

BY: Vice Mayor Johnson

ORDINANCE NO 03-2022

AN ORDINANCE TO RESCIND CURRENT CHAPTER 145 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GRANVILLE, OHIO AND TO ADOPT A NEW CHAPTER 145 PERTAINING TO PERSONNEL PRACTICES

WHEREAS, the Council of the Village of Granville, Ohio has determined that it is necessary to update Chapter 145 of the Granville Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Granville, Licking County, Ohio that:

Section I: Existing Chapter 145 “Personnel Practices” is hereby rescinded in its entirety.

Section II: New Chapter 145 “Personnel Practices” is hereby adopted as follows:

**CHAPTER 145
Personnel Practices**

145.01 Intent and Purpose	145.12 Injury Leave
145.02 Department of Personnel	145.13 Vacation Leave
145.03 Responsibility; Scope	145.14 Holidays
145.04 Appointment of Employees; Rate And Method of Pay	145.15 Insurance Coverage
145.05 Classification and Compensation Plan	145.16 Police Called to Testify
145.06 Employee Status Determination And Benefit Eligibility	145.17 Travel Allowance
145.07 Advancement in Pay and Promotions, Testing	145.18 Physical Examinations
145.08 Overtime Pay	145.19 Discipline and Discharge Procedures
145.09 Sick Leave Accrual, Use and Conversion at Separation	145.20 Members of Reserve and National Guard Called to Active Duty
145.10 Personal Day	145.21 Additional Rules and Regulations
145.11 Bereavement Leave	145.22 Variances
	145.23 Discrimination
	145.24 Male Gender to Include Female Gender

145.01 INTENT AND PURPOSE.

It is the intent and purpose of this chapter to define and establish benefits and a code of personnel policies and procedures.

The procedures set forth and adopted within supersede all previous written and unwritten procedures of the Village of Granville. The procedures set forth herein are to provide employees guidelines for the efficient and effective management of the Village. This ordinance and procedures issued by the Village do not constitute an employment contract or employment agreement between the Village of Granville and any of its employees, nor does it guarantee employment or minimum benefits between the Village of Granville and any of its employees.

145.02 DEPARTMENT OF PERSONNEL

The Director of Finance, or the Manager’s designee, shall be responsible for and accountable to the Manager for administration and implementation of personnel functions for all departments of the Municipality. The Director of Finance or designee shall perform the following duties:

- a) Maintain a personnel file for each employee and keep all personnel information and records necessary for proper administration of the personnel policy; and
- b) Administer the regulations, policies and procedures set forth in the personnel policy;
- c) Administer the Village’s labor agreements for the Village unionized employees; and

d) Maintain position descriptions for each position in the Village.

145.03 RESPONSIBILITY; SCOPE.

- a) The Director of Finance, or designee, shall be responsible for administering these regulations. Problems, not specifically covered by these regulations, shall be resolved by the Director of Finance, or the Manager, using the provisions of the Code and the Charter, the employee handbook, or, where applicable, the union contracts as a general guide.
- b) All full-time, part-time, and temporary employees, other than those elected to office or appointed to office by Council, shall be governed by these regulations, policies, and procedures.
- c) Where there is a conflict between a union contract and this personnel policy, the union contract language shall prevail.

145.04 APPOINTMENT OF EMPLOYEES; RATE AND METHOD OF PAY

A wage scale, with wage rates for each non-bargaining classification, shall be established by separate resolution annually by Village Council. The Manager and Finance Director may make recommendations for modifications or increases to the wage rates included in the wage scale and the assignment of wage rates to the classifications.

The appointment, testing procedures and determination of wage rates assigned to new employees are functions and responsibilities of the Manager or his designee.

The Manager shall be responsible for the following:

- a) The Manager shall appoint in the matter prescribed by the Charter and ordinances all officers and employees of the Municipality, except those elected to office or appointed by Council.
- b) The Manager may delegate the responsibility for recruitment, testing, interviewing, and all similar activities to other employees or officers.

Generally, a new employee shall be paid the minimum rate of pay for his/her classification. Exceptions may be granted with the written prior approval of the Manager in the following cases:

- 1) The minimum rate for each class is based upon a new employee meeting the minimum qualifications and certification requirements stated for the position description.
- 2) The Manager may appoint the employee to a higher pay grade if it is determined that the employee has exceptional training, experience and qualifications.

