

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

ORDINANCE NO. 2016-52 - AMENDED

Council

CHRISTOPHER L. BIRO

DAVID M. FIEBIG

JENNIFER SOMMERS GREER

CHRISTOPHER HALLUM

JANET R. MAJKA

AN ORDINANCE PROVIDING FOR THE WAGES AND BENEFITS OF THE PART-TIME HOURLY MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 2013-50 adopted by the Council of the City of Willoughby Hills on December 2, 2013 provided for the terms of employment with respect to wages, hours and other terms and conditions of employment for all full-time employees employed in the Police Department occupying the position of Police Officer, excluding all part-time, seasonal, and temporary and probationary employees; and

WHEREAS, Ordinance No. 2013-51 adopted by the Council of the City of Willoughby Hills on December 2, 2013 provided for the terms of employment with respect to wages, hours and other terms and conditions of employment for all full-time employees employed in the Police Department occupying the position of Police Sergeant, excluding all part-time, seasonal, and temporary and probationary employees; and

WHEREAS, Ordinance No. 2013-52 adopted by the Council of the City of Willoughby Hills on December 2, 2013 provided for the terms of employment with respect to wages, hours and other terms and conditions of employment for all full-time employees employed in the Police Department occupying the position of Police Dispatcher, excluding all part-time, seasonal, and temporary and probationary employees; and

WHEREAS, the Council of the City of Willoughby Hills deems it to be in the best interest of the City to continue harmonious and cooperative relations with the part-time and probationary members of the Police Department by providing for fair and just wages to insure the orderly and uninterrupted efficient operations of government while promoting individual efficiency and service to the citizens of Willoughby Hills; and

WHEREAS, in accordance with Section 2.27 of the Charter of the City of Willoughby Hills the Mayor shall have the duty and responsibility to recommend to Council the amount of pay for various positions; the annual salary presented within this ordinance was recommended by the Mayor on June 9, 2016 and yet again on October 21, 2016; and

WHEREAS, Section 3.32 of the Charter of the City of Willoughby Hills states that "Council shall by ordinance fix the salary or compensation of every officer and employee of the Municipality"; and

WHEREAS, in view of the fact that on April 10, 2016 the Mayor independently took a unilateral action to grant 3% raises to the majority of non-union employees in City Hall, the fixed compensation provided within this ordinance for the Part-Time Members of the Police Department represents a three percent increase.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. COMPENSATION.

In accordance with Section 3.32 of the City Charter, Council has fixed the compensation for the **Part-Time Hourly Members of the Police Department** as follows:

Section 1.1 Classification of and Compensation for the Part-Time Hourly Members of the Police Department.

Class 1 Patrol Officer	\$ 24.45	Class 1 Dispatcher	\$ 20.01
Class 2 Patrol Officer	\$ 22.45	Class 2 Dispatcher	\$ 18.53
Class 3 Patrol Officer	\$ 20.80	Class 3 Dispatcher	\$ 17.16
Class 4 Patrol Officer (Off Probation)	\$ 19.15	Class 4 Dispatcher	\$ 15.89
Probationary	\$ 16.64	Probationary	\$ 14.71

Section 1.2 Probationary Period. The probationary period for part-time hourly members of the Police Department will be in effect from the date of hire and will continue for a period of twelve (12) months after being released from their field training program.

Section 1.3 Overtime. In accordance with Section 7(k) of the Fair Labor Standards Act (FLSA), Part-time hourly members of the Police Department must receive overtime after 86 hours worked during a 14-day work period.

Section 1.4 Holiday Compensation. Part-time hourly members of the Police Department shall be paid one and one-half times their regular hourly rate for all hours worked for any holiday for which Full-Time Police receive one and one-half times pay including the following holidays:

New Year's Day	Independence Day
Presidents Day	Labor Day
Good Friday	Veterans Day Day
Easter	Thanksgiving Day
Memorial Day	Christmas Day

SECTION 2. EMPLOYMENT PROVISIONS.

Section 2.1 Uniform Allowance. Part-time hourly members of the Police Department shall receive a uniform allowance. Six (6) full months of scheduled duty must be completed before a part-time member is eligible to receive a clothing allowance in the amount of five hundred seventy-five dollars (\$575.00). Part-time hourly members of the Police Department, after one year of service, who have worked at least 1560 hours in a calendar year, shall receive an annual clothing allowance of one thousand one hundred fifty dollars (\$1,150.00). This clothing allowance shall be paid in two (2) equal installments beginning with the first pay in May, and the first pay in September. *(Any initial startup purchase will be deducted from first payment received after six (6) months of employment)*

Section 2.1 Leave. Part-time hourly members of the Police Department are not entitled to vacation, sick or holiday leave.

Section 2.2 Personal Leave. After one year of service, part-time members of the Police Department who have worked at least one thousand five hundred sixty (1,560) hours in the previous calendar year will be entitled to thirty-two (32) hours of paid personal leave commencing on January 1st of the current year. All personal leave shall be taken during the calendar year of entitlement. Unused personal leave shall not accrue from year to year and may not be paid out in cash. Such compensation is to be paid at the part-time member's normal hourly rate of pay. The use of personal leave shall be scheduled in advance and subject to the approval of the Chief of Police based upon the staffing needs of the Police Department.

Section 2.3 Court Appearance. When a part-time hourly member of the Police Department is required to appear in court pertaining to departmental matters, the member is to be paid for a minimum of four (4) hours at the established hourly rate for said part-time member. For other call-ins, members shall receive a minimum of three (3) hours' pay.

Section 2.4 Healthcare Insurance. Part-time members of the Police Department are entitled to healthcare insurance in accordance with the requirements of the Federal Affordable Care Act.

Section 2.5 Pension. Part-time hourly members are automatically enrolled in the Public Employees' Retirement System (PERS) as required by Section 145.03(A) of the Ohio Revised Code.

Section 2.6 Deferred Compensation Program. Part-time hourly members have the option to enroll in the City's Deferred Compensation Program.

Section 2.4 Direct Deposit. All compensation shall be by direct deposit. However, should an employee be disadvantaged by direct deposit as determined in the sole discretion of the Mayor, the Mayor shall provide an exemption from direct deposit.

SECTION 3. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of the Police Department and further provides for an increase in compensation for the part-time hourly members of the Police Department, who are active employees at the time of passage of this ordinance with said pay increases to be effective retroactive to April 10, 2016; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED November 10, 2016

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval on this 10 day of November, 2016

Approved by the Mayor
Robert M. Weger, 2016
November 10,

ATTEST:
Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor