

CHAPTER 161
Compensation Plan

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161.01 BOARDS AND COMMISSIONS.

(a) The salary of all members of any board or commission established by the Charter or ordinance shall be as set by City Council.

(b) The compensation shall be paid semiannually in the months of June and December.

(Ord. 07-71. Passed 12-10-07.)

161.02 UNIFORMS.

(a) Each Director is hereby authorized, where it is deemed to be in the best interest of the City, to prescribe, purchase or rent special work clothing and equipment for all employees in all cases where, in the judgment of the Director, working conditions are such as to require such clothing or equipment for the reasonable protection or identification of the employee or the public.

(b) Purchased clothing and equipment shall remain the property of the City.

(c) Each Director is authorized to incur reasonable expense for the cleaning, laundering and maintenance of such clothing and equipment that is owned by the City.

(Ord. 07-71. Passed 12-10-07.)

161.03 HOSPITALIZATION, SURGICAL, MAJOR MEDICAL, PRESCRIPTION DRUG CARD, DENTAL, VISION AND LIFE INSURANCE.

(a) The City shall provide health care insurance coverage, including hospitalization, surgical, major medical, prescription drug coverage, dental and vision insurance for each full-time employee of the City (including the Mayor and department directors) not otherwise covered by a collective bargaining agreement or employee contract ("Covered Employee"), as set forth in the Plan Document and Summary Plan Description for the City for each Covered Employee, as such Plan Document may be updated and amended as required by law or as authorized by the Mayor from time to time (the "City's Plan Document"). The City shall pay for the cost of coverage for Covered Employees and their dependents, if such coverage is requested, which shall be subject to the Covered Employees' contribution amounts set forth in Section 161.03(c) below, with deductibles, coinsurance and out-of-pocket limitations as established in the City's Plan Document.

(b) The City shall provide health care insurance coverage, including hospitalization, surgical, major medical, prescription drug coverage, dental and vision insurance as set forth in the City's Plan Document for:

- (1) Non-seasonal, non-intermittent part-time employees regularly scheduled to work at least 30 hours per week not otherwise covered by an employee contract; and
- (2) Members of City Council.

The City shall pay for the cost of coverage for those listed in (1) and (2) above and their dependents, if such coverage is requested, which shall be subject to the contribution amounts set forth in Section 161.03(c) below, with deductibles, coinsurance and out of pocket limitations as established in the City's Plan Document.

(c) All Covered Employees, eligible part-time employees described in Section 161.03(b)(1) and City Council members who receive health insurance benefits pursuant to this Chapter 161 shall pay a monthly contribution to the City for such benefits. The monthly contribution shall be set by the Mayor following consultation with the Finance Director and Human Resources Director and shall be an amount equal to a percentage of the amount designated for the City by the City's third party administrator as the annual "COBRA" premium for individual coverage and family coverage. Contribution amounts shall be paid by way of payroll deduction in either one installment or two installments monthly, as may be established by the Mayor. The City's Plan Document shall be amended to include any updated contribution amounts as those amounts are established.

(d) The City's Plan Document contains all benefit levels, payment terms and requirements for eligible employees and officials of the City. A copy of the City's Plan Document shall be kept current and maintained on file in the office of the Clerk of Council. The Human Resources Director shall provide all employees and City Council members who receive health insurance benefits with a copy of any changes made to the Plan Document.
(Ord. 10-44. Passed 1-24-11.)

(e) The City shall provide term life insurance in the amount of seventy-five thousand dollars (\$75,000) for each full-time employee. Should the Administration believe it to be in the best interest of the City, changes to the City's term life insurance benefit can be made as needed at the discretion of the Mayor. Any non-seasonal, non-intermittent part-time employee who is regularly scheduled to work at least 32 hours per week and who is currently receiving the term life insurance benefit under former Section 161.03(e) immediately prior to the effective date of this section shall continue to do so and shall not be affected by this amendment.
(Ord. 11-33. Passed 9-26-11.)

161.04 LEGAL HOLIDAYS.

(a) Authorized Holidays. All full-time employees not otherwise covered by a collective bargaining agreement shall be authorized to observe New Year's Day, President's Day, the Friday preceding Easter (Good Friday), Memorial Day, Labor Day, Independence Day, Veterans Day, Columbus Day, Thanksgiving Day, the Friday after Thanksgiving and Christmas Day, together with either the day before Christmas or the day after Christmas as determined by the Mayor.