Village employees will receive wage and salary compensation by means of an electronic funds transfer from the Village's bank into a direct deposit account maintained by the employee.

All Municipal employees subject to the provisions of this Chapter shall be paid bi-weekly.

145.05 CLASSIFICATION AND COMPENSATION PLAN.

The Classification Plan shall be kept up to date by the addition of new classes on the abolition, consolidation, division or amendment of existing classes by recommendation of the Director of Finance and the Manager, and approval of Council by resolution. The Compensation Plan may be similarly amended either through adjustments of rates or by reassignment of classes of positions to different pay ranges, upon the recommendation of the Manager and approval by resolution by Council.

145.06 EMPLOYEE STATUS DETERMINATION AND BENEFIT ELIGIBILITY.

The Manager, as advised by the Department head, shall determine the status for each employee. The employment status shall be one of the following:

- a) A full-time employee shall be one who works forty (40) or more hours per week and whose employment has no scheduled end date.
- b) A part-time employee shall be one who works less than forty (40) hours a week and whose employment has no scheduled end date.
- c) A temporary employee shall be one who may work either more or less than forty (40) hours a week, but who is hired for a limited period of time, less than one year in duration.
- d) A seasonal employee shall be one who is hired for seasonal basis dependent on need.

- e) Part-time, temporary and seasonal employees shall not be eligible for the benefits of Sections 145.09 through 145.15.

145.07 ADVANCEMENTS IN PAY AND PROMOTIONS, TESTING.

- a) Advancement in pay, other than adjustments determined by Council or by ordinance, shall be based upon meritorious performance by full-time employees.
- b) A promotion shall be advancement from one classification to a higher one with a change in class title and an assignment of a higher rate of pay.
- c) Subsequent advancements in pay may be considered annually pursuant to the current pay resolution and amendments. No advancement in pay shall be granted unless the Manager, as advised by the department head, agrees that such advancement is warranted by meritorious full-time performance.
- d) When an employee is promoted to a position in a higher grade, his or her salary shall be increased to a rate in the higher grade which results in a higher rate of pay.
- e) There shall be no immediate change in the salary rate of an employee, who is transferred or reassigned to a different position in their classification, unless his or her salary is below the approved minimum of the new position. If an employee is transferred to a position in a class having a higher salary range than the class from which the employee was transferred, such change shall be deemed a promotion and the personnel ordinance and/or employee handbook provisions governing promotions shall apply.
- f) The anniversary date to be used in determining an employee's eligibility for advancement shall be the effective date of his or her appointment to the job classification and pay grade rather than the beginning date of employment with the Village of Granville.
- g) Initial employment and promotions of employees may be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examination. The practicality of competitive examinations shall be determined by the Village Manager in consultation with the department head of the department where the vacancy exists and/or new position created.
- h) The form of entry level and promotional examination of skills may include written and/or oral assessments, knowledge and abilities to perform the essential functions of the position, experience and physical fitness valuations, or other criteria determined by the Manager. The form of the examination shall be approved by the Manager.

145.08 OVERTIME PAY.

- a) Overtime pay may be authorized with approval of the Manager. In case of emergency, the department head may authorize overtime work.
- b) In the case of salaried exempt employees, where a rate of pay has been established for the position, no additional compensation shall be paid for overtime. A department head, subject to the approval of the Manager, may grant compensatory time off for overtime work at a rate of one hour for each hour of overtime worked.
- c) Overtime pay for hourly employees shall be at the rate of one and one-half times the standard pay rate of that employee. Overtime pay rates are applicable only to those hours actually worked in excess of eight (8) hours on any one day, or ten (10) hours on any one day for employees of departments working ten (10) hours shifts, or in excess of a regular 40-hour work week.
- d) Employees called back to work for overtime shall be entitled to a minimum of ~~two~~ **three** hours overtime, regardless of actual time worked. If the time worked exceeds ~~two~~ **three** hours, the actual time worked shall be compensated at the overtime rate.
- e) Employees of all departments required to work or who are called into work under urgent or emergency conditions on holidays, as listed in Section 145.14, will be compensated at one and one-half times their straight time pay for hours worked, in addition to receiving their holiday pay.
- f) Any employee required to work more than a normal shift on a holiday shall receive one- and one-half times their normal rate of pay for overtime hours on the holiday, but that rate shall not be pyramided with holiday pay

145.09 SICK LEAVE ACCRUAL, USE, CONVERSION AT SEPARATION.

- a) All full-time employees shall accrue sick leave at the rate of ten (10) hours per month. No sick leave shall accrue during any period of unpaid leave or during any period of disciplinary suspension.

