

## CHAPTER 143

### Employees Generally

EDITOR'S NOTE: Pursuant to Ordinance 11-018, passed May 9, 2011, the City has adopted the City of Groveport Policy and Procedure Manual amended by Ordinance 19-006. Copies are on file with the Clerk of Council.

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### CROSS REFERENCES

Worker's compensation - see Ohio Const., Art. II, Sec.35; Ohio R.C. Ch. 4123  
Wages and hours on public works - see Ohio Const., Art. II, Sec. 37; Ohio R.C. Ch. 4115  
Deductions for dues and savings - see Ohio R.C. 9.41, 9.43  
Vacation credit - see Ohio R.C. Ch. 102  
Public Employees Retirement System - see Ohio R.C. Ch. 145  
Strikes by public employees - see Ohio R.C. Ch. 4117  
Conflict of interest, ethics - see CHTR. §11.02

### **143.01 SICK LEAVE.**

(a) All full-time employees shall be entitled to sick leave of one and one-half days per month, up to eighteen days per year. Employees may elect at the time of retirement from active service and with ten or more years of service with the Municipality of Groveport, to be paid in cash for one-fourth the value of accrued but unused sick leave credit. The payment shall be based upon the employee's rate of pay at the time of retirement and eliminates all sick leave accrued, but unused by the employee at the time payment is made.

(b) Sick leave shall normally be charged in one-fourth (1/4) hour increments. An employee shall be charged for sick leave only for days upon which he would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

In cases of an extended illness, sick leave accrued must be used on a continuing basis until exhausted and not a day or two each period. No authorized leave without pay shall be approved until all sick leave is exhausted.

(c) Sick leave shall be granted upon approval of the responsible manager for the following reasons:

- (1) Illness or injury of the employee. The exact nature of the illness or injury shall be explained by the employee.
- (2) Illness or injury of a member of the employee's immediate family.

When sick leave is requested to care for members of the immediate family, the manager may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill member.

- (3) Medical, dental or optical examination or treatment of an employee or a member of his/her immediate family, stating relationship if a member of the immediate family.
- (4) If a member of the immediate family is afflicted with a contagious disease and requires the care and attendance of the employee, or when through exposure to a contagious disease, the presence on the job would jeopardize the health of others, sick leave may be used.
- (5) Pre-induction medical examination required by the Armed Forces.
- (6) Pregnancy and/or childbirth and other conditions related thereto. This benefit is limited to employee and spouse or significant other.

(d) Immediate Family. For purposes of this policy, "immediate family" is defined as the employee's: spouse, child (including step-child or legal ward), parent, step-parent, mother-in-law, or father-in-law, brother, sister, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent-in-law, legal guardian or a person who stands in place of a parent of the employee or employee's spouse.

(e) An employee who transfers from one public agency to another, or who is reappointed or reinstated, shall be credited with the unused balance of accumulated sick leave, provided that the time between separation and reappointment does not exceed ten years.

- (1) "Public agency" includes the State, counties, municipalities and all Boards of Education within the State.
- (2) The employee shall be informed that sick leave absence cannot be charged against restorable sick leave credit until the claim has been authenticated by the former employer and certified by Human Resources.

(f) Sick Leave Incentive:

- (1) Twenty-five percent (25%) of unused sick leave may be converted to personal time after 480 hours have accrued to a maximum of four (4) additional personal days per year.
- (2) This benefit should not allow the employee's sick leave accrual to drop below 480 hours.
- (3) This benefit is eligible to those employees who achieve ten years of service with the Municipality of Groveport.

(g) Any employee who has medical documentation for a sick leave absence will be excused for said absence. There will be an allowance of three (3) unexcused sick leave absences per calendar year. An unexcused sick leave absence occurs when there is no medical documentation as required by the policy. Any unexcused sick leave taken after the third unexcused absence will be counted as an occurrence. More than three (3) occurrences will result in the employee's inability to receive the additional .5 rating on their performance evaluation in meeting the Municipality Goals and Objectives.

