

Ordinance for the Unclassified
Personnel of the City of
Gahanna
January 1, 200~~9~~**10** through
December 31, 200~~9~~**10**

EXHIBIT A

ARTICLE I DEFINITIONS

Active Paid Status - Shall include all periods when compensation is received for work performed by full-time, non-exempt employees. Does not include hours paid for time not worked such as holiday hours, compensatory hours, sick hours, vacation hours or any other hours for which the employee receives compensation but did not work.

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

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

City - Shall mean the City of Gahanna.

Class Allocation Code - The code assigned to each full time employee covered by this ordinance which corresponds to a salary range for each position.

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, Family Medical 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.

Exempt – Exempt from pay for overtime under the Fair Labor Standards Act overtime pay provisions.

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

Flex Time – Allowing time off within a workweek or pay period in exchange for extra hours worked.

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.

Job Sharing – An employment option that enables two or more people to share the responsibilities of one full-time position.

Non-exempt – Non-exempt employees are those eligible for overtime pay under the Fair Labor Standards Act overtime pay provisions. Paid leave taken by the employee does not count towards the forty hour active paid status requirement for overtime purposes.

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.

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.

Probationary Period - The period of six months from the first date of employment or first date of a promotion or transfer to a new position during which no appointment may become final until the employee has satisfactorily completed this period.

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

Regular Hourly Rate – Hourly rate for non-exempt employees as defined in Article II, Pay Ranges.

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.

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.

Workweek – Seven consecutive calendar days, starting at 12:01 a.m. on Monday and ending at midnight the following Sunday.

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. The following chart represents the class allocation codes for all full-time positions subject to this Ordinance:

CLASS CODE				DEPT	FLSA	ED	EXP	LIC	REPORTS TO	GRD
EEO	ORG	GRP	CLASS TITLE							
6	6	nn	Receptionist/Mail Coordinator	Pub Svs	N	1	0		Dep Dir P Svc	24
6	6	nn	Secretary	Various	N	1	1		Various	25
6	6	nn	Staff Assistant	Police	N	1	1		Pol. Lieut.	25
6	6	nn	Procurement Coordinator	Police	N	1	2	D	Pol. Lieut.	28
6	6	nn	Accounting Technician	Finance	N	1	2		Dep Fin Dir	28
6	6	nn	Administrative Assistant	Various	N	1	3		Various	28
6	6	nn	Deputy Clerk of Council	Clk/Coun	N	1	3	C	Clk Council	28
3	6	nn	Desktop Support Specialist	IT	N	1	1	D	Dir Tech	28
3	6	nn	Records Administrator	Clk/Coun	N	1	1		Clk Council	28
6	6	nn	Police Coordinator	Police	N	1	1		Office Manager	28
3	6	nn	Prevailing Wage Coordinator	Engr	N	1	1	DC	City Eng	29
4	6	nn	Crime Analyst	Police	N	2	2		Pol. Lieut.	30
3	6	ne	Engineering Program Administrator	Engr	E	1	2		City Eng	31
5	6	nn	Payroll Coordinator	Finance	N	1	3		Dep Fin Dir	31
6	5	nn	Senior Deputy Clerk of Council	Clk/Coun	N	1	4	C	Clk Council	32
3	6	nn	Desktop Support Specialist Systems Administrator	IT	N	1	1	D	Dir Tech	33
2	2	ne	Executive Assistant to Mayor	Mayor	E	2	3		Mayor	33
2	4	ne	Office Manager	Police	N	1	4	L	Dir Pub Saf	34
2	6	ne	Human Resources Coordinator	HR	E	2	4	L	Dir Hum Res	35
2	6	ne	Water Resources Engineer	Pub Svs	E	3	2	DL	Dep Dir P Svc	36
3	4	ne	GIS Administrator	IT	E	3	4	D	Dir Tech	36
3	6	nn	Network Administrator	IT	E	1	4	D	Dir Tech	37
2	4	ne	Public Information Manager	Mayor	E	3	6	D	Assistant City Admin	37
2	3	ne	Economic Development Manager	Develop	E	4	3		Dep Dir P&D	37
2	3	ne	Community Development Manager	Develop	E	4	3	C	Dep Dir P&D	38
2	3	ne	Chief Building Official	Develop	E	3	5	DC	Dep Dir Develop	38
2	2	ne	Assistant City Engineer	Engr	E	3	3	DL	City Eng	38
2	3	ne	Tax Administrator	Finance	E	3	2		Dir Fin Svc	38
2	2	Ne	Assistant City Administrator	Mayor	E	3	4		Mayor	39
2	2	ne	Dep Dir of Planning & Dvmt	Develop	E	4	3		Dir Plan Dev	39
2	2	ne	Deputy Director of Parks and Rec.	P&R	E	3	4	DL	Dir P&R	39
2	2	ne	Deputy Director of Finance	Finance	E	3	3	C	Dir Fin Svc	39
2	2	ne	Deputy Director of Public Services	Pub Svs	E	2	4		Dir Pub Svc	39
1	1	tm	Clerk of Council	Clk/Coun	E	2	7	C	Council Pres	39
1	1	tm	Clerk of Court/Court Services Director	Courts	E	2	4	L	Mayor	39
1	1	tm	Emergency Management Director	Mayor	E	3	4		Mayor	39
1	1	tm	City Engineer	Engr	E	3	5	L	Mayor	40
1	1	tm	Director of Human Resources	HR	E	3	5	D	Mayor	40
1	1	tm	Director of Technology	IT	E	1	5		Mayor	40
1	1	tm	Director of Parks and Recreation	P&R	E	3	5	D	Mayor	41
1	1	tm	Director of Planning & Development	Develop	E	4	7		Mayor	41
1	1	tm	Director of Finance	Finance	E	3	5	C	Mayor	42
1	1	tm	Director of Public Safety	Police	E	3	5		Mayor	42
1	1	tm	Director of Public Services	Pub Svs	E	3	5	D	Mayor	42