(b) Any employee, not otherwise covered by a collective bargaining agreement and who is eligible for overtime compensation shall be compensated at one and one-half times their regular rate of pay for the time actually worked on a legal holiday identified in subsection (a).

(c) Legal holidays falling on Saturday shall be observed on the preceding Friday and legal holidays falling on Sunday shall be observed on the following Monday.

(d) In addition to the legal holidays set forth above, all full-time employees shall be authorized to observe one (1) additional holiday, designated as a "personal day." The personal day is to be taken at the pleasure of the employee with the approval of the appropriate director, except that no reasonable request shall be denied.
(Ord. 07-71. Passed 12-10-07; Ord. 11-33. Passed 9-26-11.)

161.05 SICK LEAVE.

(a) Accrual. Full-time employees shall accrue sick leave at the rate of 4.6 hours per pay period. However, no sick leave shall accrue in any pay period in which the employee is in unpaid status for more than eight (8) hours of regularly scheduled work. The accrual will not be available for use until the following pay period. These accrued hours will be credited to the employee's Current Sick Leave Bank.

Part-time non-seasonal employees hired after January 1, 2008 who are regularly scheduled to work at least thirty-two (32) hours per week shall accrue sick leave at the rate of 3.68 hours per pay period. However, no sick leave shall accrue in any pay period in which the employee is in unpaid status for more than eight (8) hours of regularly scheduled work. The accrual will not be available for use until the following pay period. These accrued hours will be credited to the employee's Current Sick Leave Bank.

Notwithstanding anything in the foregoing paragraphs, employees hired after the first day of the first full pay period following the effective date of Ordinance No. 11-33 (Amended) shall accrue sick leave at the rate of 3.1 hours per pay period.

Verified unused, un-reimbursed sick leave accrued in employment with the State or any other political subdivision of the State may be credited to an employee's Transferred Sick Leave Bank, except that not more than 1 ¼ days of sick leave per month of employment with such political subdivision shall be credited.

(b) Sick Leave Use. Employees may request to use sick leave, at their regular rate of compensation, for absence from work due to personal illness, personal injury, and personal exposure to contagious disease, necessary medical, optical or dental appointments of the employee or a member of their immediate family, or illness or death in the immediate family. Part-time employees may request to use sick leave only for the days and hours for which they would have otherwise been regularly scheduled to work. Sick leave used by part-time employees shall not exceed the amount of time an employee would have been regularly scheduled to work in any pay period. Immediate family as used herein shall include the employee's spouse, children or step-children, parents and siblings. Sick leave increments of less than one hour shall not be requested nor charged.

(c) Sick Leave Advancement. Sick leave shall not be advanced to an employee.

(d) Pregnancy. Pregnancy or childbirth related medical conditions may be counted as personal illness.

(e) Limitations.

(1) In an instance where an employee uses sick leave for more than two consecutive days, the employee's director or Mayor may require the employee furnish a statement from an attending practitioner to the Human Resources Director verifying that the use of sick leave was justified. In cases of suspected abuse, including a pattern of absence, as determined by the director or Mayor, evidence may be required as to the adequacy of and support for the reason for the employee's absence due to his or her illness or that of a family member. When required, this evidence shall be provided to the Human Resources Director. The City may investigate any employee's use of sick leave or absence. Employees may also be required to submit to medical examination, or other inquiry, regarding the use of sick leave which the City deems necessary.

- (2) Accumulated sick leave shall in no event be taken or used as a substitute for vacation leave.
- (3) An employee who is able to return to work but with restrictions on the job functions he or she performs may be placed on "restricted duty" upon recommendation of the employee's attending physician and approval of the Human Resources Director. The employee may be permitted to perform such restricted duty only if appropriate work is available. However, the City may require the employee be examined by a licensed physician selected by the City to determine the employee's fitness for restricted duty. Restricted duty shall not exceed one hundred sixty (160) hours per calendar year.
- (4) An employee using sick leave for his or her own care may not work another job for the twenty-four (24) hour period beginning with the employee's regular starting time once sick leave commences.

