

ARTICLE I DEFINITIONS

~~Active Service - Being present for the performance of the duties to which an officer or employee of the City of Gahanna has been assigned.~~

Anniversary Date - An employee's first day of work after hiring into a full-time position.

~~Appointing Authority - Any officer, board, agency, commission, or person having the power to make appointments to positions in the City service.~~

~~Appointment - The designation of a person, by due authority, to become an employee in a position and his induction into employment in such position.~~

Calendar Month - From the first day to and including the last day of any one of the twelve calendar months.

Calendar Week - Seven consecutive calendar days, starting at 12:01 a.m. on Sunday and ending at midnight the following Saturday.

City - Shall mean the City of Gahanna.

Continuous Service - Service shall be considered continuous for an employee except where interrupted by resignation, retirement, or discharge for cause. However, time off because of suspension, leave of absence without pay (except military leave or leave due to injury in line of duty), or layoff due to lack of work or funds shall be deducted in computing service credit. Resignation in order to immediately accept another position in the City service shall not be considered as an interruption of service.

~~Department Head - Refers to the management person in charge of an autonomous department established within the City of Gahanna.~~

~~Employee - The use of the word employee or employees in this ordinance refers only to those full-time and part-time positions allocated to the unclassified service.~~

Full-Time Employment - Active service in a position of employment, which is to be performed on an established five eight-hour days per calendar week for fifty-two weeks per calendar year.

Immediate Family - Spouse, son, daughter, brother, sister, parent, grandparent, grandparent-in-law, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepsister, stepbrother, stepson, stepdaughter, half brother and half sister.

Original Appointment - Initial appointment of a person to a full-time position in the City service or appointment after service has been interrupted by resignation, retirement or discharge.

Overtime - Time during which an employee is on duty, working for the City of Gahanna, ~~in excess of regularly scheduled hours of work.~~ **IN EXCESS OF 40 HOURS PER WEEK.**

Paid Status - Shall include all periods when compensation is received for work performed for full-time employment and when on authorized leave with pay.

Part-Time Employment - Includes all active service with the City except for elected public officials and full-time employees.

Pay Plan - A schedule of compensation rates established for the unclassified positions in the City service.

Position - Any specific office, employment, or job calling for the performance of certain duties, either full-time or part-time, and for the exercise of certain responsibilities by one individual. A position may be either occupied or vacant.

~~Reemployment - Return to duty of a person laid off work or lack of funds.~~

Range - The minimum and maximum pay rates, together with the intermediate pay rates, if any, established for a position.

~~Reappointment - An appointment of a person, said person previously employed and separated from the City in good standing.~~

~~Resignation - The voluntary termination of employment of an employee.~~

Seasonal Employee - An individual hired primarily to perform services which, because of climatic conditions or because of the seasonal nature of such service, it is customary to operate only during regularly recurring periods of forty weeks or less in any consecutive fifty-two weeks.

Service Credit - The completion of each one-year period of continuous employment.

Temporary Employment - Active service with the City for not more than one hundred eighty work days in one year.

~~Transfer - The physical movement of an employee from one work location to a different work location. A transfer may occur between departments, between divisions within the same department, between work crews, between offices, buildings, and from one post to another post or from one work station to another work station.~~

Unclassified Service - All positions and employments not specifically included by provisions of the City Charter as being in the Classified Service.

Weekend - The first and second consecutive days of unscheduled work in an employee's work week. Saturday and Sunday shall be the normal weekend unless otherwise specified.

Workday - An eight-hour shift during which an employee is assigned to active duty.

ARTICLE II
PAY RANGES

Section 1. Pay ranges shall be used for payroll purposes and other personnel transactions and are applicable only to positions designated as full-time positions.