LEGEND**EEO Codes**

- 1 = Officials and Administrators
- 2 = Professionals
- 3 = Technicians
- 4 = Protective Service Workers
- 5 = Paraprofessionals
- 6 = Administrative Support
- 7 = Skilled Craft Workers
- 8 = Service-Maintenance

Licenses Codes

- D = Drivers License or CDL required
- L = Licenses required
- C = Certifications required

FLSA Codes

- N = Non-exempt (e.g., is covered)
- E = Exempt from FLSA

Education Codes

- 1 = High School
- 2 = Associates Degree or advanced training
- 3 = Bachelor Degree
- 4 = Masters or JD Degree
- 5 = Ph.D. or beyond

Org Codes

- 1 = Department Head
- 2 = Assistant Department Head
- 3 = Manager Level
- 4 = Supervisor Level
- 5 = Lead Worker
- 6 = Line Worker

Group (GRP) Codes

- ce = Classified Supervisors, Exempt
- nn = Non-represented Non-exempt
- ne = Non-represented Exempt
- tm = Top Managers

The following chart represents the salary range corresponding to the above class allocation code for each position effective January 1, 200910:

<u>Open Range Plan—200910 Implementation</u>					
Grade	90%	95%	MKT/MIDPT	125%	Range Width
20	\$24,520	\$25,882	\$27,245	\$34,056	39%
21	\$25,542	\$26,961	\$28,380	\$35,474	39%
22	\$26,607	\$28,085	\$29,563	\$36,954	39%
23	\$27,715	\$29,254	\$30,794	\$38,492	39%
24	\$28,870	\$30,473	\$32,077	\$40,097	39%
25	\$30,600	\$32,300	\$34,000	\$42,500	39%
26	\$32,437	\$34,239	\$36,041	\$45,051	39%
27	\$34,383	\$36,294	\$38,204	\$47,755	39%
28	\$37,227	\$39,296	\$41,364	\$51,705	39%
29	\$38,715	\$40,866	\$43,017	\$53,771	39%
30	\$40,263	\$42,500	\$44,737	\$55,921	39%
31	\$41,874	\$44,201	\$46,527	\$58,159	39%
32	\$43,549	\$45,968	\$48,387	\$60,484	39%
33	\$45,076	\$47,581	\$50,085	\$62,606	39%
34	\$50,648	\$53,461	\$56,275	\$70,344	39%
35	\$52,167	\$55,065	\$57,963	\$72,454	39%
36	\$53,180	\$56,135	\$59,089	\$73,861	39%
37	\$57,486	\$60,680	\$63,873	\$79,842	39%
38	\$60,778	\$64,154	\$67,531	\$84,414	39%
39	\$68,881	\$72,707	\$76,534	\$95,668	39%
40	\$73,946	\$78,054	\$82,162	\$102,703	39%
41	\$81,036	\$85,539	\$90,041	\$112,551	39%
42	\$84,076	\$88,747	\$93,418	\$116,772	39%
43	\$86,862	\$91,687	\$96,513	\$120,641	39%

The following chart represents the salary for 200910 for each position:

<u>Exempt Positions</u>	<u>Grade</u>	<u>Pay-200910</u>	<u>Bi-Weekly Pay- 2009</u>
