

# RECORD OF ORDINANCES

DAYTON BLANK BOOK & PLS. CO.  
Ordinance No. 1984-07

Passed August 21, 19 84

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO, SPECIFICALLY BY AMENDING SECTIONS 35.01 THROUGH 35.08 OF THE CODE OF ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, the Municipality of Brookville, Ohio, has over the years past a variety of Ordinances pertaining to various employees and policies pertaining to those employees; and

WHEREAS, some of the Ordinances so past appear to be in conflict with one another; and

WHEREAS, it is deemed in the best interest of the welfare and safety of the citizenry and of the Municipality of Brookville, Ohio, for there to be a uniform and cohesive employment personnel policies and procedures established at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO, THAT:

## SECTION I:

That Section 35.01 through 35.08 of the Code of Ordinances are hereby ordered repealed and that substituted in their place shall be the Municipality of Brookville employment personnel policies and procedures, a copy of which is attached hereto and marked Exhibit "A", and they shall be substituted for the present codified ordinances contained in Sections 35.01 through 35.08 of the Code of Ordinances of the Municipality of Brookville, Ohio.

## SECTION II:

If any sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Ordinance and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Ordinance. It is hereby declared to be the intention of the Council of the Municipality of Brookville that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

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## SECTION III:

This Ordinance shall revoke or rescind any Ordinance or Resolution or any part thereof that are in conflict herewith.

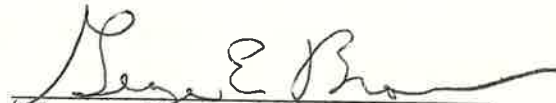
## SECTION IV:

This Ordinance is hereby declared to be an emergency ordinance in order to protect the general health and welfare of the community and its environs. Therefore, this Ordinance shall take effect and be in force from and after its passage by the members of Council, as pursuant to Section 4.07(A)(5) of the Municipal Charter.

Passed this 21st day of August, 1984.

ATTEST:

  
E. EUGENE ROESER, Clerk

  
GEORGE BROWN, Mayor

## CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1984-07 passed by the Council of said Municipality on the 21st day of August, 1984.

  
E. EUGENE ROESER, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1984-07 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 24th day of August, 1984, to the 22nd day of September, 1984, both days inclusive.

  
E. EUGENE ROESER, Clerk

EXHIBIT "A"

MUNICIPALITY OF BROOKVILLE  
EMPLOYMENT PERSONNEL POLICIES AND PROCEDURES

I. INTRODUCTION

Under the Municipal Charter and the Ohio Revised Code the Municipality of Brookville recognizes a need to establish and/or consolidate policies and procedures for personnel administration. The Municipality by establishing a process for personnel administration, maintains a level of accountability to its citizens, provides guidance to its administration, and brings to its employees a sense of order and unity in the work place. The citizens of Brookville have the right to expect that the Municipality will employ qualified individuals. Each employee has the right to expect that he/she will be informed of their duties and responsibilities and provided with proper administration and supervisory direction.

II. OBJECTIVES

A. Employment Opportunity

The Municipality reaffirms its commitment to Equal Employment Opportunity, recognizing the responsibility as a public employee to insure that our employment practices are free from discrimination.

The personnel policies of Brookville, includes, but not limited to recruitment, hiring, promotions and compensation, will continue to be carried out without regard to race, color, religion, sex, national origin, age, ancestry or handicap.

B. Relationship to Contract

The policies and procedures covered apply to all Municipal Personnel and shall be followed. The only exception to these will be in case of a conflict with the Municipal Charter or possible conflict with any collective bargaining agreement/contract entered into by the Municipality. Any approved agreement will

take preference on any items contained within the agreement that conflicts with these policies and procedures including all employment practices, wages and fringe benefits.

### III. STRUCTURE AND POSITIONS

To provide a consistency and order it is necessary to establish a framework of policy to serve as a guide to employees and provide a structure within which specific employment related issues can be addressed.

Positions in the Municipality personnel structure include positions created or provided for by the Municipal Charter, and positions established and provided for by the Municipal Council as positions needed in the Municipal work force.