<u>Position</u>	<u>Range (\$)</u>		<u>Pay</u>	
Director/Finance	55,000-79,000	60,000-87,000	78,363	\$ 84,000
Director of Public Service	55,000-79,000	60,000-87,000	55,000	\$ 63,000
Director of Development	50,000-70,000	60,000-87,000	63,554	\$ 73,000
City Engineer	50,000-70,000	55,000-80,000	69,976	\$ 74,000
Director of Parks & Recreation	45,000-65,000	55,000-80,000	63,063	\$ 68,000
Director of Network Operations	40,000-55,000	55,000-80,000	55,000	\$ 55,000 (1)
Director/Emergency Comm. Ctr.	New position	52,000-65,000	new	Vacant
Water Resources Engineer	40,000-60,000	40,000-65,000	58,234	\$ 62,000
Assistant City Engineer	30,000-45,000	40,000-65,000	38,588	\$ 46,000
Clerk of Council	40,000-57,000	40,000-65,000	48,000	\$ 48,000 (2)
Dep. Dir. Finance/Tax Adm.	40,000-57,000	40,000-65,000	55,282	\$ 60,000
Dep. Dir. Development	40,000-57,000	40,000-65,000	42,000	\$ 46,000
Dep. Dir. Parks & Recreation	40,000-57,000	40,000-65,000	Vacant	Vacant
Clerk of Court	30,000-50,000	40,000-65,000	48,510	\$ 53,000
Secy./Mayor/Office Manager	27,000-45,000	40,000-65,000	42,275	\$ 46,000
Adm. Asst. Finance	27,000-43,000	40,000-65,000	40,000	\$ 40,000 (3)
Secy./Dir. Public Service	27,000-45,000	35,000-50,000	39,646	\$ 44,000
Adm. Asst./Network Operations	30,000-45,000	35,000-50,000	35,000	\$ 35,000 (4)
Secy./Dir. Public Safety	25,000-45,000	35,000-50,000	40,604	\$ 42,025
Adm. Asst. Engineering	23,000-40,000	35,000-50,000	37,485	\$ 42,000
Adm. Asst. Service	27,000-43,000	35,000-50,000	33,600	\$ 40,000
Adm. Asst. Development	27,000-40,000	35,000-50,000	37,800	\$ 40,000
Adm. Asst. Parks & Recreation	23,000-40,000	35,000-50,000	Vacant	Vacant
Secy./Dir. Parks & Recreations	27,000-45,000	30,000-45,000	28,350	\$ 30,000
Dep. Clk./Council/Civ. Serv.	25,000-43,000	30,000-45,000	36,359	\$ 39,500
Dep. Fin. Dir. Clerk/Payroll	25,000-43,000	30,000-45,000	38,588	\$ 43,000
Dep. Clerk of Council	25,000-43,000	30,000-45,000	30,000	\$ 30,000 (5)
Finance Dir. Clerk	25,000-43,000	30,000-45,000	31,000	\$ 31,000 (6)
Sec./Dir. Of Development	27,000-45,000	30,000-45,000	30,000	\$ 30,000 (7)
Clerk/Development/Reception	23,000-40,000	20,000-30,000	Vacant	Vacant
Clerk/Dir. of Public Serv./Reception	17,000-24,000	20,000-30,000	17,850	\$ 20,000

Half-time Building Inspector

\$ 12,000*

*Fixed Salary for 1998, 1999 and 2000 2001.

- (1) DIRECTOR/NETWORK OPERATIONS - \$56,925 EFFECTIVE 05/13/01
- (2) CLERK OF COUNCIL - \$50,400 EFFECTIVE 01/07/01
- (3) ADM. ASST. FINANCE - \$44,000 EFFECTIVE 03/04/01
- (4) ADM. ASST./NETWORK OPERATIONS - \$36,225 EFFECTIVE 02/16/01
- (5) DEPUTY CLERK OF COUNCIL - \$31,050 EFFECTIVE 02/21/01
- (6) FINANCE DIRECTOR CLERK - \$32,085 EFFECTIVE 01/05/01
- (7) SEC./DIR. OF DEVELOPMENT - \$31,050 EFFECTIVE 03/08/01

Section 2. Positions Held Concurrently. That where one employee continuously occupies two or more positions concurrently, the highest salary range provided for one of the positions occupied shall be the appropriate range for determining the total compensation

Section 3. The new pay schedule results in a pay raise of at least 3.5% for the year 2001 except for new hires with less than six months of service. No salary increase can exceed the top of the range.

~~Section 4. All full time employees who were employed as of January 2, 1998 and left employment with the City of Gahanna prior to November 1, 1998 shall receive 4% retroactive pay.~~

Section 54. Council Review. That the pay ranges and annual rates of pay established by this Article shall be reviewed by the Council of the City of Gahanna ~~every three (3) years~~ **year end 2001.**

ARTICLE III
PAY FOR LESS THAN FULL-TIME SERVICE
(PART-TIME EMPLOYEES)

Section 1. Seasonal, part-time, and temporary employees hired by the City to work in the summer programs, seasonal or part-time work of any kind, shall not be eligible for employee benefits except as provided by state or federal law. Said employees shall be paid not less than state minimum wage nor more than ten dollars (\$10.00) per hour, or a set fee amount where no hours are specified, unless otherwise provided herein.