(Ord. 19-008. Passed 3-25-19.)

### **143.02 VACATION LEAVE.**

(a) Vacations. Full-time Municipality employees shall be entitled to vacation as follows:

| <u>Length of Service</u>                    | <u>Hours</u> |
|---|--------------|
| (1) after completion of 1 year of service   | 80 hours     |
| (2) after completion of 5 years of service  | 120 hours    |
| (3) after completion of 10 years of service | 160 hours    |
| (4) after completion of 15 years of service | 184 hours    |
| (5) after 21+ years of service              | 200 hours    |

(b) For the purpose of determining how many years of service an employee has, public service is defined as employment or service as an elected official or as an officer with any of the following and shall be counted as qualifying service:

- (1) State departments, bureaus, boards and commissions.
- (2) State supported universities, community colleges and technical institutions as academic or nonacademic personnel.
- (3) Boards of county commissioners or other county officer's departments, including county homes, county hospitals and county welfare departments.
- (4) Cities, villages and townships.
- (5) School districts.
- (6) Health districts.
- (7) Public libraries.
- (8) Special purpose districts established pursuant to the law, such as conservancy and park districts.
- (9) Special authorities established pursuant to State law; for example, housing transportation, port and airport authorities.

- (10) Retirement Systems, Bridge Commission, Ohio Turnpike Commission and Ohio Historical Society.
- (11) Ohio National Guard (Air and Army).

(NOTE: Time purchased in military service, Federal Government or other states does not count towards longevity or vacation credit.)

(c) Prior service credit shall be reported and documented in Human Resources and documentation shall be housed in the employee's personnel file upon verification to ensure proper credit. Each calendar day of employment is service credit.

- (1) The initial annual vacation allowance is contingent on the amount of accumulated qualifying service. Time spent in military service is counted provided the person in question was a City employee for at least ninety days before entering military service. Time spent on authorized leave of absence is counted. Part-time service is counted for longevity purposes, but an employee must be working on a full-time basis to actually earn vacation credit. (Ord. 19-008. Passed 3-25-19.)

#### **143.03 MILITARY LEAVE.**

The Municipality will comply with all applicable federal and state laws regarding Military Leave. (Ord. 19-008. Passed 3-25-19.)

#### **143.04 COURT LEAVE.**

(a) Court leave shall be granted with full pay when an employee is subpoenaed for court or summoned for jury duty by the United States, the State of Ohio or a political subdivision. Upon completion of such service, the employee must furnish a Certificate to Employer from the court showing dates served and amount of compensation paid.

- (1) Employees will honor any subpoena issued to them, including those for worker's compensation, unemployment compensation and Board of Review hearings.
- (2) It is not considered proper to pay employees when appearing in court for criminal or civil cases, when the case is being heard in connection with the employee's personal matters, such as traffic court, divorce proceedings, custody, appearing as directed with juvenile, etc. These absences would be considered leave without pay or some other form of accrued time off (except sick leave).

(b) All records pertaining to court leave shall become a part of the employee's personnel file. (Ord. 19-008. Passed 3-25-19.)

#### **143.05 HOLIDAYS.**

(a) The following days shall be holidays:

- (1) The first day of January, known as New Year's Day;
- (2) The third Monday in January, known as Martin Luther King Day;
- (3) The last Monday in May, known as Memorial Day;
- (4) The nineteenth day of June, known as Juneteenth;
- (5) The fourth day of July, known as Independence Day;
- (6) The first Monday in September, known as Labor Day;
- (7) The eleventh day of November, known as Veteran's day;
- (8) The fourth Thursday in November, known as Thanksgiving Day;
- (9) The day after Thanksgiving;
- (10) Christmas Eve;
- (11) The twenty-fifth day of December, known as Christmas Day;
- (12) A personal day on the day of the employee's choice;

**(13) Any other subsequent holiday recognized and/or established by the Federal or State government;**

(b) Should a holiday fall on Sunday, it will be observed by the Municipal employees on Monday. Should a holiday fall on Saturday, it will be observed by the Municipal employees on Friday. All full-time, non-exempt employees required to work on legal holidays will receive their holiday pay plus time at one and one-half times their hourly rate for all hours worked on said holiday.