Engineering Program Administrator	31	53,430 \$45,596*	2,055
Executive Assistant to the Mayor	33	Vacant	
Office Manager	34	56,275	2,164.42
Human Resources Coordinator	35	57,963	2,220.35
GIS Administrator	36	59,089	2,272.65
Water Resources Engineer	36	70,260	2,702.31
Public Information Manager	37	Vacant \$63,873	
Network Administrator	37	63,873	2,456.65
Economic Development Manager	37	Vacant \$63,873	
Community Development Manager	38	64,154 \$65,505*	2,467.46
Chief Building Official	38	68,685	2,641.73
Assistant City Engineer	38	65,505 \$66,856*	2,510.42
Tax Administrator	38	72,117	2,735.27
Assistant City Administrator	39	76,534	2,943.62
Dep. Dir. Parks & Recreation	39	77,477	2,970.89
Dep. Dir. of Planning & Development	39	74,238 \$75,769*	2,855.31
Clerk of Council/Council Services Director	39	84,186	3,237.92
Clerk of Court/Court Services Director	39	92,288	3,540.54
Deputy Director/Finance	39	78,407 75,003*	3,015.65
Dep. Dir. Public Service	39	78,408	3,015.69
Director/Emergency Comm.		Vacant	
City Engineer	40	98,595	3,792.12
Director of Human Resources	40	86,689	3,334.19
Director of Technology	40	Vacant \$82,162	
Director of Parks & Rec.	41	94,543	3,636.27
Director of Planning & Development	41	108,048	4,155.69
Director/Finance	42	112,101 \$91,550*	4,311.58
Director of Public Service	42	108,473	4,172.04

<u>Non-Exempt Positions</u>	<u>Grade</u>	<u>Pay-200910</u>
Clerk/Development/Reception		Vacant
Receptionist/Mail Coordinator	24	15.42/hr.
Secy. Public Service	25	16.35/hr.
Secy. Development	25	16.35/hr.
Staff Assistant/Police	25	Vacant
Procurement Coordinator	28	19.89/hr.
Accounting Technician	28	49.69 23.25/hr.
Administrative Assistant/Development	28	Vacant 19.89/hr.
Administrative Assistant/Parks & Rec.	28	19.98/hr.
Administrative Assistant/Public Safety	28	48.89 19.29/hr.*
Adm. Asst. Public Service	28	19.99/hr.
Dep. Clerk of Council	28	49.89 19.29/hr.*
Desktop Support Specialist	28	Vacant
Records Administrator	28	19.89/hr.
Police Coordinator	28	Vacant
Prevailing Wage Coordinator	29	20.69/hr. Vacant
Crime Analyst	30	22.14/hr.
Payroll Coordinator	31	21.71/hr.
Senior Dep.Clk. of Council	32	24.04/hr.
Desktop Support Specialist Systems Administrator	33	23.36/hr.* 23.84/hr.*

* Until end of probationary period or until anniversary date (explained in Section 3).