Employees may be paid in excess of this rate based upon the need of the City. Such need shall be established on a case by case basis through a review by the Mayor and President of Council. When there is concurrence by the Mayor and the President of Council, written approval and the rate agreed to shall be forwarded to the Payroll Department authorizing the increase.

Section 2. Employees appointed under this article shall be eligible for overtime pay, at 1-1/2 times the hourly rate, for all hours worked in excess of forty (40) hours per week. All overtime assigned shall be at the discretion of, and authorized by, the Department Head. A report must be issued monthly by the Director of Finance showing by Department any payments made under this section.

ARTICLE IV
PERSONAL EXPENSES

Section 1. Personal Expenses. The following shall apply to personal expenses, related to travel, etc., incurred by employees on City business:

- a. Any employee, whenever authorized by the Department Head to engage in or upon official daily business for, or on behalf of, the city, will be reimbursed for all expenses incurred within the specifications and guidelines of the policy and procedure manual for the City of Gahanna. Such employee shall submit a statement of expenses, with such supporting data as the Director of Finance requires, to the Director of Finance.
- b. This reimbursement for any expenses shall include, but not be limited to, the pay for the use of private automobiles at the rate allowed per mile by the Internal Revenue Service.

- c. Any employee may request prepayment of any expenses within the specifications and guidelines of the policy and procedure manual for the City of Gahanna. Such request shall be authorized by the Department Head and submitted, with such supporting data as the Director of Finance requires, to the Director of Finance. Such prepayment shall be accounted for, to the Director of Finance, within thirty (30) days following the expenditure.

ARTICLE V
APPOINTING AUTHORITY

Unclassified employees serve at the pleasure of the appointing authority.

ARTICLE VI
PROBATIONARY PERIOD

There shall be a period of one hundred eighty (180) days from the beginning employment date during which no appointment or promotion shall become final.

ARTICLE VII
SALARY AND ADJUSTMENTS

Section 1. Annual Service Credit. An employee shall receive, in addition to other pay, an Annual Service Credit payment based on completed years of continuous service according to the following table:

	<u>New</u>
5 through 9 years	\$ 600.00
10 through 14 years	\$ 800.00
15 through 19 years	\$1,000.00
20 or more years	\$1,200.00

Section 2. Payment of Service Credit shall be made in a lump sum, in a separate check, and will accompany the first regular paycheck after the employee's anniversary date of each calendar year. Payment shall be based upon continuous years of active service as an employee of the City of Gahanna as of the date of payment.

For the purpose of this Section, continuous active service shall include approved leave.

Section 3. Administration of Pay Plan.

- a. Employees paid under this ordinance must be appointed at the lowest rate within the appropriate pay range. Any deviation must be approved by the majority vote of Council.
- b. No increases shall be granted during the first 180 days of hire or promotion. Employees shall receive the applicable increase upon completion of this probationary period.
- c. The Clerk of Council and Deputy Clerk of Council shall be paid in accordance with the same procedures as provided the administration, but administered by the majority vote of Council.

ARTICLE VIII
VACATION LEAVE

Section 1. Vacation Year. The vacation year for all employees other than full-time elected officials shall end at midnight on December 31 of each year.

Section 2. Conditions for Accrual. Each full-time employee in paid status shall accrue vacation by pay period at the annual rate of workdays based on years of completed service as an employee of the City of Gahanna, or other **full-time** employment covered by P.E.R.S., as established in the schedules contained in Section (3) of this Article. However, any employee who has retired under a state retirement plan must have service start as of latest date hired or rehired. To induce employees to work in public service, the Mayor may grant credit for comparable service up to a maximum of eight (8) years. In computing years of completed service, the higher rate of accrual shall begin on the first day of the first pay period in which a year of service is completed.