(f) Conversion Upon Termination: Upon death, retirement, or termination of employment not as a direct consequence of disciplinary action, an employee shall be entitled to conversion of any unused sick leave pursuant to the following rate and rules:

- (1) An employee may request that the City reimburse up to 1000 hours of unused sick leave on the basis of one (1) hour cash payment for every two (2) hours of sick leave accrued; in no event shall this amount exceed payment for more than five hundred (500) hours. Employees shall request such conversion in writing, prior to the effective date of their separation from employment or as soon as possible.
- (2) An employee shall be furnished by the Director of Finance the amount of non-converted sick leave hours the employee has remaining after conversion, if any.
- (3) In no event shall an employee receive any conversion or pay out of Transferred Sick Leave Bank hours.

(g) Rules and Procedures. The City may prescribe reasonable rules and procedures for administering of sick leave and sick leave conversion.

(h) Medical Updates. If an employee is sick or injured for an extended period of time, the City may require the employee to furnish medical updates on his or her condition and prognosis as deemed necessary.

(i) Special Conversion. If an employee is killed or dies while on duty, one hundred percent (100%) of the employee's accumulated and unused sick leave shall be paid first to the employee's spouse, or secondly to his or her estate, at the rate of pay in effect at the time the employee was killed or died while on duty.

(j) Annual Conversion. At the end of the calendar year, an eligible employee may elect to receive cash payment for unused sick leave from the Current Sick Leave Bank only, not to exceed a total of eighty (80) hours, at the rate of pay in effect as of December 31st of that calendar year. Payment made pursuant to this paragraph shall be in January of the next calendar year. An employee electing annual conversion must have a minimum Current Sick Leave Bank balance of one hundred and sixty (160) hours after the pay out of the annual conversion, or the employee is not eligible for annual conversion. (Ord. 09-48. Passed 11-26-09.)

161.06 VACATION LEAVE.

(a) Vacation Accrual. Full-time employees shall accrue vacation leave, by pay period, at the annual rate set forth in the following schedule, based upon completed years of continuous full-time City employment:

<u>Completed Years of Service</u>	<u>Paid Vacation Hours</u>	
	<u>Per Year</u>	<u>Per Pay Period</u>
One (1) year of service	80 hours	3.1 hours
Five (5) years of service	120 hours	4.6 hours
Ten (10) years of service	160 hours	6.2 hours
Fifteen (15) years of service	200 hours	7.7 hours
Twenty (20) years of service	240 hours	9.2 hours

Part-time non-seasonal, seasonal and intermittent employees hired after January 1, 2008 will not accumulate vacation leave. Part-time non-seasonal employees hired before January 1, 2008 who are regularly scheduled to work thirty-two (32) hours per week shall accumulate vacation leave at eighty (80%) of the annual rate set forth in Subsection (a) above, based upon completed years of continued part-time employment.

Notwithstanding anything in the foregoing paragraphs, employees hired after the first day of the first full pay period following the effective date of Ordinance No. 11-33 (Amended) shall accrue vacation leave as set forth above, except the maximum accrual rate for new hires is capped at 7.7 hours per pay period after fifteen (15) years of service.

No vacation leave shall accrue in any pay period in which the employee is in unpaid status for more than eight (8) hours of regularly scheduled work. The accrual will not be available for use until the following pay period. These accrued hours will be credited to the employee's vacation leave bank.

(b) Vacation Use. The time of taking vacation leave shall be subject to the approval of the appropriate director or Mayor. The appropriate director or Mayor may prescribe reasonable rules and procedures for the administration of vacation leave.

For new hires or rehires, no vacation leave may be granted until the employee has successfully completed his or her probationary period and accrued forty (40) hours of vacation.

(c) Vacation Cancellation. The appropriate director or Mayor may cancel approved vacation leave in times of emergency or need. The employee shall not be charged for vacation leave on days in which the employee is required to work under these provisions. Subject to any overtime and/or holiday provisions, compensation shall be at least one and one-half times the normal rate of pay if vacation is cancelled due to emergency or need.

(d) Less Than One Hour Increments. Vacation leave in increments of less than one (1) hour shall not be requested nor charged.