~~For the calendar year 2009, exempt employees will be paid bi-weekly at the appropriate bi-weekly rate listed for their position.~~

Section 2. Positions Held Concurrently. That where one employee continuously occupies two or more positions concurrently, the market rate of the highest salary grade provided for one of the positions occupied shall be the appropriate rate of pay for the affected employee. Should this market rate be lower, the employee will continue at their current rate of pay.

Section 3. The new pay schedule for 200910 results in a pay adjustment as described below:

- All Wage Schedules/Ranges will be adjusted in the Open Range Plan for 200910 by ~~3.0%~~ to reflect the local market.
- Any employee who is not at or above their market rate as of 1/1/200910, and who is not within their probationary period, will be adjusted per the Salary Policy¹. In addition to the anniversary date adjustments they receive during the year, the employee will receive the applicable market increase upon passage of the ordinance.
- Any employee at or above the market rate who is not in their probationary period is receiving the pay adjustment reflected in the Salary Chart. Each position will receive raises that are strictly merit increases and based upon the performance appraisal received for the rating period ending September 30, 20089.

¹ An employee hired at the 90th percent of their salary range will move to 92% after the successful completion of their probationary period. The employee will then move to 93% at their one year anniversary date, 95% at their two year anniversary date, 97% at their three year anniversary date, 99% at their four year anniversary date, and 100% (midpoint/market) at their five year anniversary date upon satisfactory performance each year documented by their Department Head.

- d. Any employee at market rate who is within their probationary period will receive an applicable merit increase approved by the Department Director and Director of Human Resources in ~~2009~~2010 upon successful completion of their probationary period.

Any salary paid above the top of the range established in ~~2009~~2010 will be held until the range increases above the employee's rate of pay.

Section 4. Council Review. That the pay ranges, any movement within the ranges, except as allowed in Article VII, and annual rates of pay established by this Article shall be reviewed by the Council of the City of Gahanna year end ~~2009~~2010.

Section 5. Non-Exempt Positions. Effective August 23, 2004, the following positions are classified as non-exempt under Department of Labor guidelines:

- (1) Administrative Assistant/Public Safety
- (2) Senior Dep.Clk. of Council
- (3) Dep. Clerk of Council
- (4) Administrative Assistant/Parks & Rec.
- (5) Secy. Public Service
- (6) Secy. Development
- (7) Prevailing Wage Coordinator
- (8) Payroll Coordinator
- (9) Accounting Technician
- (10)Crime Analyst
- (11)Administrative Assistant/Development
- (12)Records Administrator
- (13)Clerk/Development/Reception
- (14)Receptionist/Mail Coordinator
- (15)Procurement Coordinator
- (16)Staff Assistant/Police
- (17)Desktop Support Specialist
- (18)Administrative Assistant/Public Service
- (19)Police Coordinator
- (20) Systems Administrator**

Employees in non-exempt positions will be paid based on one-quarter (1/4) hour increments. Any hours worked over forty hours in active paid status during the workweek will be paid overtime at 1 ½ times the regular hourly rate for non-exempt positions. Overtime must be pre-approved by the employee's Supervisor. No employee will be paid for overtime worked which has not been authorized by the Supervisor. Overtime shall be paid in increments of one-quarter (1/4) of an hour. Therefore, all start and end times must be rounded back to the nearest quarter hour for 1 – 7 minutes past the quarter hour and must be rounded forward to the nearest quarter hour for 8 – 14 minutes past the quarter hour. The employee has the right to request compensatory time in lieu of overtime pay. See Article VIII, Section 7.

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 any employee benefits defined and explained within this ordinance. Said employees will receive all benefits in accordance with ordinance #ORD-0020-2005 as created and established in 2005 and in any subsequent part time ordinances passed thereafter or as provided under state or federal law.

