

ORDINANCE 2008-26

AN ORDINANCE AMENDING THE VILLAGE OF HIRAM'S EMPLOYEE HANDBOOK, SECTION 4.10 AND APPENDIX A AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 2006-19 was enacted by council April 10, 2007 establishing a new hand book for the employees of the Hiram Village; and

WHEREAS, according to Appendix A of the Employee Handbook there needs to be an annual review of Appendix A; and

WHEREAS, the Council has determined to amend section 4.10 of the Employee Handbook in order to make it consistent with the Fair Labor Standards Act; and

WHEREAS, the Council has determined to amend section 6.4 of the Employee Handbook in order to provide that the Mayor has responsibility for performance review of Department Heads only, and not all employees of the Village.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Hiram, Portage County, Ohio, Two Thirds or more of the members thereto concurring that:

SECTION ONE: The presently enacted Appendix A, 2008 Paid Holidays and SCHEDULES is hereby repealed.

SECTION TWO: The attached exhibit A, entitled Appendix A, 2009 Paid Holidays is hereby enacted for the year 2009.


SECTION THREE: Section 6.4 A. 4. is hereby repealed.

SECTION FOUR: The attached Exhibit B, which sets forth revisions to Section 4.10 of the Employee Handbook is hereby enacted.

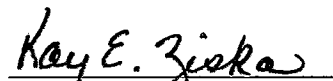
SECTION FIVE: This Ordinance is hereby declared to be an emergency measure, effective immediately upon its passage to allow the January 1, 2009 holiday to be paid for the employees.

SECTION SIX: It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of the Ordinance were adopted in an open meeting of the council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

Passed as an emergency December 11, 2008.


Mayor Lou Bertrand

ATTEST:


Kay Ziska, Fiscal Officer

Approved as to form:


Thomas Reitz, Solicitor

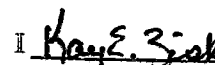
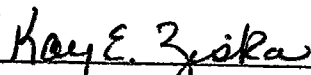
I  Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2008-26 has been duly posted in the required 5 places.
12-12-08 
Date Fiscal Officer, Village of Hiram

Exhibit "A"
APPENDIX A - To be Reviewed Annually by Council

2009

Paid Holidays

1	January	New Year's day
19	January	Martin Luther King Jr. Day
16	February.....	President's Day
25	May	Memorial Day
3	July	Independence Day
7	September.....	Labor Day
12	October	Columbus Day
11	November	Veteran's Day
26	November	Thanksgiving Day
25	Dec 25	Christmas Day

Rate of sick time hours accrued per every (80) hours worked.....	(5.0)
Sick Leave Incentive payment	_____ (\$150)
Monthly incentive payment for opt-out of health insurance.....	_____ (\$350)
Federal mileage reimbursement rate.....	(\$0.585) per mile
.....	or the Federal Mileage rate in
.....	effect at the time the expense was
.....	incurred
Life insurance	(\$15,000)
Health Insurance	per plan currently in effect

SCHEDULES

OHIO PUBLIC EMPLOYEES' RETIREMENT SYSTEM (OPERS)

Contributions to OPERS are as follows:

Employer contribution	14% of gross pay for employees
Employee contribution.....	10% of gross pay for employees

POLICE AND FIREMEN'S DISABILITY AND PENSION FUND (PFDPF)

Employer contribution	19.5% of gross pay for police officers
.....	or the rate established by Ohio
Police & Fire Pension Fund for 2008	
Employee contribution:.....	10% of gross pay
or the rate established by Ohio Police & Fire Pension Fund for 2008	

MEDICARE TAX

Each employee hired on or after April 1, 1986, will have Medicare taxes in the amount of 1.45% of the employee's gross earnings deducted from his/her pay. An employee who was employed before April 1, 1986, then quits, and is re-employed on or after April 1, 1986, will have Medicare taxes deducted.

Exhibit B

Section 4.10 OVERTIME COMPENSATION

- A. In general, Village employees will not work more than (40) hours in a single workweek. *This paragraph A. does not apply to employees of the Police and Fire Departments.*
- B. *An employee of the Village Fire Department (including those employees involved in Emergency Medical Service activities) may work 106 hours in a 14 day work period before being entitled to the Overtime Compensation set forth in this section. An employee of the Village Police Department may work 86 hours in a 14 day work period before being entitled to the Overtime Compensation set forth in this section.*
- C. If overtime is required, the prior authorization of the Department Head is required. Failure to receive authorization for overtime may result in disciplinary action.
- D. In an emergency situation if the Department Head cannot be reached for approval, overtime may be worked without prior authorization. However, the situation must be recognized as an emergency by the Department Head.
- E. For overtime calculation, only hours actually worked plus holiday and vacation leaves are included in the (40) hours. Sick leave, compensation time and other leaves are not counted in the (40) hours.
- F. Scheduled overtime that is subsequently canceled and not worked will not entitle the employee to overtime compensation. Only overtime actually worked is compensable.
- G. Overtime compensation may be taken in the form of pay as outlined below:
1. Overtime compensation will be based upon the employee's hourly rate of pay.
 2. Full-time salaried employees with more than (40) hours of duty in any normal week may be compensated for additional work hours through compensation time which an employee may utilize (1.5) hours compensation time for (1) hour worked.
- H. When attendance at meetings, conferences and training sessions is required by the Village, travel time and time actually spent in meeting sessions will be considered time worked for calculating overtime. Meal breaks will be counted as time worked only when the meal is an integral part of a required meeting. Travel or meeting time is not considered time worked if attendance is not required.
- I. Part-time employees will be paid straight time for additional hours worked until the total hours worked in a workweek exceed (40) hours. Hours worked in excess of (40) will be compensated at one and one half (1.5) times the employee's regular rate of pay.
- J. An employee will not earn additional sick time as a result of overtime work.
- K. Exempt employees are those employees who are not paid overtime compensation. (comp time is not available)