### IV. APPOINTMENTS

#### A. Officials (Department Heads)

1. Municipal Manager - Appointed by Council - Powers, Duties and Functions  
Responsible to Council (Charter #5.01, 5.02 & 5.03)
2. Clerk of Council - Appointed by Council - Powers, Duties and Functions  
Responsible to Council (Charter #3.09)
3. Director of Law - Appointed by Council - Powers, Duties and Functions  
Responsible to Council (Charter #6.01)
4. Director of Finance - Appointed by Council - Powers, Duties and Functions  
Responsible to Council (Charter #6.02)  
Code of Ordinance #36.03 - Resolution #82-32
5. Director of Police - Appointed by Council - Powers, Duties and Functions  
Responsible to Manager (Charter #6.03)
6. Director of Firemen - Appointed by Council - Powers, Duties and Functions  
Responsible to Manager (Charter #6.03)

#### B. Municipal Employees

As used in these personnel policies, "Municipal Employees" shall mean all personnel not appointed by Council and are responsible to the Municipal Manager. The Municipal Manager appoints, removes and disciplines all Municipal Personnel except positions spelled out and appointed by Council according to the Municipal Charter.

However, Municipal employees will be directly responsible to their immediate supervisor. Any employee problems or questions should be taken up first with their immediate supervisor, then if unsolved with the department head; and if still unsolved in writing with the Municipal Manager.

#### C. Probationary Periods

All employee appointments will be for a probationary period of at least six months continuous service and none shall be finally made until appointee has satisfactory served his probationary period. In the case of police and fire personnel the period will last at least one year continuous service before final appointment.

#### D. Resignation

Personnel who intend to resign from their position shall notify their supervisor in writing of intention to resign no later than two weeks prior to the last day of employment. Failure to comply with this procedure, and no consideration need to be given to employee regarding any available benefits.