- 1) Sick leave may be accumulated without limit.
 - 2) When used, sick leave shall be deducted from the cumulative total on an hour-for-hour basis.
 - 3) Employees may use sick leave for absence due to the employee's injury or illness and/or exposure to contagious disease, which could be communicated to other employees. Where the employee's presence is reasonably necessary, as determined by the Village Manager, employees may use sick leave for absence due to the employee's immediate family member's injury or illness. In addition, for qualifying reasons under the Family and Medical Leave Act of 1993 ("FMLA"), employees will be required to use accrued sick leave prior to being granted leave without pay.
 - 4) Immediate family is defined for sick leave purposes as: current spouse, mother, father, child, step child, or other person who stands in place of a parent (*loco parentis*).
 - 5) Employees may be required by their supervisor to provide proof of illness by furnishing a doctor's statement or other satisfactory written, signed statement.
 - 6) Excessive or repeated use, pattern use or misuse of sick leave, falsification of sick leave forms, or falsification of reasons for sick leave, may be cause for disciplinary action up to and including dismissal.
 - 7) Employees, unable to report to work for any reasons listed above, must report their anticipated absence to their supervisor before the expiration of the first half hour before the beginning of their shift on the first day of absence and each succeeding day of absence unless other arrangements are authorized. Upon reporting, employees shall give the phone number and address of the place of convalescence.
 - 8) While on paid sick leave, employees are not authorized to work at other jobs outside of their position with the Village without the written permission of the Village Manager.
 - 9) Failure to comply with any of the above may result in denial of sick leave pay and/or disciplinary action, as in compliance with the Family Medical Leave Act.
- b) Sick Leave Conversion. Upon retirement or separation in good standing after five years of employment, full-time employees may convert unused accrued sick leave to a lump sum monetary payment under the following conditions:
- 1) Payment will be on the basis of one day's pay for each three days of accrued sick leave.
 - 2) Payment will be at the hourly rate in effect at the time of retirement or separation.
 - 3) Only that sick leave, which is accrued while employed by the Village of Granville, shall be used in determining the amount of accrued sick leave eligible for conversion.
 - 4) Employees terminated for cause, or who fail to give two weeks written notice of intent to terminate, are not eligible for the sick leave conversion benefit.
 - 5) Provided the conditions in this section are met, the maximum conversion of accrued, unused sick leave upon retirement or separation without just cause, shall be:
 - For employees hired on or after January 1, 1999 – one-third (1/3) of 960 hours, or 320 hours **maximum**;
 - For employees hired ~~on or after January 1, 1989~~ but before January 1, 1999 – one-third (1/3) of 1200 hours or 400 hours **maximum**;
 - ~~For employees hired on or after January 1, 1984, but before January 1, 1989 – one-third (1/3) of 1800 hours or 600 hours;~~
 - ~~For employees hired before January 1, 1984 – one-third (1/3) of 1800 or the amount of accrued, unused sick leave the employees has on January 1, 1999, whichever is greater.~~
- 6) Conversion of sick leave to vacation leave. After an employee has accumulated sixty (60) days of sick leave credit, additional unused sick leave earned thereafter may be converted annually to vacation leave credit on the basis of one day's vacation for each five (5) days of accrued sick leave. This conversion is limited to one week (40 hours) vacation leave per year. Only that sick leave, which is accrued while employed by the Village of Granville, shall be eligible for this conversion.

- 7) At the Manager's discretion, the Village will give sick leave credit for sick leave time accrued, but not used or converted, in another recognized Ohio public agency. The maximum amount of sick leave credit brought over from another organization shall be limited to 240 hours.