(c) A part-time employee shall be given holiday pay for the portion of the observed holiday which the employee would normally have been scheduled to work or if the employee worked the observed holiday.

(Ord. 2022-050. Passed 1-23-23.)

#### **143.06 BIWEEKLY PAY PERIOD.**

The pay period for all employees of the Municipality is hereby set on a bi-weekly basis.  
(Ord. 19-008. Passed 3-25-19.)

#### **143.07 OFFICE EMPLOYEES WORK HOURS.**

The Administrator shall set the office hours of each department, excluding the Department of Law, Police Department, and the Clerk of the Mayor's Court (which shall be set by the Mayor), depending upon the service needs of the Municipality.

(Ord. 19-008. Passed 3-25-19.)

#### **143.08 FUNERAL LEAVE.**

All employees shall be entitled to three days paid leave in the event of a death in the immediate family of the employee.

(Ord. 19-008. Passed 3-25-19.)

#### **143.09 STANDARD WORK WEEK; OVERTIME.**

(a) Excluding non-exempt, sworn police personnel, forty hours per week shall be the standard work week for non-exempt employees of the Municipality. When any employee is required by an authorized person to work more than forty hours in any week, he/she shall be compensated for such time over forty hours at one and one-half times his/her regular rate of pay.

(b) Sick leave, holidays and vacation time are to be considered as time worked when calculating overtime pay.

(c) The standard work week and overtime policies for all non-exempt, sworn police personnel shall be governed by Section 129.02 of the administrative code (unless provided otherwise in a Collective Bargaining Agreement)

(Ord. 19-008. Passed 3-25-19.)

#### **143.10 TUITION REIMBURSEMENT.**

(a) Employees must obtain approval from their Department Head and Administrator prior to any expenses being incurred.

(b) Employee is eligible for reimbursement of tuition, lab fees, and course fees at one hundred percent (100%) of the cost of job-related courses or courses required toward a job-related degree.

(c) No reimbursement for application fees, books, supplies, transportation, or any other expense related to any course.

(d) Any financial assistance from any governmental or private agency available to an employee, whether or not applied for and regardless of when such assistance may have been received, shall be deducted in the entire amount from the full tuition reimbursement the employee is eligible for with this Tuition Reimbursement Benefit. When an employee's tuition is fully covered by another governmental or private agency, the employee is not entitled to any reimbursement from the Municipality.

(e) Reimbursement for tuition shall be made upon satisfactory completion of approved course with a grade of "C" or better.

(f) Benefit shall be provided only for full-time employees in active pay status including active, vacation, sick and personal leave, but excluding disability leave, workers' compensation leave, occupational injury leave, administrative leave, or any other leave of absence.

(g) Benefit effective immediately upon full-time employment.

(h) Three thousand dollars (\$3,000) shall be the maximum reimbursement per calendar year from an accredited organization listed by the North Central Association of Colleges and Schools, The Higher Learning Commission (NCA-HLC). The website is: [www.ncahlc.org](http://www.ncahlc.org). (Ord. 19-008. Passed 3-25-19.)

#### **143.11 FULL-TIME EMPLOYEE DEFINED; BENEFITS.**

(a) A full-time employee is hereby defined as a person who works thirty (30) or more hours per week on an average basis over a period of three successive calendar months.

(b) Full-time employees are entitled to all the fringe benefits of the Municipality, including vacation and sick pay as earned on an hourly basis.

(Ord. 19-008. Passed 3-25-19.)

#### **143.12 PRECINCT ELECTION OFFICIAL LEAVE.**

Any employee who has been appointed to serve as a precinct election official pursuant to Section 3501.22 of the Ohio Revised Code may use accrued paid leave time, excluding sick leave, or may take unpaid leave to serve as a judge of elections on the day of an election.