Section 2. Job Sharing. Full time positions listed in Article II, Section 1, may be considered for job sharing. In the event employees are interested in job sharing, they are to contact their immediate supervisor. Approval must be obtained from their Director, Director of Human Resources, and Mayor, and will be considered on a case by case basis depending upon the position, needs of the City, Departmental structure, etc. At any time that the job sharing is considered to be ineffective or a hardship on the City, the City reserves the right to terminate it. If the City elects to terminate the job share, the employee who held the initial position will have the choice to return full time if the full time position is available and fully funded.

While participating in a job sharing situation, employees shall not be eligible for any employee benefits defined and explained within this ordinance. Wages will be based on the applicable salary grade for the position, and distribution of the wages to the job sharing employees will be determined by the Director of Human Resources with approval by the Mayor. At no time will the combined wages, either salary or hourly, exceed the amount authorized for the position in Article I, Section I. Any increases to the wages will be merit based.

Job sharing employees working a position that is exempt under the Department of Labor Guidelines will continue to stay exempt if they meet all the criteria set by the Department of Labor as determined by the Director of Human Resources.

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 Travel Policy 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 six months 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 in full-time paid status according to the following table:

<u>Years of Service</u>	<u>Amount</u>
5 through 9 years	\$ 650.00
10 through 14 years	\$ 850.00
15 through 19 years	\$1,050.00
20 or more years	\$1,250.00

Section 2. Payment of Service Credit shall be made in a lump sum, in a separate check, and will accompany the first full pay period following the employee's anniversary date. 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. Any employees newly hired to a position under this ordinance will start at the 90th percentile of the market range for their class allocation unless the new employee brings prior experience beyond the requirements of the class specification. Based upon recommendation from the supervisor and approval from the Director of Human Resources and Mayor, the new employee may be paid between the 90th percentile and Midpoint of the market range for their class allocation. All new hire rates and probationary raises are subject to the guidelines of the City of Gahanna Salary Policy.

Any salary or hourly rate paid to a new hire above the Midpoint/Market of their range must be approved by Council.

- b. No increases shall be granted during the first six months of hire or promotion. Employees shall receive the applicable increase upon completion of this probationary period.
- c. The Clerk of Council and other employees of Council shall be paid in accordance with the same procedures as provided the administration. Any employees newly hired to a Council office position under this ordinance will start at the 90th percentile of the market range for their class allocation unless the new employee brings prior experience beyond the requirements of the class specification. Based upon recommendation from the Clerk of Council and approval from the Director of Human Resources and Council President, the new employee may be paid between the 90th percentile and Midpoint of the market range for their class allocation. (This approval process shall be the approval process for any provisions of this ordinance for Council office employees.) All new hire rates and probationary raises are subject to the guidelines of the City of Gahanna Salary Policy.

Any salary or hourly rate paid to a new hire above the Midpoint/Market of their range must be approved by the majority vote of Council.

ARTICLE VIII
VACATION LEAVE AND COMPENSATORY TIME

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 full-time 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 (4) 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.

Section 3. Computing Years of Completed Service. In computing years of service, the higher rate of accrual shall begin on the first day of the first pay period following the bi-weekly pay period in which a year of service is completed. A newly hired full time employee with prior P.E.R.S. service or who is granted comparable time by the Mayor will receive the base rate of accrual during their six-month probationary period. Should the employee be eligible for a higher rate of accrual, they will begin receiving the higher rate on the first day of the first pay period after their six-month probationary period is completed.

Section 4. 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>	<u>Bi-Weekly Accrual Rate</u>
Date hired But Fewer Than 4 Yrs.	104 Hours	13 Days	4.0 Hours
4 Years But Fewer Than 8 Years	136 Hours	17 Days	5.23 Hours
8 Years But Fewer Than 12 Years	152 Hours	19 Days	5.85 Hours
12 Years But Fewer Than 16 Years	176 Hours	22 Days	6.77 Hours
16 Years But Fewer Than 20 years	192 Hours	24 Days	7.38 Hours
20 Years or More	200 Hours	25 Days	7.69 Hours

~~For the calendar year 2009, employees will earn their vacation bi-weekly at the appropriate bi-weekly accrual rate as listed for their years of service.~~

Section 5. Vacation Carry-Over. Employee may carry into the following year a maximum of two hundred forty (240) hours.