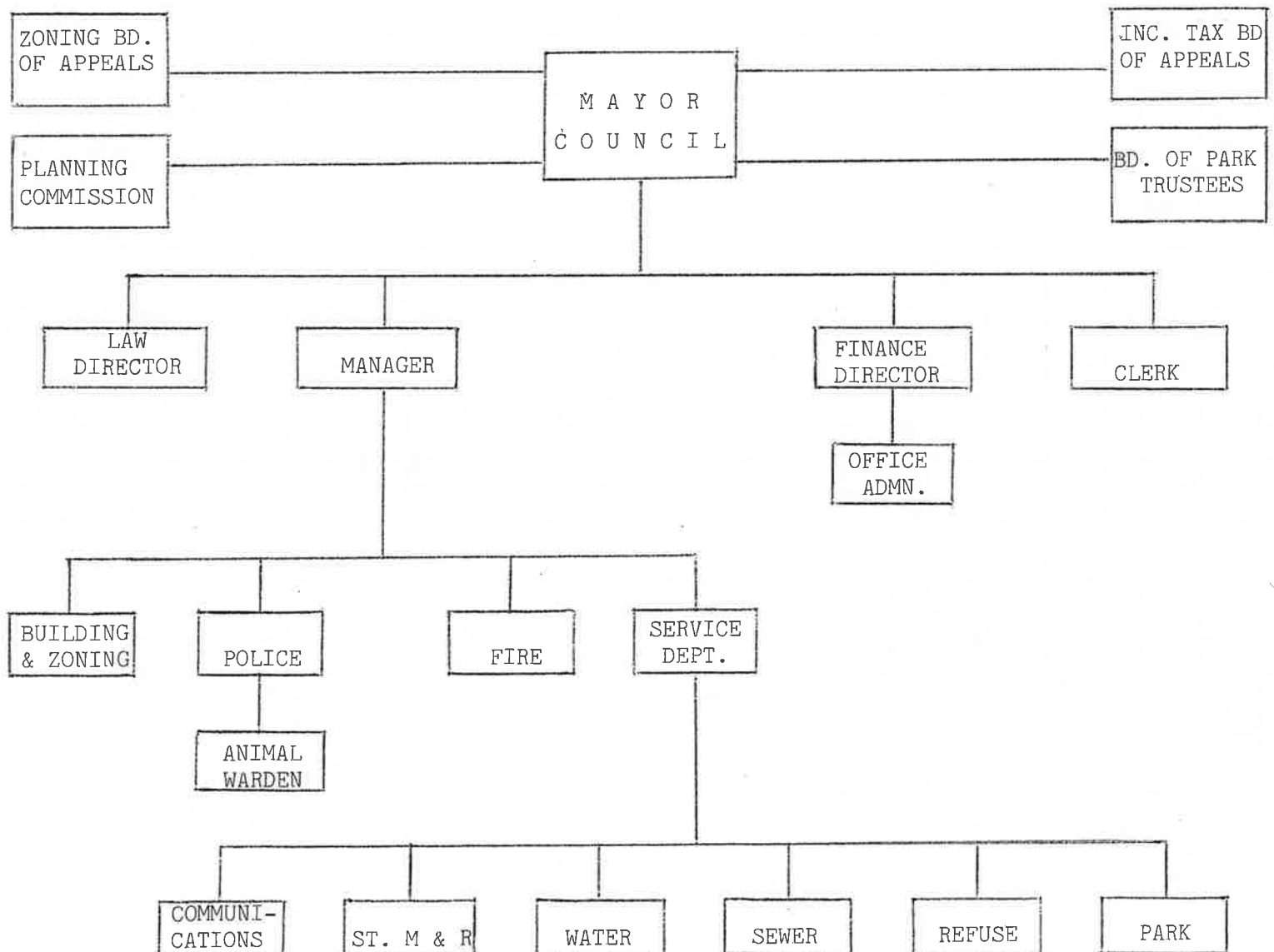
#### E. Discipline

Disciplinary proceeding can be initiated by a supervisor or person in authority against personnel under their supervision. Disciplinary action may be taken for the following reasons; incompetency; inefficiency; dishonesty; neglect of duty; insubordination; intoxication; drug abuse; unauthorized or excessive tardiness, absence or abuse of sick leave; any violation of Municipal policies and procedures; any other acts of misfeasance or nonfeasance; or for similar acts of misconduct.

Action on discipline problem generally will be through a system of oral reprimand, written reprimand, suspension and discharge. It is recognized that a combination of various disciplinary actions against an employee, an act of serious nature or repeated action may prompt by-passing one or more of the disciplinary steps. A record of disciplinary action taken shall be maintained in the personnel file of the employee.

#### F. Organizational Chart

Organizational chart of the Municipality illustrates the structure of executive power and defines the lines of authority for the Municipality.



## V. WAGES - COMPENSATION

### A. Means - Coverage

All Municipal Employees and Department Heads shall be compensated for their services as provided by ordinance or resolution. Full-time Department Heads and Municipal Employees shall be paid by-weekly. Department heads shall not receive pay for any additional time and work over their regular salary. All fringe benefits apply to full-time Municipal Employees and Department Heads.

### B. Part-Time & Temporary Employees

Part-time employee is one working less than forty (40) hours per week whose employment is not of a definite duration. Temporary employee is one working forty (40) hours per week or less whose employment is for a limited duration. Part-time and temporary employees are not entitled to fringe benefits except those required and/or available by having such as workmen's compensation and P.E.R.S. under proper conditions, unless granted by the Municipal Manager on a limited basis.

### C. Regular Work Week

The regular work week for full time employee will vary with departments and assigned tasks, but will consist of forty hours (40) per week (80 hours per pay period). Work week pay periods starts 12:01 A.M. on Thursdays and run until 12:00 midnight Wednesdays. Friday afternoon following end of each two week pay period will be pay day. All regular shifts are to be scheduled at least four (4) weeks in advance, and schedule available to employee .

### D. Step Structure

The Municipal wage structure for hourly personnel is a schedule of six (6) steps A through F for each classification of the various positions. Normal practice is to hire qualified personnel at Step A. Normal progression from Step A to Step B shall be upon satisfactory completion of the probationary period. Progression through the remaining steps shall be on an annual basis from the date of the last step increase or promotion and based upon satisfactory performance evaluation.