(Ord. 19-008. Passed 3-25-19.)

#### **143.13 LONGEVITY PAY FULL-TIME.**

(a) Employees shall receive longevity pay of seven hundred dollars (\$700.00) at the end of nine years of service with the Municipality.

(b) The longevity pay shall increase by twenty-five dollars (\$25.00) per year beginning at the end of ten years until it reaches a maximum of one thousand two hundred fifty dollars (\$1,250).

(c) Benefit to be paid annually and included in the employee's second (2nd) paycheck in November. (Ord. 19-008. Passed 3-25-19.)

#### **143.14 LIFE INSURANCE.**

At no cost to the employees, all full-time employees shall receive life insurance at one times their salary. (Ord. 19-008. Passed 3-25-19.)

### 143.15 LEAVE DONATION PROGRAM.

(a) Purpose. The intent of the leave donation policy is to allow employees of Municipality of Groveport to voluntarily provide assistance to their co-workers (other employees of the Municipality) who are in critical need of leave due to an extended illness or injury of the employee, **and/or member of the employee's immediate family as defined in Section 143.01 (d) above**

(b) Definitions. For the purpose of this policy the following shall apply:

- (1) Recipient. The employee in need of and approved to receive donated leave.
- (2) Donor. The employee volunteering to donate leave.
- (3) Serious health condition. An illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment and involves care by a health care provider. Serious health condition also includes continuing treatment of chronic or long-termed incurable conditions and prenatal care.

(c) Policy. Employees of the Municipality may donate sick leave to a fellow employee who is otherwise eligible to accrue and use paid leave. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended serious health condition of the employee, **and/or member of the employee's immediate family as defined in Section 143.01 (d) above**

(d) Hours Donated. Any hours donated shall be at a rate of pay equal to that of the donor.

(e) Receiving Leave. Any hours received shall be at a rate of pay equal to that of the recipient. An employee may receive donated leave up to the number of hours the employee is normally scheduled to work each pay period (the equivalent of the employee's normal biweekly earnings), if the employee to receive donated leave has a serious health condition and the employee:

- (1) Has no accrued paid leave, or an insufficient amount of paid leave; and
- (2) Has completed his or her new hire probationary period; and
- (3) Has already applied for any paid leave, Workers' Compensation, or other benefits program for which the employee is eligible; and
- (4) Has not been disciplined for the improper use of sick leave during the past twelve (12) month period; and
- (5) Has provided acceptable written verification that a serious health condition exists; and
- (6) Agrees to accept the leave under the terms of this policy and completes an "Application to Receive Donated Leave" form.

(f) Donating Leave. A donor may donate leave if he or she:

- (1) Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned; and
- (2) Donates a minimum of eight (8) hours; and
- (3) Donates up to a maximum of forty (40) hours; and
- (4) Carries a balance of at least 240 hours of accrued sick leave after the donation; and
- (5) Completes an "Application to Donate Leave" form.

(g) Administration. The leave donation program shall be administered on a pay period to pay period basis. The Employer shall review the Application to Receive Donated Leave and the Application to Donate Leave to assure compliance with subsections (e) and (f) of this policy. Donations of leave will be recorded in the order of their submission, and will not be considered actually donated nor be deducted from the donor's balance or credited to the recipient's balance until the pay period such leave is actually used. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation, Compensatory time and sick leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Donated leave shall never be converted into a cash benefit. The Employer shall maintain records that are necessary for the administration of this program. The Employer reserves the right to decide all questions or issues related to the donation program. The Employer also reserves the right to discontinue the program at any time.

(h) Certification. Employees who wish to donate leave shall certify:

- (1) The name of the employee for whom the donated leave is intended; and
- (2) The number of hours to be donated; and
- (3) That the leave is donated voluntarily and the employee understands that it will not be returned.