Section 6. 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.
- d. 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. Vacation leave taken by non-exempt employees does not count towards hours in active paid status for the purpose of overtime.
- f. No accrued vacation may be used during the probationary period of a new hire, unless for emergency purposes as determined by the Department Head and Director of Human Resources.
- g. Vacation leave must be requested at least twenty-four (24) hours in advance for approval, unless it is being used for a bona fide emergency as approved by the Department Head.
- h. An employee who changes from full-time status to part-time status or participates in a job sharing situation, and who has unused vacation leave to his credit, shall be paid in a lump sum for such unused vacation leave.

Section 7. Compensatory Time and Flex Time.

- a. Any non-exempt employee has the right to request compensatory time in lieu of overtime pay. When elected, compensatory time shall be earned at the same rate as that specified for overtime payment. Compensatory time may accumulate to a maximum of 150 hours. Any compensatory time greater than 150 hours shall be converted and paid to the employee. Payroll will maintain the non-exempt employees' compensatory time balances, and the balances will be available in electronic format.
- b. A non-exempt employee in full-time status who is to be separated from the City service through removal, resignation, retirement or layoff and who has unused compensation time to his credit, shall be paid in a lump sum for such unused compensation time.
- c. When a non-exempt employee dies while in paid status in the City service, any unused compensation time to his/her credit shall be paid in a lump sum to the surviving spouse, or to the estate of the deceased.
- d. Compensatory time may be granted on an hour for hour basis to exempt employees by authority of the Department Head.
- e. Flex time may be required by authority of the Department Head of non-exempt employees within a workweek; therefore, the Department Head has the authority to adjust weekly schedules.
- f. Flex time may be granted by authority of the Department Head to exempt employees within a bi-weekly pay period.
- g. Should a non-exempt employee be moved to an exempt position, any accrued unused compensatory leave accumulated will be paid at the final hourly rate of pay received in the non-exempt position before being moved. These hours will be paid in the first paycheck of the first full pay period following the move to the exempt position.
- h. A non-exempt employee who changes from full-time status to part-time status or participates in a job sharing situation, and who has accrued unused compensatory leave, shall be paid in a lump sum for such unused compensatory leave.

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.

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.

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

Section 3. Any non-exempt employee required to work a holiday will be paid their normal hourly rate in addition to their holiday pay. Only actual hours worked on a holiday will count towards the 40 hour workweek for the purpose of overtime.

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	NETWORK PLAN	
	Single	Family
01/01/2010	15%*	15%*

*2009 rates at 15% will be ~~\$63.48/~~ **73.25/**month for single and ~~\$164.74/~~ **189.71/**month for family. One-half of these amounts will be deducted out of the employees' paychecks two times per month.

Employees and spouses, if applicable, who participate in and meet the requirements of the Healthy Merits Health Incentive Program will receive a 9% discount on the member contribution rate and pay 6% of the monthly premium.

Section 2. The City shall provide a fully paid dental and vision insurance plan at least equivalent to that which is currently in effect.

Section 3. 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 4. 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 workweek 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 5. Prescription Drugs.

The City shall provide prescription drug coverage. Details regarding your plan may be obtained through the Human Resources Department in addition to your Summary Plan Description.

Section 6. 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 7. 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 plan the city offers may elect a cash payment of 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. Employees will receive these cash payments during the month of December and must be in Active Paid Status at the time the checks are issued. These amounts will be pro-rated for any new hires from the date they are eligible to begin coverage until the end of the calendar year.

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 full-time 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>	<u>Bi-Weekly Accrual Rate</u>
Date of hire up to 6 years	120 hours per year	4.62 Hours
6 up to 11 years	128 hours per year	4.92 Hours
11 up to 15 years	136 hours per year	5.23 Hours
16 years or more	144 hours per year	5.54 Hours

~~For the calendar year 2009, employees will earn their sick leave bi-weekly at the appropriate bi-weekly accrual rate as listed for their years of service.~~

In computing years of service, the higher rate of accrual will begin on the first day of the first pay period following the bi-weekly pay period in which a year of service is completed.