(e) Conditions. An employee's vacation anniversary date and completed years of service for the purpose of this provision shall be the beginning date of the last continuous period of full-time City employment, subject to adjustments as follows:

- (1) Prior periods of full-time employment with the state or any political subdivision of the state, including prior City employment, shall be used in computing an employee's completed years of service.
- (2) Credit for prior governmental service within the State of Ohio, in accordance with Section 9.44 of the Ohio Revised Code as currently existing as of the date of this Agreement, including Ohio Attorney General's opinions, shall be used in computing an employee's vacation anniversary date

- (3) Continuous or consecutive service under this section shall not be broken for periods of sick, injury or disciplinary leave.
- (4) No employee may carry a balance in excess of 400 hours of vacation leave; provided however, that those employees who have a balance of vacation leave in excess of 400 hours as of January 1, 2007 may continue to carry up to that number of hours annually; provided, further, that if an employee who has in excess of 400 hours as of January 1, 2007 at any time reduces his or her balance below that January 1, 2007 level (but still in excess of 400), then that reduced balance shall become the employee's new maximum balance. Once an employee reduces his or her balance below 400 hours, then that employee's maximum balance shall remain at 400 hours.
- (5) The City shall follow the "use it or lose it" policy with respect to vacation leave accruals, such that all vacation leave hours accrued in excess of the employee's maximum balance that were unused and not "cashed in" in the calendar year will be dropped from the employee's balance the next calendar year.
- (6) Unused, un-reimbursed vacation leave accrued in employment with the state or any political subdivision of the state, including prior City employment, shall not be credited to an employee's vacation leave bank.

(f) Vacation Pay. An employee who has completed five (5) years of service may request pay in lieu of vacation for up to eighty (80) hours of his or her accumulated balance. Payment for these hours will be at the rate of pay in effect on the payment date. An employee must first take or have scheduled eighty (80) hours of vacation in a calendar year prior to submitting such a request. These requests for pay in lieu of vacation shall be submitted in writing to the Director of Finance by December 1st and will be paid between the first and second payrolls of December. This provision is subject to the availability of appropriated funds which shall be determined in the sole discretion of the Director of Finance and the Mayor.

(g) Pay-off Upon Separation or Death. An employee who is to be separated through retirement, resignation or termination and who has unused vacation leave to the employee's credit shall be paid in a lump sum for unused vacation leave in lieu of granting such employee a vacation leave after his or her last day of active service with the City, pursuant to the limits established above. Payment for these hours will be at the rate of pay in effect on the payment date. When an employee dies while currently employed with the City, any unused vacation leave to the employee's credit shall be paid in a lump sum to the surviving spouse or to the estate of the deceased. (Ord. 09-48. Passed 11-26-09.)

**161.07 MILITARY LEAVE JURY DUTY; EXAMINATION LEAVE;
SPECIAL LEAVE; FUNERAL LEAVE.**

(a) Military Leave. An employee who, as a member of the Ohio National Guard or as a reserve member of the Armed Forces of the United States, is called upon to receive military training or who is called to active duty, shall be entitled to a leave of absence with pay for a period or periods not to exceed twenty-two (22) eight (8) hour work days or 176 hours in any one (1) calendar year. An employee qualifying for paid military leave that is called or ordered to the uniformed services for longer than the above period shall be paid for the remaining time beyond the first twenty-two (22) eight (8) hour work days or 176 hours at his or her regular compensation rate less whatever compensation the employee may receive for such military service, provided, however, that if the employee's military compensation exceeds the compensation the employee is otherwise entitled to from the City, the employee will not be entitled to any additional compensation from the City.

(b) Jury Duty. A full-time employee summoned to serve upon a jury in a court in the county of such employee's residence shall be paid his or her regular salary for the period of time required to serve on the jury. Time so served upon a jury shall be deemed active service with the City for all purposes. The employee is required to obtain a signed record from the courts to document the time spent on jury duty. Employees shall be permitted to retain any stipend paid to them by the court.

- (1) When a full-time employee receives a summons for jury duty in a court in the county of such employee's residence, he or she shall present such summons to the employee's department director. A copy will be made of the summons, filed and recorded in the employee's personnel file.
- (2) When notified by the court to report for jury duty on a day certain, a time report shall be completed and signed by the assignment commissioner or appropriate court official for each day during jury service setting forth the time of arrival and departure from the court. Upon return to work, the employee shall present this report to his or her supervisor.

When an employee is not required to be in court for jury duty for two or more hours of his or her regular shift, he or she shall report to work. Alternatively, the employee, with the approval of his or her department director, may charge such jury duty time at the beginning or end of his or her shift as vacation leave or compensatory time.