(i) Confidentiality. The Municipality shall ensure that no employees are forced to donate leave. The Municipality shall respect an employee's right to privacy; however, the Employer may, with the permission of the employee who is in need of leave, inform employees of their co-worker's critical need for leave donations from employees. The donation of leave shall occur on a strictly confidential and voluntary basis.

(j) Applications. An employee wishing to donate or receive donated leave should request the appropriate application from the Administrator or designee.

(Ord. 19-008. Passed 3-25-19.)

### 143.16 HEALTH INSURANCE.

- (a) Eligibility. All regular full-time employees are eligible for the Municipality's group health insurance.
  - (b) Coverage. Employees shall pay for a portion of their group health insurance coverage as determined by Council.
- (Ord. 19-008. Passed 3-25-19.)

#### **143.17 WELLNESS PROGRAM.**

In an effort to encourage health awareness in its employees as well as physical fitness, which will in turn promote a healthier work force, and potentially reduce absences due to illness, the Municipality of Groveport hereby establishes a Wellness Program. Accordingly, all employees are eligible to receive a free Recreation Center membership.

(Ord. 19-008. Passed 3-25-19.)

#### **143.18 GOLF AS A FRINGE BENEFIT.**

(a) In an effort to address employee recruitment and retention issues in the Department of Golf and assist golf course personnel in evaluating and assessing the overall condition of the Municipality's golf course, free golf is hereby established as a fringe benefit for all full-time, part-time, and seasonal employees in the Department of Golf.

(b) Golf Department employees may play golf without charge on a "Space Available Basis". Space Available Basis is defined as the availability of consecutive tee times and/or available practice stations on the golf range. If the tee time before and after the time the employee seeks to play is filled and/or there is limited space available on the golf range, the employee must wait until there are consecutive tee times available, and/or multiple practice stations are available on the golf range. Under no circumstances is an employee permitted to schedule a tee time or reserve a practice station on the golf range when exercising this privilege. Golf Department employees may exercise this privilege on the following days and times:

- (1) Monday through Friday on a Space Available Basis
- (2) After 3 p.m. on Saturday, Sunday and Holidays on a Space Available Basis

(c) Full-time employees may play anytime within the above-stated guidelines. Seasonal and part-time employees may play anytime within the stated parameters provided they are scheduled during the week they are seeking to play.

(d) Patrons of the Links at Groveport shall always have priority and will bump any employee seeking to play free golf under these provisions. Any employee playing outside the above-established guidelines shall be charged resident rates. All golf must be played outside of scheduled work times.

(e) All employee golf is to be reported, documented and tracked as it occurs. Department of Golf employee golf activity shall be reported to the Director of Golf.

(f) Employees shall abide by all golf course rules, policies and generally accepted golf etiquette.

(g) Failure to conform to the foregoing employee golf program stipulations can result in loss of privileges or disciplinary action. All participating employees shall be advised that while free golf is available as a fringe benefit pursuant to this Section, it is nevertheless a privilege, and not a right. (Ord. 19-008. Passed 3-25-19.)

#### **143.19 COMPENSATION FOR PRIVATE GOLF INSTRUCTION.**

(a) The Director of Golf and Assistant Golf Professionals may receive compensation for private golf instruction as independent contractors.

(b) The Director of Golf and Assistant Golf Professionals shall receive seventy-five percent (75%) of the paid fees for instruction. The Municipality of Groveport shall receive twenty-five percent (25%) of the paid fees to cover all administrative fees, maintenance of the practice range, and use of golf balls.

(c) The Director of Golf and Assistant Golf Professionals shall conduct private golf lessons at times which do not conflict with their scheduled work hours, and must further demonstrate that they are working sufficient hours to fully perform their duties as Director of Golf and Assistant Golf Professionals respectively before accepting private students for lessons.

(d) Failure to comply with the foregoing provisions of this section may result in disciplinary action including termination, and may also constitute a violation of the Ohio Ethics Laws. (Ord. 19-008. Passed 3-25-19.)