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 employees, 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.
- f. Sick leave taken by non-exempt employees does not count towards hours in active paid status for the purpose of overtime.

Section 5. Cash Payment for Sick Leave Credit. An employee who is separated from service, for any reason whatsoever, who changes from full-time status to part-time status or who participates in a job sharing situation, shall be paid in a lump sum for all accumulated sick leave on the basis of the following schedule:

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. Duty Injury 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 official of the City of Gahanna. Any duty injury leave must receive the approval of the Department Head and the Director of Human Resources.
- b. Report of Duty-Injury. A report of the cause of all injuries signed by the employee, the immediate supervisor, the Division and Department Heads, shall be submitted to the Human Resources Department within two (2) work days of the date of the injury, on forms designed and furnished by

the City. The Director of Human Resources 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 Director of Human Resources 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 Leave. Employees who have verified duty related injuries that render the employee unable to perform the material and substantial duties of their position, shall be eligible for duty-injury leave at full pay for up to nine (9) months subject to re-evaluation at any time. An employee on duty-injury leave shall not accrue sick leave or vacation time.
- d. Workers' Compensation 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 may 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. The requirement for reimbursement by the employee of temporary total compensation will cease at the time the City ceases duty injury leave payments. In the event the City elects to have the employee apply for Temporary Total Disability (TTD) benefits, the employee will be required to reimburse the City for all TTD benefits received for any period of injury leave. Should the employee receive Duty Injury leave, and one of the following occurs: The employee is determined to be ineligible for temporary total benefits under Bureau of Workers' Compensation guidelines, the employee is determined by a physician to have reached Maximum Medical Improvement, or a physician determines the employee is able to return to work, the duty injury leave received under the Article will be terminated and any further wages will be allocated to sick leave should the employee continue to stay off work.

Section 7. Special Major Medical Leave. "Major Medical" shall be defined as any debilitating physical non-duty related disease or injury (Including but not limited to cancer and heart disease) that requires a lengthy confinement or convalescence sufficient to exhaust an employee's accrued sick leave and vacation. Major Medical may be used only after all accrued paid leave has been exhausted. The City will require verification from a physician to substantiate the need for this leave.

All unclassified employees, after five (5) years of full-time employment with the City, 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. Previous full time service that qualified for P.E.R.S. will be considered in the initial five (5) year requirement. This leave will be granted one time only in any five year period.

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 daily rate of pay 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.

ARTICLE XIII TUITION REIMBURSEMENT

Section 1. Tuition Reimbursement. Each employee who is subject to the provisions of this Agreement shall be eligible for a reimbursement of tuition in job-related courses of instruction voluntarily undertaken by him/her and approved by the appointing authority. Tuition reimbursement shall be subject to a maximum limit of \$5,000 for Bachelor Degrees and \$7,000 for Master Degrees, per employee, per calendar year. Employees enrolled in a reimbursable degree program as of November 1, 2007 will not be subject to the \$5,000 and \$7,000 limit up until completion of that degree for courses taken in connection with that degree. **This reimbursement amount is calculated based upon the dates checks are issued to the Employee from the City. The Employee must submit the grade and appropriate documentation displaying the cost of the course within 60 days of the course completion.**

- 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 Human Resources along with a detailed listing of costs that will be incurred and are expected by the employee to be reimbursed. All scheduled times of courses and reimbursement for costs incurred by the employee must be approved by their Department Head and the Director of Human Resources. Request for approval for tuition assistance must be accompanied by a signed Professional Reimbursement Agreement form (Exhibit A) which may be obtained in the Human Resources Department or on the Intranet. 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 Human Resources 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 Human Resources. Applications for approval of institutions must be made to the Director of Human Resources 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 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.
- f. Employee must obtain their purchase order prior to enrollment from the Human Resources Department. Reimbursement for courses will only occur after all items required are submitted to Human Resources. Human Resources will then process the purchase order for reimbursement. This same requirement applies when reimbursement is being made directly to the school.