#### E. Over-Time Compensation

1. Employees required to work more than their regularly assigned number of hours during a pay period or more than eight hours per regular shift shall be compensated at the rate of one and one-half times employee's base rate for all work over the regularly scheduled number of hours.
2. Employee called in and required to work at a time disconnected to their regular scheduled hours of work, excluding holidays, shall be compensated at rate of time and one-half, but at a minimum shall receive two hours pay at straight time.

#### F. Travel - Reimbursement

1. Municipal Personnel will be reimbursed for the cost of travel, lodging, meals and other incidental expenses such as parking fees which are incurred while conducting Municipal business and acting in the interest of the Municipality.
2. When personnel are required to use a privately owned automobile the rate of twenty-one cents (\$0.21) per mile will be reimbursed.
3. Membership in professional organization concerned with local government and its administration will be paid by the Municipality. It is the policy to encourage personnel in activities which improve professional attitude and conduct, and improve their development.
4. All personnel expenses need to be approved by the Municipal Manager for reimbursement.

### VI. BENEFITS

#### A. Holiday

1. All municipal personnel employed on a full-time basis shall receive the following paid holidays: New Year's Day (8 hours), Good Friday (8 hours), Memorial Day (8 hours), Independence Day (8 hours), Labor Day (8 hours), Thanksgiving Day (8 hours), Christmas Day (8 hours), a one-half day on Christmas Eve (4 hours), and a one-half day on New Year's Eve (4 hours).



2. All employees scheduled or required to work on a holiday shall be compensated at straight time rates for time worked in addition to all holiday pay.

3. In addition to those holidays listed above, all municipal personnel shall receive three days (8 hours per day) of personal leave with pay upon request to and approval by the employee's supervisor, provided that the request for personal time is received by the supervisor at least twenty-four (24) hours in advance of the date requested.

4. New personnel shall be granted one personal day for each four months service until a maximum of three personal days per year are attained after twelve months service. Personal days will be granted each calendar year and none shall be carried over into the following year.

#### B. Vacation

1. All full-time municipal personnel shall be eligible for the following schedule of paid vacations according to the years of service.

- a. Five working days (40 hours) after one full year of service.
- b. Ten working days (80 hours) after two full years of service.
- c. Thirteen working days (104 hours) after five full years of service.
- d. Fifteen working days (120 hours) after ten full years of service.
- e. Twenty working days (160 hours) after fifteen full years of service.

2. All new personnel shall be eligible to take a vacation after one year of employment with the Municipality. Each year of service shall be completed on the anniversary date of the hiring for full-time employment. No more than five (5) days (40 hours) vacation may be carried over into a new year except for inability to schedule vacation due to illness, injury or for the Municipality's convenience.

3. Vacations shall be scheduled subject to the manning requirements of the City as determined by the Municipal Manager.

4. Vacation requests must be made in writing at least two weeks before the start of such proposed vacation. In case of conflicting requests and subject

to manning requirements, vacations shall be scheduled on the basis of seniority. However, vacation requests shall not be unreasonable denied.

C. Sick Leave

1. All full-time municipal personnel shall be eligible for sick leave with pay during the calendar year, if needed, at the rate of 4.6 hours for each completed eighty (80) hours of service. Overtime hours shall not qualify for sick leave hours.

2. Unused sick leave shall be cumulative without limitation.

3. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work.

4. Employees shall notify department heads at least one hour before time to report to work, if off for sickness.

5. Sick Leave may be used for the following reasons:

a. Personal injury or physical incapacity.

b. Illness in the employee's immediate family requiring the employee's personal care and attendance. Sick leave shall only be for such reasonable time as necessary to make appropriate longer term arrangements. Needs approval by the Municipal Manager.

c. Enforced quarantine of the employee.

6. Absence of more than two days, the Manager may require that a physician's statement be submitted to justify the use of sick leave.

7. All full-time municipal personnel may, if they so desire, convert sick leave time into vacation time as follows:

a. 0-264 accumulated hours: no vacation conversion.

b. 265-720 accumulated hours: 32 sick leave hours converts to eight vacation hours.

c. Over 720 accumulated hours: 24 sick leave hours converts to eight vacation hours.

d. After any conversion, the employee must maintain a minimum of 240 hours of sick leave.

e. A maximum of 40 hours for vacation can be converted from sick leave hours in any one calendar year, and such days off shall be scheduled at the discretion of the department heads.