(c) Court Leave. Time off with pay shall be allowed for any employee who is required to attend any court of record as a witness for the City or upon the request of the City.

(d) Examination Leave. Time off with pay shall be allowed for all full-time employees with one-year of continuous service to participate in Hilliard Civil Service examinations or to take a required examination pertinent to their City employment before a state or federal licensing board.

(e) Special Leave. In addition to other leaves authorized, the employee's director may authorize a special leave of absence with or without pay, subject to the approval of the Mayor, for a maximum duration of ninety (90) days for reasons of an extraordinary or catastrophic nature. While on this status, an employee may not continue other employment absent express written permission from the Mayor. (Ord. 09-48. Passed 11-26-09.)

(f) Funeral Leave.

- (1) Leave with pay due to death of parents, (including spouse's parents) spouse or children shall be allowed for all full-time employees and part-time non-seasonal employees hired before January 1, 2008, who are regularly scheduled to work thirty-two (32) hours per week, and with one year of continuous service shall be limited to a maximum of three working days within the State of Ohio, and five working days outside of the State. Additional days may be taken, subject to the approval of the employee's director, and charged to sick leave, vacation leave or non-compensated time off.
- (2) Leave with pay due to death of grandparents, grandparent-in-law, brother or sisters, brother/sister-in-law, aunts, uncles, nieces, nephews, a legal guardian or the person who stands in the place of a parent shall be limited to a maximum of one working day within the State of Ohio, and two working days outside of the State. Additional days may be taken, subject to the approval of the employee's director, and charged to either sick leave, vacation leave or non-compensated time off.

- (3) Permitted leave with pay from subsection (e)(1) and (2) hereof shall not be charged to sick leave, vacation leave or comp time.

Notwithstanding anything in Section 161.07(f) above, employees hired after the first day of the first full pay period following the effective date of Ordinance No. 11-33 (Amended) shall not be eligible for funeral leave. However, the employee may, with the approval of the employee's director, use accrued sick or vacation leave, a personal day or compensatory time hours.

161.08 OVERTIME.

Except for employees who are subject to a collective bargaining agreement and seasonal help employed by the City, and who are otherwise eligible for overtime compensation (eligible non-exempt employees), the following provision shall apply:

- (a) The normal work day is eight (8) hours and the normal work week is forty (40) hours.
- (b) All such employees shall be paid for overtime at the wage rate of one and one-half times the employees' regular wage rate for hours worked in excess of forty hours per week subject to the exemptions provided for by Federal and State law.
- (c) For the purpose of computing hours worked during a work week including a paid legal holiday, employees shall be credited a normal work day of eight hours as hours worked with respect to the paid legal holiday.
- (d) Subject to the provisions of Federal and State law the Mayor and each department director are hereby authorized to promulgate such reasonable rules and regulations relative to the work period, working hours and starting and finishing time as shall be deemed necessary and reasonable to serve to improve the public service.
- (e) Employees may elect to receive compensatory time in lieu of overtime pay, at the employee's option. No employee shall be required by the City to receive compensatory time in lieu of overtime pay. Compensatory time shall be credited to an employee at a rate of one and one-half times the number of hours worked; such compensatory time bank may accrue up to but not exceed 120 hours (i.e., 80 hours worked at 1.5 times is 120 compensatory hours). The maximum amount of compensatory time that may be carried over from one calendar year to the next is eighty (80) hours. Compensatory time over the 80 hour limit shall be paid off at one and one-half times the employee's current hourly rate. The Mayor or the employee's director may prescribe reasonable rules and procedures for the administering of compensatory time. (Ord. 07-71. Passed 12-10-07.)

161.09 INJURY LEAVE.

Injury leave is a benefit to cover employees, injured on the job, which is separate and distinct from any Worker's Compensation benefits. Worker's Compensation laws, rules and court decisions do not apply to the City's injury leave benefit.