Section 3. Accrual Schedule of Vacation. the following vacation accrual schedules are established:

<u>Years of Service Hrs./Year</u>	<u>Paid Vacation</u>	<u>Paid Vacation Days /Year</u>
Date hired But Fewer Than 4 Yrs.	104 Hours	13 Days
4 Years But Fewer Than 8 Years	136 Hours	17 Days
8 Years But Fewer Than 12 Years	152 Hours	19 Days
12 Years But Fewer Than 16 Years	176 Hours	22 Days
16 Years But Fewer Than 20 years	192 Hours	24 Days
20 Years or More	200 Hours	25 Days

Section 4. Vacation Carry-Over. Employee may carry into the following year a maximum of two hundred forty (240) hours.

Section 5. Additional Considerations.

- a. At the end of each year, an employee in full-time status may be paid for vacation balances in excess of the maximum fixed by the Article. This is subject to certification by the appointing authority to the Director of Finance and the approval by City Council, that due to a bona fide emergency work requirement, it was not in the best interests of the City to permit an employee to take vacation leave which would otherwise be forfeited as provided in Section 4. Failure to secure prior approval shall result in forfeiture of hours in excess of two hundred forty (240) hours.
- b. An employee in full-time status who is to be separated from the City service through removal, resignation, retirement, or layoff, and who has unused vacation leave to his credit, shall be paid in a lump sum for such unused vacation leave.
- c. When an employee dies while in paid status in the City service, any unused vacation leave to his/her credit shall be paid in a lump sum to the surviving spouse, or to the estate of the deceased, in accordance with Section 2113.04 of the Ohio Revised Code.

- d. All vacation leaves shall be taken with the approval of the Department Head.
- e. Part-time employees shall not be entitled to earn or be paid for vacation leave.
- f. Compensatory time may be granted by written authority of the Department Head.

ARTICLE IX
LEGAL HOLIDAYS

New Year's Day, January 1
 Martin Luther King Day, the third Monday in January
 Presidents' Day, third Monday in February
 Memorial Day, last Monday in May
 Independence Day, July 4
 Labor Day, first Monday in September
 Columbus Day, second Monday in October
 Veterans' Day, November 11
 Thanksgiving Day, fourth Thursday in November
 Day after Thanksgiving
 Christmas Eve, December 24
 Christmas Day, December 25

Any other holidays proclaimed by the Mayor, Governor or President.

Section 1. When a holiday observed by Gahanna City employees falls on the first day of an employee's regularly scheduled days off, it shall be celebrated on the previous day; and when a holiday falls on the second day of an employee's regularly scheduled days off, it shall be celebrated on the following day. Part-time employees shall not be compensated for time not worked on holidays.

Section 2. When a holiday occurs during vacation leave, such day shall not be charged to vacation leave.

ARTICLE X
HOSPITALIZATION, SURGICAL, MAJOR MEDICAL,
LIFE, DENTAL, AND VISION INSURANCE

Section 1. The City shall continue to provide comprehensive hospitalization, surgical, major medical and additional physicians' services coverage, including prescription drug coverage, with the City paying all of the monthly premiums for both single and family coverage, except for the member contributions set forth as follows:

EFFECTIVE DATE	PREFERRED PROVIDER NETWORK PLAN		TRADITIONAL PLAN	
	SINGLE	FAMILY	SINGLE	FAMILY*
7/1/98	\$0	\$0	\$ 20	29.54
1/1/99	\$0	\$0	\$ 20	6%/\$40 MAX
1/1/00	\$0	\$0	\$ 20	7%/\$40 MAX
1/1/00	\$10.00	\$15.00	\$100	\$150
*SUBJECT TO THE PROVISIONS OF SECTION 23.1(A)(1)(a)-(c)				BELOW

~~These provisions apply to the calculation of member premium contributions for family coverage under the traditional plan:~~

- ~~a. The annual percentage to be assumed by the member shall be indexed to the total premium for such coverage, (e.g., effective July 1, 1998, the member's premium contribution will be \$29.54 monthly, 5% of the total monthly premium of \$590.78).~~
- ~~b. In either calendar year 1999 or 2000, the annual percentage to be assumed by the member shall remain at the annual percentage in effect for the preceding year unless the total annual premium has increased by more than five percent (5%) (e.g., for the member premium contribution to increase to 6% effective January 1, 1999, the total monthly premium would have to exceed \$620.32. For the member premium contribution to increase to 7% effective January 1, 2000, the total monthly premium would have to exceed \$620.32 in 1999 and the total annual premium for 2000 would have to be increased by more than 5% over the total 1999 annual premium).~~
- ~~c. Should the calculation of the annual percentages to be borne by the member result in a monthly premium in excess of \$40.00, the member's monthly premium amount shall be capped at \$40.00.~~

