Carryover
Up to and including the 6 th year	80 hours
7 up to and including the 12 th year	120 hours
13 up to and including the 18 th year	160 hours
19 years or more	200 hours

The time period for the buyback shall be based on years of service in a public agency in the State of Ohio in the following manner:

- (i) Eligible employees with 28 or more years of service shall receive three (3) equal payments over a three (3) year period. In the event that an eligible employee with 28 or more years of service is entitled to a buyback payment for vacation as set forth herein and/or sick time as set forth in Section 9(b) and the combined amount of both buybacks equal \$10,000 or less, said employee shall receive the entire amount in one (1) payment.
- (ii) Eligible employees with fewer than 28 but 25 or more years of service shall receive four (4) equal payments over a four (4) year period. In the event that an eligible employee with fewer than 28 but 25 or more years of service is entitled to a buyback payment for vacation as set forth herein and/or sick time as set forth in Section 9(b) and the combined amount of both buybacks equal \$5,000 or less, said employee shall receive the entire amount in one (1) payment.
- (iii) Eligible employees with fewer than 25 years of service shall receive five (5) equal payments over a five (5) year period. In the event that an eligible employee with fewer than 25 years of service is entitled to a buyback payment for vacation as set forth herein and/or sick time as set forth in Section 9(b) and the combined amount of both buybacks equal \$5,000 or less, said employee shall receive the entire amount in one (1) payment.

Buyback payments shall be executed with the first paycheck in June of each year starting in 2015 or payments may be annually deferred to an employee's City sponsored 457(b) account at the employee's request while still employed with the City of Cleveland Heights. The buyback period will continue upon retirement or termination. Employees may name a beneficiary for buyback payments. In the event that an employee desires to opt out of the buyback described in 8(b) above, the employee may do so during the period April 1 through April 15, 2015 by written notice in a form provided by the City.

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(c) 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. The employee's vacation balance will be reduced by an amount equal to the number of hours bought back by the City.

SECTION 9. SICK LEAVE AND ONE-TIME BUYOUT

(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.

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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.

(b) Employees who meet the following criteria may be eligible to be compensated for unused sick hours accrued prior to January 1, 2015, in excess of the allowable maximum payout of 240 hours under a one-time buyback in the manner set forth herein. If, as of March 28, 2015, an employee has been in the employ of the City for ten (10) or more consecutive years and has a balance in excess of 480 unused sick hours that were earned during service to the City prior to January 1, 2015, the City will buy back unused sick time under the following procedure. The buyback shall equal the difference between 50% of the employee's unused sick hours accrued during service to the City (up to a maximum of 750 buyback hours) and 240 hours. The buyback shall be paid at the employee's rate of pay as of March 28, 2015. Sick leave banks shall be reduced by the number of hours bought back by the City.

The time period for the buyback shall be based on years of service in a public agency in the State of Ohio in the following manner:

- (i) Eligible employees with 28 or more years of service shall receive three (3) equal payments over a three (3) year period. In the event that an eligible employee with 28 or more years of service is entitled to a buyback payment for vacation as set forth in Section 8(b) and/or sick time as set forth herein and the combined amount of both buybacks equal \$10,000 or less, said employee shall receive the entire amount in one (1) payment.
- (ii) Eligible employees with fewer than 28 but 25 or more years of service shall receive four (4) equal payments over a four (4) year period. In the event that an eligible employee with fewer than 28 but 25 or more years of service is entitled to a buyback payment for vacation as set forth in Section 8(b) and/or sick time as set forth herein and the combined amount of both buybacks equal \$5,000 or less, said employee shall receive the entire amount in one (1) payment.
- (iii) Eligible employees with fewer than 25 years of service shall receive five (5) equal payments over a five (5) year period. In the event that an eligible employee with fewer than 25 years of service is entitled to a buyback payment for vacation as set forth in Section 8(b) and/or sick time as set forth herein and the combined amount

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of both buybacks equal \$5,000 or less, said employee shall receive the entire amount in one (1) payment.

Buyback payments shall be executed with the first paycheck in June of each year starting in 2015 or payments may be annually deferred to an employee's City sponsored 457(b) account at the employee's request while still employed with the City of Cleveland Heights. The buyback period will continue upon retirement or termination. Employees may name a beneficiary for buyback payments.

(c) In the event that an employee desires to opt out of the buyback described in 9(b) above, the employee may do so during the period April 1 through April 15, 2015 by written notice in a form provided by the City.

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.

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|-----------------------------------|---------------------------------------|
| 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.

(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

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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.

(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

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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 (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.

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(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.

(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 st through 5 th year of service	No entitlement
6 th through 10 th year of service, inclusive	16.92
11 th through 15 th year of service, inclusive	33.85
16 th through 20 th year of service, inclusive	51.24
21 st through 25 th year of service, inclusive	69.23
26 th 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, 2016. 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

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, 2015. Effective midnight, April 1, 2015, Ordinance No. 26-2014 (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.

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DENNIS R. WILCOX, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED: