

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 23-24

TO ESTABLISH REGULATION OF COMPENSATORY TIME FOR NON-UNION EMPLOYEES AND TO ESTABLISH TERMS OF PAYMENT OF SICK TIME FOR NON-UNION EMPLOYEES; AND TO DECLARE AN EMERGENCY.

WHEREAS, the Safety-Service Director position has historically been provided compensatory time as part of the employee benefits offered by the Mayor to his staff; and

WHEREAS, state law addresses payment of accrued, but not used sick time, for municipal employees, which can be increased with approval of the legislative authority; and

WHEREAS, Ordinance 33.42 of the Cheviot Code of Ordinances addressed the maximum amount of compensatory time that can be accrued for the Police Chief and Fire Chief and the maximum payment of sick time upon retirement; however there is no legislation for the Safety-Service Director or other non-union municipal employees; and

WHEREAS, in consultation with the Mayor, this Council believes that it is in the City's best interest to clarify the terms for compensatory time for the Safety-Service Director position and clarify the terms for payment of accrued sick time for all non-union employees; and

WHEREAS, the Mayor and this Council approve a maximum of 120 hours of compensatory time that can be retained on the books at any time by future Safety-Service Directors hired after the passage of this Ordinance, such compensatory time shall only accrue after said employee works 40 hours in a calendar week, and there shall be no payment for accrued, but not used, compensatory time upon said employee's retirement; and

WHEREAS, this Council approves a maximum of 30 days of accumulated sick time to be paid upon retirement to future Safety-Service Directors hired after the passage of this Ordinance, unless otherwise required by state law or City ordinance; and

WHEREAS, this Council approves a limit of 480 accrued sick time hours to be paid upon retirement to all non-union employees hired after April 1, 2000, other than the Police Chief and Fire Chief, who are covered under Ordinance 33.42 of the Cheviot Code of Ordinances, and unless otherwise required by state law or City ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

Section 1. With approval of the Mayor, the compensatory time employee benefit for Safety-Service Directors hired after the passage of this Ordinance shall be as follows:

- (a) 120 hours of compensatory time that can be retained on the books at any time by
- (b) Compensatory time shall only accrue after the Safety-Service Director works 40 hours in a calendar week; and
- (c) There shall be no payment for accrued, but not used, compensatory time upon the Safety-Service Director's retirement.

Section 2. For any Safety-Service Director hired after the passage of this Ordinance, a maximum of 30 days of accumulated sick time shall be paid upon retirement, unless otherwise required by state law or City ordinance; and

Section 3. For all non-union employees hired after April 1, 2000, other than the Police Chief and Fire Chief, who are covered under Ordinance 33.42 of the Cheviot Code of Ordinances, there shall be a limit of 480 accrued sick time hours to be paid upon retirement, unless otherwise required by state law or City ordinance.

Section 4. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to set forth the benefits of future employees as the City is in the process of hiring a new Safety-Service Director, who needs to start as soon as possible to ensure sufficient training by the current Safety-Service Director.

Kerry Smyth
President of Council

Date passed

Samuel D. Keller
Mayor

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann
Clerk of Council

Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Cincinnati Court Index*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) _____, 2023, and
- 2) _____, 2023.

Jenny M. Eilermann
Clerk of Council