

ORDINANCE NO. 2021 - 18

**AN ORDINANCE AMENDING SECTION 131.08 OF THE CODE OF ORDINANCES
ENTITLED *OVERTIME/COMPENSATORY TIME***

WHEREAS, managing Overtime and Compensatory Time can be very difficult with a small staff and can cause pressure on the budget; and

WHEREAS, to conform the policies and practices of the Village to the Code of Ordinances, specifically Section 131.08 of the Code, it is important to update the rules concerning Overtime and Compensatory Time to meet the Village current needs and to protect Village resources in the future.

NOW THEREFORE, Be It Ordained by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

SECTION I. Section 131.07 of the Code of Ordinances shall be amended to add the following holiday: Juneteenth. Additionally, Section 131.07(a) shall be amended to read:

The following are paid Holidays observed by the Village for which full-time Village employees shall be paid eight (8) hours of their regular rate of pay.

SECTION II. Section 131.07(b) shall be amended to read as follows:

Additional Holidays may be granted from time to time as designated by the President of the United States or the Governor of the State of Ohio.

SECTION III. The following amendments shall be made to Section 131.08, which shall now be titled *Overtime Compensation*.

(A) Subsection (a)(5) shall be amended to eliminate Part-time employees as exempt employees, recognizing that compensation for overtime hours worked, with limited exceptions, is based upon hours worked and not necessarily the employee's work status. Eliminating subsection (a)(5), however, shall not change the exempt status of other positions of employment within the Village.

(B) Subsection 131.08(b) shall be amended to read as follows:

All Village employees, except Police Department personnel, are eligible for overtime benefits when the time worked by such employee is in excess of Forty (40) hours per week ("Base Work Hours"- non-uniform employees). Overtime Compensation for the Police Department personnel, including part-time personnel, shall be paid for all hours worked in excess of Eighty-Four (84) hours per Fourteen (14) day work

period coinciding with the same work period as the pay period for all Village employees ("Base Work Hours"-uniform employees). Employees shall be paid time and one-half for the actual hours worked in excess of their Base Work Hours as noted above.

(C) Subsection 131.08(d)(5) shall be amended to read as follows:

Overtime hours shall be paid based upon actual hours worked. Any paid time off such as Holiday time, personal time, vacation time and sick time credited during the measurable period shall not be credited as actual hours worked in determining hours eligible for overtime compensation in excess of the Base Work Hours.

(D) The Police Chief, with prior approval of the Village Administrator, may from time to time authorize premium compensation only when such premium compensation is paid by a third party to the Village for use of Police Department employees even if the hours worked during such assignment did not exceed the Eighty-Four (84) hours during the measurable pay period. Such premium compensation shall be considered as Assignment Compensation whether or not such assigned hours are in excess of the employee's Base Work Hours.

(E) From time to time, special detail pay rates will be set by the Police Chief, with the approval of the Fiscal Officer and Village Administrator. These rates shall be determined through documented agreements with other agencies or contracted services that are reimbursed to the Village for services performed by Police personnel. Considerations for these rates must include any pensionable or other expense which may be incurred by the Village as a result of this additional non-Village pay.

SECTION IV. Section 131.08(E) shall be deleted in its entirety. Employees who work time in excess of their Base Work Hours as noted herein shall be paid Overtime Compensation and shall not be entitled to bank such time worked as Compensatory Time. This change shall occur effective January 1, 2022. At such time, the current Compensatory Time leave bank for each employee shall be frozen and the employee shall be paid their accumulated Compensatory Time leave bank in equal installments March 31, June 30 and September 30 during calendar year 2022.

SECTION V. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED this 22ND day of November, 2021.



Mayor Stefan C. Densmore

ATTEST:

Paula Burgin
Paula Burgin, Assistant Clerk

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Solicitor