145.10 PERSONAL LEAVE

Full-time employees are entitled to one (1) paid personal day off per calendar year (8 hours). Personal leave must be taken in increments of no less than four (4) hours. Employees will not be compensated for unused personal leave.

145.11 BEREAVEMENT LEAVE

In the event of the death of a full-time employee's mother, father, sister, brother, aunt, uncle, current spouse, child, step child, grandchild or person who serves in loco parentis, the employee shall be granted up to three (3) working days off with pay to attend the funeral.

The employee shall supply proof of death and of the relationship in question, if requested by the Village. Subject to approval of the Village Manager, the employee may use up to one (1) day of sick leave for a death of the listed relative occurring in the state, and up to three (3) days of sick leave for a death of the listed relative occurring out of state.

145.12 INJURY LEAVE.

- a) Full-time employees, who sustain injuries while on duty and acting non-negligently in the line of duty, shall be entitled to forty (40) working days injury leave with pay subject to the following conditions:
- 1) The accident is immediately reported to a supervisor.
 - 2) Certification of need is established by a physician acceptable to the Village.
 - 3) Verification by the department head and approval by the Village Manager concerning "on the job" aspects of the injury are recorded.
 - 4) An accident report form is prepared and filed in the employee's personnel file.
- b) This time off shall not be charged to the employee's sick leave bank.

145.13 VACATION LEAVE

a) After the first initial six-month employment period, full-time employees shall be entitled to use accrued vacation leave with pay at their straight time rate. The vacation leave shall accrue to full-time employees monthly according to the following schedule:

1. 0 through 6 years employment – 2 weeks maximum paid vacation (80 hours per year; 6.66 hours per month)
2. 7 through 11 years employment – 3 weeks maximum paid vacation (120 hours per year; 10 hours per month)
3. 12 through 19 years employment – 4 weeks maximum paid vacation (160 hours per year; 13.33 hours per month)
4. 20 or more years employment – 5 weeks maximum paid vacation (200 hours per year; 16.66 hours per month)

The above formula is the accrual of vacation leave for hours in paid status. The accrual will be adjusted for hours in paid status less than 80 hours in a pay period.

- b) Vacation leave shall accrue by pay period or as determined by the Manager.
- c) Recognized holidays, which fall during a vacation, shall not count as vacation days.
- d) A maximum of ~~five (5)~~ **ten (10)** days' vacation (~~40 Hours~~) (**80 Hours**) may be carried over from one ~~calendar~~ year to the next. **Year is to be determined by employee's anniversary date.**
- e) Upon retirement or separation, an employee shall be compensated for accrued, unused vacation leave.
- f) After having taken at least two (2) weeks' vacation in a calendar year, employees may receive monetary payment in lieu of days off for up to two (2) weeks' pay.
- g) Vacation requests shall be made in writing at least two (2) weeks before the start of such proposed vacation to the department head. Vacations shall be scheduled subject to the staffing requirements of the Village, but shall not be unreasonably denied.
- h) Vacation requests, in excess of leave balances, will not be approved.
- i) Employees terminated for cause, or who fail to give two weeks written notice of intent to terminate, shall forfeit all accrued vacation.
- j) Vacation leave must be taken in minimum increments of one-half day.

- k) The Village Manager, at his discretion, may give service credit for an employee's service with another Ohio municipality or state of Ohio entity provided that written documentation is received from the prior employer.
- l) Employees will be given service credit for all full-time prior service with the Village of Granville.
- m) The Village shall not accept any transfer of vacation time accumulated by another agency or political subdivision.

145.14 HOLIDAYS

- a) All full-time employees in the municipal service shall be entitled to the following holidays with pay: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, ~~Juneteenth~~, Fourth of July, Labor Day, Veterans' Day, Thanksgiving Day, the day after Thanksgiving Day, and Christmas Day. The Manager may designate one half a working day immediately preceding Christmas as a paid holiday.
- b) Whenever a holiday falls on a Saturday or Sunday, the holiday shall be taken on Friday or Monday respectively. For employees who work in a 24/7 department, the holiday will be observed on the day it actually falls.
- c) The rate of pay for each holiday above will be equivalent to a normal shift at straight time pay to a maximum of eight (8) hours.
- d) Employees, required to work or called in to work on an actual holiday or on a Friday or Monday either preceding or following an actual holiday, if such Friday or Monday is celebrated as a municipal holiday, shall be compensated at one- and one-half times their straight time pay in addition to the eight hours holiday pay. Any employee required to work more than a normal shift on a holiday shall receive one- and one-half times their normal rate of pay for overtime hours on the holiday, but that rate shall not be pyramided with the holiday pay.