- (a) In any continuous twelve (12) month period, any employee shall be allowed a period of injury leave with pay covering any and all injuries from the date of their initial grant of injury leave not to exceed four hundred and eighty (480) hours if such request for injury leave is appropriately supported by medical documentation and approved by the Human Resources Director and Mayor. In exceptional circumstances, the Mayor at his or her sole discretion may extend the injury leave period with pay for up to an additional one hundred and twenty (120) hours. (Ord. 11-33. Passed 9-26-11.)
- (b) Injury leave with pay shall be granted only for injuries or other disabilities determined by the employee's physician as caused or induced by the actual performance of the duties of the employee's position. The City maintains the right to seek an opinion from a physician designated by the City. Where such opinion is sought, the Human Resources Director may rely upon the City's physician opinion in authorizing or disapproving injury leave.

- (c) A report of the cause of all injuries signed by the immediate supervisor and the Department Director shall be submitted to the Human Resources Director within three (3) calendar days of the date of the injury, including the cause, circumstances and a description of the injury.
- (d) No employee shall be granted injury leave unless the Human Resources Director authorizes such leave. Such authorization shall indicate the approximate length of leave. No injured employee on leave shall be returned to work without the approval of the Human Resources Director.
- (e) If, in the judgement of the Human Resources Director, the injury is such that the employee is capable of performing his or her regular duties or restricted duties, and, if such restricted work is available, the Human Resources Director may deny injury leave with pay. Restricted duty shall not exceed one hundred and sixty (160) hours in any continuous twelve (12) month period for any and all injuries.
- (f) Whenever an employee is required to stop working because of an injury or other service connected disability, the employee shall be paid for the remaining hours that day or shift at the employee's regular rate and such time shall not be charged to leave of any kind.
- (g) Injured employees required to seek medical attention shall continue to be carried in paid status until such time as they are released from the medical facility and return to the City and released from duty, or until they are admitted into the hospital as inpatient. Such pay status to be compensated at the same rates and manner as if the employee is present for work.
- (h) The twelve (12) weeks per year limitation on leaves permissible under the Family Medical Leave Act (FMLA) shall include injury leave if it is a reason permissible under the Family Medical Leave Act.
- (i) No injury payments will be made to any employee who is working for another employer under the following circumstances:
 - (1) During the employee's assigned shift with the City.
 - (2) Where other work involves or requires performance of the same or similar duties as those regularly performed as an employee.
- (j) Pending approval or denial of injury leave by the Human Resources Director, an injured employee may be carried on sick leave or other paid leave at the employee's option. Such paid leave shall be restored to the employee's credit upon injury leave approval. If the employee has no sick leave, the employee may be carried on approved leave without pay pending the Human Resources Director's decision.
- (k) Time off for the purpose of medical examinations or treatments resulting from an injury on the job shall be charged to injury leave. A maximum of two (2) hours will be granted per scheduled physician's appointment or treatment with appropriate medical documentation.
- (l) Employees on injury leave shall receive normal pay raises, bonuses, holiday pay, and other benefits as provided by the applicable City policies and procedures in effect, as if actually present for duty.
(Ord. 07-71. Passed 12-10-07.)

161.10 SERVICE CREDIT PAYMENT.

At the end of the first pay period following the first of December of each year, each full-time employee employed full-time by the City for over five years shall be entitled to a service credit payment. Effective January 1, 2009, the annual service credit for employees who have in excess of five (5) years of service shall be six hundred fifty dollars (\$650.00) plus ninety dollars (\$90.00) for each year of service over five years to a maximum of \$1,910.00. Effective January 1, 2010, the annual service credit for employees who have in excess of five (5) years of service

shall be eight hundred dollars (\$800.00) plus ninety dollars (\$90.00) for each year of service over five years to a maximum of \$2,060.00. If an employee dies, retires, or otherwise separates from service for any reason not as a direct consequence of disciplinary action before December 1, the employee shall receive an annual service credit payment pro-rated for months of service during the calendar year in which the separation from service occurs.

(Ord. 09-48. Passed 11-26-09.)

161.11 CONTRIBUTIONS TO PUBLIC RETIREMENT SYSTEM.

The full amount of the statutorily required employee contribution to an employee's retirement system (Public Employee Retirement System (PERS) or the Ohio Police and Fire Pension Fund (OPFPF) as the case may be) shall be withheld from the gross pay of employees and remitted to PERS or OPFPF, as applicable; provided, however, that the provisions of the agreements with the City and any of the collective bargaining units shall control how the contributions to the public retirement systems are made for members of those units. No employee shall have the option to elect a wage increase or other benefit in lieu of the payment provided for herein. The City shall in reporting and making remittance to the applicable retirement system report that the employee's contribution has been made as provided by statute.