#### **143.20 COMPENSATION FOR SWIM INSTRUCTORS.**

(a) Full-time Recreation Department Staff (who have appropriate swim instruction certification) may receive compensation for providing private/semi-private and group swim instruction as independent contractors.

(b) Staff shall receive the approved rate of pay for instruction per contract.

(c) Staff shall conduct swim instruction at times which do not conflict with their scheduled work hours. Staff must work sufficient hours to fully perform their normal full-time duties. All normal full-time work and swim instruction work will be documented in notes area of timesheet. Documentation of Swim instruction contractor work on timesheet will only be used for verification purposes.

(d) Failure to comply with the foregoing provisions of this section may result in disciplinary action including termination, and may also constitute a violation of the Ohio Ethics Laws. (Ord. 19-008. Passed 3-25-19.)

#### **143.21 PERSONNEL BOARD OF REVIEW.**

In addition to those set forth in Section 8.01(C)(2), of the Groveport Charter, the Personnel Board of Review shall

have the following powers and duties:

- (a) Hear appeals from administrative determinations made pursuant to the Code of Personnel Practices and Procedures, as may be authorized by the Code. For example, to hear appeals of employees in the classified service from final decisions of appointing authorities relative to a reduction in pay or position, job abolishment, layoff, suspension, discharge, reclassification or reassignment. The Board may affirm, disaffirm or modify the decision of the appointing authorities. Such decision of the Board is appealable through the court system pursuant to applicable law.
- (b) Exercise the powers and duties as may be given to the board by ordinance or resolution of Council.
- (c) To prescribe, amend and enforce rules consistent with the Charter of Groveport, Ohio, and ordinances of Council for the purpose effecting appointments and promotions in the classified service according to merit and fitness, for removals, transfers, layoffs, suspensions, reductions or reinstatements, therein.
- (d) To review and approve eligibility lists once they have been created and prior to the selection of the candidate for the classified position.
- (e) To, at the Board's discretion, terminate any eligibility list that has been in effect for more than six (6) months, or as requested by the appointing authority.
- (f) To subpoena and require the attendance and testimony of witnesses and the production of books, papers, public records and/or other documentary evidence pertinent to any matter which the Board has the authority to investigate regarding the enforcement of civil service and the enforcement of these Rules. (Ord. 19-008. Passed 3-25-19.)

#### **143.22 RETIREMENT AND RE-APPOINTMENT TO SAME POSITION.**

Upon approval of the Mayor for all full-time police positions, the Administrator, Law Director and Finance Director, and approval of the Administrator for all other full-time City employees, a full-time employee may be re-appointed to his/her position, eligible for all fringe benefits offered by the City, after retirement therefrom, upon the following conditions:

- (a) Exemplary performance in current position as documented in annual employee reviews.
  - (b) Upon retirement and prior to re-appointment, there shall be no vacation or sick leave payout to the employee; however, accrual balances at the time of retirement shall be carried over upon re-appointment.
  - (c) Any Personal days utilized in the same calendar year that the employee retires shall be forfeited if the employee is re-appointed in said calendar year.
  - (d) With respect to wages, upon re-appointment, the employee shall maintain the same annual wage earned at the time of retirement and is still capable of advancement pursuant to the City's merit evaluation system. Council's passage of this Section constitutes its approval of the employee's compensation above the midpoint range of the City's salary ordinance if applicable.
  - (e) With respect to seniority, upon retirement, the employee forfeits all seniority attained and does not recover the same upon re-appointment in regards to shift bidding, vacation bidding, and/or bumping rights in the event of a layoff.
  - (f) With respect to those fringe benefits related to retirement, the employee shall be entitled to those benefits that he or she is eligible to receive according to the Ohio Police and Fire Pension Fund and/or the Ohio Public Employees Retirement System.
  - (g) Upon approval by the Mayor and/or Administrator for re-appointment, the employee shall formally acknowledge the foregoing conditions prior to the employee commencing employment.
- (Ord. 19-008. Passed 3-25-19.)