145.15 INSURANCE COVERAGE.

Full-time employees of the Municipality shall be eligible for life, accidental death and dismemberment, major medical expense, hospitalization and medical insurance coverage as provided by Council from time to time, upon such terms, conditions, requirements and such amounts as Council authorizes. The insurance coverage set forth in this section may be modified or terminated by Council at any time. Employees shall be given a thirty-day notice of termination of insurance coverage.

145.16 POLICE CALLED TO TESTIFY

Police officers, who are required to attend a court session while not on regular duty, shall be entitled to ~~two~~ **three** hours minimum pay at their normal rate for the actual hours spent in court.

145.17 TRAVEL ALLOWANCE

Municipal employees, who are required or permitted to use a personal automobile for municipal use, shall be reimbursed for such use at the rate set annually by the Internal Revenue Service as tax deductible mileage rate.

145.18 PHYSICAL EXAMINATIONS.

All Village of Granville employees required to possess an Ohio Commercial Driver's License (CDL) are subject to all Department of Transportation (DOT) regulated drug and alcohol testing (49 CFR, Part 40).

145.19 DISCIPLINE AND DISCHARGE PROCEDURES.

The Manager shall, by policy, establish standards of conduct expected of employees and for the discipline of employees for violations. The standards and discipline procedures shall not alter the employment-at-will status of any employee.

145.20 MEMBERS OF RESERVE AND NATIONAL GUARD UNITS CALLED TO ACTIVE DUTY.

The Village of Granville will comply with all applicable state and federal laws concerning military leave.

145.21 ADDITIONAL RULES AND REGULATIONS.

The Manager is hereby authorized to promulgate such additional regulations, policies and rules as he/she may deem necessary to implement the policies herein expressed.

145.22 VARIANCES.

The Village Manager shall have the power to vary or modify the strict application of these rules in any case where such strict application would result in practical difficulties or unreasonable hardship. That portion of any existing rule or regulation, which is inconsistent or in conflict with this Ordinance, is null and void.

145.23 DISCRIMINATION.

~~There shall be no discrimination against any municipal employee because of color, creed, race, religion, gender, or place of national origin.~~

The Village is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, gender identity, sexual orientation, age, national origin, disability, military status, genetic testing, or other unlawful basis except when an employee's religion, sex, or national origin constitutes a bona fide occupational qualification (BFOQ). All personnel decisions and practices including, but not limited to, hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, shall be made without regard to the above listed categories. The Village intends for all of its policies to comply with federal and state equal employment opportunity principles and other related laws.

The Village will not tolerate any conduct that intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who feels that their rights have been violated under this policy should submit a written complaint of discrimination to the Village Manager or the Finance Director, each of who shall have the authority and responsibility to investigate the complaint.

145.24 MALE GENDER TO INCLUDE FEMALE GENDER.

All references to employees herein shall include both genders, and whenever male gender is used it shall be constructed to include both male and female employees.


Section III: This Ordinance shall take effect and be in full force upon the earliest date allowed by law.

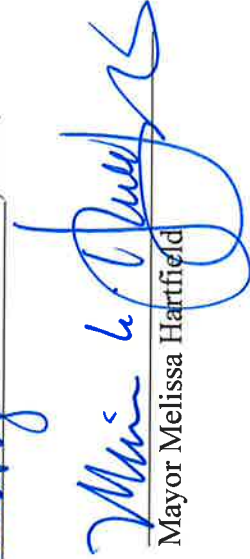
Passed this 16th day of February, 2022.

Attest:


Autumn Klein, Clerk of Council

Approved as to Form:


William Mattes, Law Director


Mayor Melissa Hartfield