

ORDINANCE NO. 19-013

AN ORDINANCE AMENDING PART ONE (ADMINISTRATIVE CODE), TITLE FIVE (OFFICERS AND DEPARTMENTS), CHAPTER 145 (EMPLOYMENT PROVISIONS), SECTION 145.12 (HOLIDAYS) AND SECTION 145.18 (SICK LEAVE, CASH PAYMENT) OF THE CODIFIED ORDINANCES OF THE CITY SANDUSKY, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the purpose of the amendment is to replace Columbus Day with General Election Day as a recognized holiday and to implement a tiered sick leave payout provision to be consistent with the City's collective bargaining units' agreements recently approved by this City Commission; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter as the sick leave changes apply to any new hires since January 1, 2019; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Finance, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.12 (Holidays), of the Codified Ordinances of the City is hereby amended as follows:

**NEW LANGUAGE APPEARS IN BOLD PRINT
LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT
LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT**

145.12 HOLIDAYS.

Holidays shall be observed as follows:

(a) All City officers and/or employees whose pay is fixed on a monthly basis and who are not presently covered by a collective bargaining agreement with AFSCME Local No. 1519, IAFF Local No. 327 or F.O.P. Lodge No. 17 shall be entitled to the following holidays:

- (1) New Year's Day, January 1;

- (2) Martin Luther King Day, the third Monday in January;
- (3) President's Day, the third Monday in February;
- (4) Good Friday (one-half day);
- (5) Memorial Day, the last Monday in May;
- (6) Independence Day, July 4;
- (7) Labor Day, the first Monday in September;
- (8) ~~Columbus Day, the second Monday in October;~~ **General Election Day, the first Tuesday after the first Monday in November**
- (9) Veterans Day, November 11;
- (10) Thanksgiving Day, the fourth Thursday in November;
- (11) The Friday after the fourth Thursday in November;
- (12) Christmas Eve, December 24;
- (13) Christmas Day, December 25;
- (14) New Year's Eve (one-half day); and
- (15) Floating holiday.

(b) Holidays, alternate dates: In the event any of the holidays in subsection (a) hereof shall fall on Saturday, the Friday immediately preceding shall be observed as the holiday. In the event any of the holidays shall fall on Sunday, the Monday succeeding shall be observed as the holiday.

(c) In the event an employee does not observe a designated holiday, the employee may schedule an alternative day off with approval of the employee's supervisor. In the alternative, the employee may receive compensation for the unused holiday time on the first pay period following the last holiday of the year (New Year's Eve). The hours to be compensated shall not exceed twenty-four hours per year.

~~(Ord. 08-146. Passed 12-22-08.)~~

Section 2. Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.18 (Sick Leave, Cash Payment), of the Codified Ordinances of the City is hereby amended as follows:

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145.18 SICK LEAVE, CASH PAYMENT.

(a) A City employee, at the time of retirement under the applicable retirement system from active service with the City, and with ten or more years of service with the City, or with the State, or any of its political subdivisions, is to be paid in cash in accordance with the following schedule:

- (1) Employees with less than 1000 hours of accrued but unused sick leave will receive 25% of the accumulated hours.

- (2) Employees with ~~more than~~ 1000 hours of accrued but unused sick leave but less than 2000 hours will receive 30% of the total accumulated hours.
- (3) Employees with ~~more than~~ 2000 hours but less than 3000 hours of accrued but unused sick leave will receive 35% of the total accumulated hours.
- (4) Employees with ~~more than~~ 3000 or more hours of accrued but unused sick leave will receive 45% of the total accumulated hours.

For Employees hired on or after January 1st, 2019, at the time of retirement from active service with the City, an employee with ten (10) or more years of service with the City or with the State or any of its political subdivisions, is to be paid in cash for the value of his/her accrued but unused sick leave in accordance with the following tiered schedule:

- (1) For an Employees first 1000 hours of accrued but unused sick leave the Employee will receive 25% of these accumulated hours.**
- (2) For an Employee's hours from 1001 to 2000 hours of accrued but unused sick leave the Employee will receive 30% of these hours.**
- (3) For an Employee's hours from 2001 to 3000 hours of accrued but unused sick leave the Employee will receive 35% of these hours.**
- (4) For an Employee's hours of 3001 or more hours of accrued but unused sick leave the Employee will receive 45% of these hours.**

Such payment shall be based on the employee's rate of pay at the time of retirement. In order to be eligible for the sick leave payout, the employee must be employed by the City at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee.

(b) When a City employee dies while in the active service of the City, the same cash bonus shall be paid to his or her estate.

~~(Ord. 08-146. Passed 12-22-08.)~~

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City

Commission of the City of Sandusky, Ohio.



DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST:



KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019