8. Any full-time municipal personnel with ten years of service who retires may, at his option convert one-quarter ( $\frac{1}{4}$ ) of his accumulated but unused sick leave hours to a single cash payment based on the employee's rate of pay at the time of retirement.

#### D. Bereavement Leave

1. All full-time municipal employees shall be granted up to three (3) days off with pay for funerals of any of their following immediate family: Wife, husband, mother, father, spouse's father or mother, brother, sister, son, daughter, grandparents, spouse's grandparents, step-children, step-parents, step-brothers, step-sisters, brothers-in-law, or sisters-in-law.

2. Any funeral leave beyond that provided in division (1.) shall be at the sole discretion of the Municipal Manager.

#### E. Workmen's Compensation

1. Municipal Personnel are covered by Workmen's Compensation Insurance which is paid by the Municipality. Any claim for work-related injuries should be submitted to the Municipal office for processing and submission to the Bureau of Workmen's Compensation.

2. On work-related injuries the difference between Workmen's Compensation payment and regular pay may be paid by use of sick time earned at the employee's option. Time off charged as sick leave but where injury is work related, time may be purchased back by paying the received Workmen's Compensation at the employee's hourly rate at the time of absence.

#### F. Retirement

Membership in the Ohio Public Employee's Retirement System for Municipal personnel and in the case of Police, the Police and Firemen's Disability and Pension Fund is compulsory for all full-time personnel and any part-time as required by State statutes. Information on benefits and other information will be provided and/or available on the respective systems as per their brochure and communications to the Municipal offices.

#### G. Health Insurance

The Municipality provides a group health insurance plan plus life insurance that all eligible full-time personnel are enrolled in. Information on benefits and other information will be provided and/or available on brochures and communications from the insurance company to the Municipal office.

### VII. UNIFORMS

The Municipality will assume the cost of uniform rentals per personnel required to use specified clothing and/or approved by Municipal Manager.

### VIII. TRAINING

#### A. Required

The Municipality will compensate employees at time and one-half ( $1\frac{1}{2}$ ) for training which the Municipality require employees to take on off-duty time and will pay for the necessary books, materials, tuition, and other necessary expenses.

#### B. Optional

The Municipality will reimburse the employee who completes an accredited course on college campus on their off duty time for fifty (50%) percent of the tuition cost up to five (5) credit hours per quarter, provided the course is job related, approved by the Municipal Manager, and have a passing grade of C (2.0) or better is obtained.

### C. Books

The Municipality will reimburse the employee one hundred percent (100%) for books used in courses, that are approved, for the City Library and turned over to the City in good condition. For reimbursement the course needs to be job related and also like book not already in the City Library.

## IX. LEAVE OF ABSENCE

### A. Personal Leave

Leave of absence without pay for full-time personnel for personal reasons may be granted by the Municipality for a limited period not to exceed three (3) months if approved by the Municipal Manager. Any time beyond this would require Council action. When more than eighty hours of leave without pay are taken no fringe benefits accrue or are available until full time employment begins unless arrangements are worked out and approved by the Municipal Manager.

### B. Maternity Leave

Maternity leave of absence may be granted, not to exceed three (3) months, without pay. However, personnel may use sick leave they have accrued up to a total of thirty (30) days and health insurance will be continued up to ninety (90) calendar days provided request for such leave was submitted and approved, and a written recommendation from personal physician has been presented, if requested. Any time beyond this would require Council action.

## X. VOLUNTEER FIREMEN'S DEPENDENT'S FUND

Volunteer fire personnel are insured in the event of disability or death while performing volunteer duties under this fund who are ineligible in any other state provided pension or retirement system.

XI. MISCELLANEOUS ITEMS

A. Credit Union

The credit union is available for all personnel.

B. Bonding & Liability Insurance

Required bonding and liability insurance is furnished by the Municipality for all personnel.

C. Wage Resolutions

Resolutions establishing a correct pay scale for personnel is on file in the Municipal office.

D. Personnel Job Classification/Description

Position and job description are on file in the Municipal Office.