ARTICLE XIV MISCELLANEOUS ECONOMIC

Section 1. Employee Wellness Incentive Program.

The City reserves the right to change the following program and/or amount of payment at any time:

Each employee covered by this agreement will be allocated a \$400 amount; Spouses enrolled in the City health insurance program may access the employee's \$400 allocation as well. Employees may receive the allocation as follows, but no reimbursement or payment will ever exceed the annual \$400 allotment:

#1--Items Eligible for Reimbursement:

- Healthy Eating
 - Reimbursed up to \$20 for one time program
 - Reimbursed 50% of cost for ongoing programs; 75% attendance rate required
- Health and Fitness Programs
 - Reimbursed up to \$20 for one time program
 - Reimbursed 50% of cost for ongoing programs; 75% attendance rate required
- Weight Watchers
 - 50% of cost reimbursed; 10 of 13 weeks attendance required
- Gym Memberships
 - \$25 per month reimbursed; 8 times per month attendance required
- **City of Gahanna Walking Program**
 - **\$25 per month incentive; 8 times per month attendance required**
- Smoking Cessation
 - 50% reimbursed
- Flu Shot
 - Reimbursed at full cost

NO REIMBURSEMENT WILL EXCEED THE COST OF THE ORIGINAL ITEM

#2--Items Eligible for Incentive Payments:

- Annual Physicals
- Annual Dental Exam
- Annual Eye Exam
- 6 Month Blood Screen Re-Check through Lab Corp
- PSA
- Annual Mammogram
- Annual Gynecological Exam

EACH ITEM IS ELIGIBLE FOR A \$25 INCENTIVE PAYMENT PER CALENDAR YEAR

With the exception of smoking cessation products, tangible items such as equipment or physical fitness apparatus, aerobic videos, and food items are not reimbursable.

The HR Director will make any decisions regarding reimbursement eligibility. Employees/Spouses may appeal the decision to the Employee Committee who will be the final decision.

This \$400 allotment is only reimbursable to an active employee with the City of Gahanna. The ending date of the service, program, exam, etc. that the employee is participating in or has received MUST fall on or before the last date of paid active work by the employee. All items for which the employee is expecting reimbursement or an incentive payment must be completed between January 1 and November 30, 2009~~10~~. The employee must submit for reimbursement/payment by December 7, 2009~~10~~ for payment to the employee by December 31, 2009~~10~~. Any item not completed by November 30, 2009~~10~~ and not submitted by December 7, 2009~~10~~ WILL NOT BE REIMBURSED OR PAID. All reimbursements and payments are subject to applicable Federal, State, and local taxes.

Professional Development Reimbursement Agreement

NAME : _____ JOB TITLE: _____

COURSE: _____

DATES: _____ COST: _____

In consideration of the City of Gahanna's payment of the above referenced course, I hereby agree as follows:

If, prior to completion of 12 consecutive months of service following my completion of the above referenced course, I should voluntarily resign from the City of Gahanna, or if my employment at the City is terminated for cause, to be determined solely by the City, I will repay the City the cost of the course in accordance with the following schedule:

One Month	I will repay 100%	Seven Months	I will repay 65%
Two Months	I will repay 95%	Eight Months	I will repay 55%
Three Months	I will repay 90%	Nine Months	I will repay 45%
Four Months	I will repay 85%	Ten Months	I will repay 35%
Five Months	I will repay 80%	Eleven Months	I will repay 25%
Six Months	I will repay 75%	Twelve Months	I will repay 15%

Any repayment required under this agreement will be due and payable in full to the City of Gahanna no later than 5:00 p.m. on my last day of employment. If required, and in accordance with any applicable state law, I authorize deductions to be withheld from my wages, salary, bonus, or other sums due me for any reason for amounts due the City of Gahanna in accordance with the above schedule.

Payment by the City of Gahanna for this course does not constitute a commitment by the City with respect to the duration of employment.

I have read the above agreement and agree to the terms included.

Employee_____
Date_____
Department Head_____
Date_____
Director of Human Resources_____
Date