~~Section 2. The City shall provide a fully paid comprehensive hospitalization, surgical and major medical plan at least equivalent to that which is currently in effect.~~

~~Section 32. The City shall provide a fully paid dental and vision insurance plan at least equivalent to that which is currently in effect.~~

~~Section 43. The City shall provide fully paid life insurance in the amount of \$50,000 or two years salary, whichever is greater. The policy shall include a provision for double indemnity in the event of accidental death or dismemberment.~~

~~Section 64. For the purpose of this section, "full-time employees" are defined as, "All employees who perform prescribed duties of an established schedule of forty hours or more per week for fifty-two weeks per calendar year." Employees working less than forty hours per calendar week shall be excluded from insurance programs. Persons working forty hours or more per week, but in a position which is intended to continue for only a portion of a calendar year, OR AS A PROVISIONAL EMPLOYEE, shall not be considered full-time employees and shall be excluded from insurance programs.~~

~~Section 75. Prescription Drugs.~~

~~The plan shall provide for a five dollar (\$5) deductible per prescription, with the remainder to be paid one hundred percent (100%) by the plan for both employee and family. **THE PLAN SHALL PROVIDE A PRESCRIPTION CARD FOR EMPLOYEES TO OBTAIN PRESCRIPTIONS WITH A DEDUCTIBLE AT RETAIL OF 10% GENERIC DRUGS AND 15% BRAND DRUGS, WITH THE PLAN PAYING THE REMAINDER FOR BOTH THE EMPLOYEE AND FAMILY. MAIL ORDER WILL BE PAID IN FULL AFTER A DEDUCTIBLE OF 5% FOR 90-DAY SUPPLIES. NORMAL COORDINATION OF BENEFITS WILL APPLY.**~~

~~Section 86. Cost Containment. If no pre-certification is made a two hundred dollar (\$200) co-insurance will be applied, in addition to the deductible and co-insurance provisions. This two hundred dollar (\$200) co-insurance does not apply to the out of pocket maximum.~~

Section 97. Any unclassified employee who elects not to be covered by the medical, dental and vision plans offered by the City and can demonstrate they have coverage by another plan other than the City's **PLAN THE CITY OFFERS** may elect a cash payment of ~~four hundred fifty dollars (\$450)~~ **ONE THOUSAND DOLLARS (\$1,000)** per year, paid through a yearly election. **A MARRIED EMPLOYEE WHO CAN DEMONSTRATE THEIR SPOUSE HAS COVERAGE BY ANOTHER PLAN OTHER THAN THE PLAN OFFERED BY THE CITY AND ELECTS SINGLE COVERAGE MAY ELECT A CASH PAYMENT OF FIVE HUNDRED DOLLARS (\$500) PER YEAR, PAID THROUGH A YEARLY ELECTION.**

ARTICLE XI
SICK AND INJURY LEAVE

Section 1. Sick Leave Accumulation. Each employee shall be entitled to sick leave, with pay, as established in Section 2 of this Article. Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from an employee's credit on the basis of actual time used.

Employees shall earn sick leave, with pay, according to the schedule below, for each completed month of continuous service during which the employee has been in paid status during each of the workdays and holidays of such month. Employees shall be paid for approved sick leave to the extent such sick leave has been earned.

Section 2. Sick Leave Accumulation Schedule. Employees shall accumulate sick leave at the following rates:

<u>Years of Service</u>	<u>Sick Leave Hours Per Year</u>
Date of hire up to 6 years	120 hours per year
6 up to 11 years	128 hours per year
11 up to 16 years	136 hours per year
16 years or more	144 hours per year

Section 3. Sick Leave Usage. Employees may use sick leave, upon approval of the Department Head, for the following reasons:

- a. Sickness of the employee.
- b. Injury to the employee except where injury leave may apply.
- c. Medical, dental, or optical consultation or treatment of the employee, providing the person rendering such treatment is licensed to practice by the State of Ohio.
- d. Sickness of a member of the immediate family, whether or not the employee is living in the employee's household when the employee's presence is reasonably necessary.
- e. Sick leave may be used to attend a funeral.