(Ord. 11-33. Passed 9-26-11.)

161.12 SURETY BONDS.

(a) All officers and employees of the City whose duties require that they handle or be concerned with the management of the City's money or other property shall be placed under surety bond.

(b) The minimum bonds and amounts are required.

- (1) Honesty blanket position bond coverage: five thousand dollars (\$5,000).
- (2) Faithful performance position bond coverage: five thousand dollars (\$5,000).

(c) Such additional bonds may be contracted for as determined by the Finance Director to be in the best interest of the City.

(Ord. 07-71. Passed 12-10-07.)

161.13 PAYMENT OF EXPENSE VOUCHERS.

(a) Each employee or official of the City may be allowed with prior approval such out-of-pocket expenses as may be incurred in the conduct of official business of the City when a properly itemized statement of dates, places and amounts is presented for payment, with a statement concerning the reason for the trip.

(b) When officially authorized by the Mayor or by other lawful authority, the employee or official may draw in advance an amount to cover estimated expenses to be incurred and shall submit an itemized statement accounting for such funds advanced.

(c) Where use of private motor vehicles is required, the employee shall submit a statement of dates, places and mileage. Reimbursement for mileage shall be at the rate provided by federal tax law, or as provided by Council, whichever provides the higher rate. Reimbursement shall be authenticated by itemized statement.

(Ord. 07-71. Passed 12-10-07.)

161.14 UTILIZATION OF CITY RECREATION FACILITIES.

All non-seasonal, non-intermittent City employees and members of their immediate families living within the employee's household shall be entitled to utilize any and all facilities operated by the City's Department of Parks and Recreation. Rental fees for facilities remain the employee's responsibility. (Ord. 07-71. Passed 12-10-07.)

161.15 TUITION REIMBURSEMENT PROGRAM.

Each full-time employee who has one (1) year of continuous service shall be eligible for a tuition reimbursement program subject to the following conditions:

- (a) All courses must be pre-approved by the Director of Human Resources, who shall consult with the employee's department had in rendering his decision. There must be a direct correlation between the employee's duties and responsibilities and the courses taken. No correspondence or internet courses will be eligible for reimbursement. All scheduled times of courses must be taken during non-scheduled working hours. Any situation which, in the discretion of the Director of Human Resources, would require an employee's presence on the job shall take complete precedence over any time scheduled for courses.
- (b) If an employee's tuition is paid, off-set or covered by another governmental or private agency or source of scholarship funds, then the employee is not entitled to payment from the City under this benefit unless the employee has tuition fees that he or she must actually personally pay or re-pay.
- (c) Reimbursement for tuition shall be made when the employee satisfactorily completes a course with a grade of C or better (or pass in a "pass/fail" course) and presents an official certificate or its equivalent and a receipt of payment or copy of the paid bill from the institution confirming completion of the approved course to the Director of Human Resources. Reimbursement shall be made within sixty (60) days of the date the employee complies with the provisions of this program.
- (d) Reimbursement shall be granted up to a maximum of fifteen hundred dollars (\$1,500.00) per calendar year and shall be for reimbursement of tuition costs only. Reimbursement shall not be granted for books and/or supplies necessary for successful completion of the course.
- (e) Any employee participating in the tuition reimbursement program shall be required to stay employed with the City for the two (2) years following completion of the course work. If the employee leaves before this period not as a result of death or as a result of retirement under a state retirement system, by accepting funds under this program the employee automatically consents to a withholding of any terminal payments (or if that amount does not cover such payments, agrees to reimburse the City) for the tuition payments made on his or her behalf; if an employee stays employed with the City for a period of less than two (2) years, but longer than six (6) months, then a "pro-rata" reimbursement under the two (2) year period will be due from the employee to the City (i.e., employment for one year yields a 50% re-imbusement.)
- (f) The Director of Human Resources is responsible for establishing rules, devising forms, and keeping records for the program.
(Ord. 07-71. Passed 12-10-07.)

161.16 DEFINITION OF FULL-TIME EMPLOYEE.

A full-time employee is an employee regularly scheduled to work forty (40) hours per week during the calendar year. (Ord. 11-33. Passed 9-26-11.)