Section 4. Additional Considerations:

- a. For the purpose of interpreting this section, pregnancy shall be considered to be a sickness entitled to the same benefits as other forms of sick leave, except when a pregnant employee resigns, she shall be paid for accumulated sick leave in the same manner as other employee, as provided in Section 1 of this Article.
- b. A doctor's certificate may be required by the Department Head for any absence permitted by this Section of the Agreement.
- c. Sick leave may, at the discretion of the employee, be charged to vacation leave.
- d. Any period to be charged to sick leave shall be actual time used.
- e. No sick leave with pay shall be accredited or allowed except that accredited for service as an employee of the City of Gahanna.

Section 5. Cash Payment for Sick Leave Credit. An employee who is separated from the service, for any reason whatsoever, shall be paid in a lump sum for all accumulated sick leave on the basis of the following schedule:

- a. Part-time employees shall not be eligible to earn or be paid for sick leave.
- b. Full-time employees shall receive payment, based on the employee's rate of pay for 60% of the accumulated sick leave, up to a maximum of one thousand two hundred (1,200) sick leave hours, but not less than that accumulated as of December 24, 1990. After one thousand two hundred (1,200) hours, payment shall be at twenty-five percent (25%) of accumulated sick leave. All severance pay shall be paid at the employee's current rate of pay. In the event an employee dies, his/her estate shall be paid on a day-for-day basis for his/her unused sick leave, as provided in Section 2113.04 of the Ohio Revised Code.

Section 6. Disability Leave.

- a. Duty-Injury. Employees shall be allowed injury leave with pay for each service connected injury, provided such injury is reported to the employee's immediate supervisor within six (6) hours of such injury, but under unusual conditions, no later than twenty-four (24) hours. In the absence of the employee's immediate supervisor, the injury may be reported to any supervisory or administrative official of the City of Gahanna. Any disability leave must receive the approval of the Department Head and the Mayor.
- b. Report of Duty-Injury. A report of the cause of all injuries signed by the immediate supervisor, the Division and Department Heads, shall be submitted to the Mayor or Department Head within two (2) work days of the date of the injury, on forms designed and furnished by the City. The Mayor or Department Head may arrange to have the injured person examined by a qualified physician other than the employee's own personal physician and if, in the judgment of the Mayor and Department Head, the injury was sustained while on duty with the City, the employee shall be continued on the payroll according to the provisions of this Article.
- c. Length of Duty-Injury Disability Leave. Employees who have verified duty related disabling injuries, injuries that render the employee unable to perform the material and substantial duties of their position, shall be eligible for duty-injury disability leave for up to nine (9) months.

- d. Third Party Examination. If the employee disagrees with the determination of the City-appointed physician or other appropriate licensed practitioner, the employee may submit an examination report from a licensed practitioner of his choice. If the opinion and conclusions of the City-appointed and employee-retained practitioners differ, the employee shall submit to an examination by a practitioner mutually appointed by the two practitioners. The opinion and conclusions of the third practitioner shall be binding.
- e. Compensatory Benefits. In the event of a service-connected injury while in the active discharge of duty, and for which the employee shall be entitled to temporary total disability payments from the Worker's Compensation Bureau, the employee shall receive his full pay as an advance for a period not to exceed one (1) year, subject to re-evaluation after six (6) months. During this time, any payments in the form of weekly benefits shall be entitled to all partial and/or permanent disability awards other than weekly benefits as provided above.

Employees who are injured while on duty shall file for the Worker's Compensation benefits according to the Worker's Compensation law and regulations. Such filing shall include requests for any available temporary total compensation program designed to compensate workers for lost wages. Copies of all filings shall be submitted to the City. As a condition precedent to receiving disability leave the employee must submit all temporary total compensation to the City to which the employee is entitled under Worker's Compensation for the period the employee is receiving benefits, in compensation, from the City.

Section 7. Special Major Medical Leave. "Major Medical" shall be defined as any debilitating disease or injury that by its nature requires a lengthy confinement or convalescence sufficient to exhaust an employee's accrued sick leave and vacation. Major Medical may be used after other benefits have been used.

All unclassified employees, after one (1) year of full-time employment, shall be entitled to eighteen months of special major medical leave at full pay with an additional six months at three-quarters of full pay.

ARTICLE XII SPECIAL LEAVE

Section 1. Military Leave. An employee shall be granted military leaves of absence or separation with reinstatement rights in accordance with state reserve training for up to ten (10) days annually. An employee under active orders to attend training exercises or programs on an annual basis shall be permitted annual military leave. The employee shall suffer no loss of benefits or wages as a result of participation. The City shall pay the employee during absence the amount normally earned, less the amount paid by the military during the period. Certification of the employee's military pay shall be required of the employee to be eligible for a difference in pay.

When an employee returns from military leave, he/she shall be restored to a position in his/her former range rank at the pay range which corresponds to the pay range received at the time of departure. He/she shall be granted increases entitled as if he/she had not entered military service.

Section 2. Jury Duty Leave. City employees, while serving upon a jury in any court of record, shall be paid their regular salary for the period of time involved. Time so served upon a jury shall be deemed active service with the City of Gahanna for all personnel purposes.

Section 3. Examination Leave. Time off, with pay, shall be allowed City employees participating in any Civil Service exam or taking a required examination pertinent to their City employment before a State, County, or Federal Licensing Board.

Section 4. Court Leave. Time in court, as a witness in any civil or criminal case not required by the City of Gahanna shall be taken at his/her own expense, or such time may be charged to vacation leave.

Section 5. Funeral Leave. Any full-time employee shall be entitled to three consecutive workdays, including the day of the funeral, and may be granted two additional workdays with pay **FOR EXTREME CONDITIONS**, at the regular straight hourly rate, for death leave for a death in the immediate family, with written approval of the Department Head.

Section 6. Absence Without Leave. An employee who is absent without leave for a period of three consecutive workdays is considered to have resigned, although such resignation may be rescinded, at the discretion of the Department Head, within thirty (30) calendar days of the date the worker became absent.

Section 6a. Unpaid Leave. Any full-time employee shall be entitled to request three months unpaid leave where personal circumstances necessitate this request and it would not create undue hardship on the operations of the city should this request be granted. Employees will not accrue sick and vacation time during this period.

Section 7. Absence Without Pay. At the discretion of the Department Head, absence without pay may be granted.

Section 8. Tuition Reimbursement. Each employee who is subject to the provisions of this Agreement shall be eligible for a reimbursement of tuition at 100% of the cost in job-related courses of instruction voluntarily undertaken by him/her and approved by the appointing authority.

- a. All courses must be taken during other than scheduled working hours. All scheduled hours for courses of instruction must be filed with the Department Head or his/her designee and with the Director of Finance. All scheduled times of courses must be approved by the appointing authority. Any situation, in the discretion of the appointing authority, which would require an employee's presence on the job shall take complete and final precedence over any times scheduled for courses.
- b. 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 under this Section. When an employee's tuition is fully covered by another governmental or private agency, then the employee is not entitled to any payment from the City.
- c. The Department of Finance shall create and maintain a current list of approved institutions for which reimbursement for tuition may be made under this Section. Only those institutions listed by the Department shall establish eligibility of the employee to receive reimbursement for tuition. Additional institutions may be added by forwarding an application for reimbursement to the Director of Finance. Applications for approval of institutions must be made to the Director of Finance not less than thirty (30) days prior to enrollment.

- d. No reimbursement shall be granted for books, supplies, transportation, or any other expense related to any course.
- e. Reimbursement for tuition shall be made within thirty (30) days after the employee presents an official certificate, or its equivalent, with a receipt of payment from the institution confirming satisfactory completion of the approved course with a grade of "c" or above.

ARTICLE XIII
MISCELLANEOUS ECONOMIC

Section 1. Physical Fitness Incentive Payment. Each employee covered by this Agreement is eligible to qualify for a lump-sum, non-wage rate payment, payable in the first pay period after June 1 and in the first pay period after November 1 in each year covered by this Agreement, under the following conditions:

- a. The intent of this provision is to encourage employees to achieve a standard of physical fitness above the minimum standard required for job performance by encouraging--but not requiring--each employee to meet military, age-graded fitness guidelines as agreed to by the City.
- b. Each employee covered by this Agreement who, before November 15 of a year covered by this Agreement, meets military, age-graded fitness guidelines as agreed to by the City (with testing done on paid time) shall receive, for that year, a lump sum payment in the amount of ~~\$500~~ **SIX HUNDRED DOLLARS (\$600)**, which shall not become part of their wage base, and which shall be paid in the first pay period after the employee meets the guidelines.