

City of Willoughby Hills

ORDINANCE NO. 2016-53 – AMENDED

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

WHEREAS, Ordinance No. 2014-58 adopted by the Council of the City of Willoughby Hills on September 11, 2014 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 Fire Department in the classification of Fire Fighter, Lieutenant and Captain excluding the Fire Chief, secretary, the civilian employees, part-time, seasonal, and temporary employees with respect to wages, benefits, hours, and other terms and conditions of employment; 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 Fire 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 Fire 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 Fire Department** as follows:

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

Part-Time Position	Hourly Rate	Annual Uniform Allowance		
		Total	Paid to Employee (A)	City Purchase (B)
Assistant Fire Chief	\$18.47	\$500	\$0	\$500
Firefighter Class A	\$17.69	\$1,100	\$550	\$550
Firefighter Class B	\$17.69	\$1,100	\$550	\$550
Firefighter Class C	\$17.15	\$650	\$250	\$400
Firefighter Class D	\$15.78	\$650	\$250	\$400
Firefighter Class E	\$13.88	\$0	\$250	\$0

Section 1.2 Holiday Compensation. Part-time members of the Fire Department who are scheduled for and actually work the holidays as listed below shall be compensated at the rate of one and one half-times their base rate of pay for all hours actually worked between 8:00 a.m. of the holiday and 8:00 a.m. the following day.

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

Section 1.3 Call-In Duty. For Call-In Duty, part-time members of the Fire Department shall be compensated as follows:

1. Minimum payment – Two (2) hours paid at the firefighter’s hourly rate of pay listed in Section 1.1.
2. After two hours worked – After the completion of the second hour, the firefighter shall be paid at the rate of one and one half times the firefighter’s regular rate of pay, rounded up to the next half hour.
3. If called in within two hours of the firefighter’s scheduled duty, the firefighter shall receive call in pay only for that period of time commencing with the firefighter’s arrival and ending with the beginning of the firefighter’s scheduled duty. The firefighter shall not be eligible for any minimum call-in pay.

Section 1.4 Acting Shift Officer. Part-time members of the Fire Department who are designated by the Fire Chief or the Chief’s designee to temporarily assume the duties of the Shift Officer and who perform these duties shall be entitled to an additional one dollar and seventy-five cents (\$1.75) per hour.

SECTION 2. EMPLOYMENT PROVISIONS.

Section 2.1 Uniform Maintenance Allowance. Upon recommendation of the Fire Chief and at the Chief’s discretion the part-time members of the Fire Department shall receive an annual uniform maintenance allowance in accordance with Fire Department Directives and the following procedures:

A. Uniform Allowance Payments Paid Directly to Firefighters:

1. Uniform Allowance payments shall be included in the first payroll in May.
2. In lieu of taking direct payment, firefighters may elect to have up to 100% of the uniform maintenance allowance paid directly by the City. The remaining balance, if any, shall be paid directly to the employee.

B. Uniform Allowance Payments Paid by City on Behalf of Firefighters:

1. Paid by the City directly to a vendor(s) approved by the Fire Chief in accordance with City purchasing procedures.
2. Uniform maintenance purchase orders shall be used or closed by November 15th of the calendar year it was opened.
3. Unused portions of purchase orders issued for firefighter uniform maintenance purchase shall not be refunded to the employee.

Section 2.2 Leave. Part-time hourly members of the Fire Department are not entitled to vacation, sick or holiday leave.

Section 2.3 Personal Time Off. Firefighter Class A shall be entitled to paid Personal Time Off (PTO) totaling 120 hours per year beginning January 1 each year. All Personal Time Off must be used during the calendar year and shall not accrue from year to year. Personal Time Off shall be paid at the firefighter’s hourly rate of pay listed in Section 1.1. Personal Time Off shall be scheduled in accordance with departmental policy and subject to approval by the Fire Chief based upon the staffing needs of the department.

Section 2.4 Educational Pay. Supplemental Educational Pay shall be allowed at the discretion of the Fire Chief based upon the number of hours worked in the previous calendar year and the relationship of the education to the advancement of the fire service. The hourly rate of qualifying firefighters listed in Section 1.1 shall be increased in accordance with the following annual amounts:

Training Certificate	\$150.00	Bachelor Degree	\$375.00
Associate Degree	\$250.00	Master Degree	\$500.00

Section 2.5 Healthcare Insurance. Part-time members of the Fire Department are entitled to healthcare insurance in accordance with the requirements of the Federal Affordable Care Act.

Section 2.6 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 if they have previously established membership in PERS. Part-time hourly members who are not members of PERS upon hiring shall be subject to the Federal Insurance Contributions Act (FICA).

Section 2.7 Deferred Compensation Program. Part-time hourly members have the option to enroll in the City’s Deferred Compensation Program.

Section 2.8 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. In accordance with the Affordable Care Act, Part-time hourly members who work a weekly average of 30 hours or more are entitled to health insurance.

SECTION 4. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

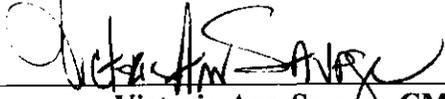
SECTION 5. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

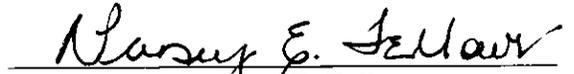
SECTION 6. This ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of the Fire Department, and further provides for an increase in compensation for the part-time hourly members of the Fire Department who are active employees at the time of passage of this ordinance with said 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

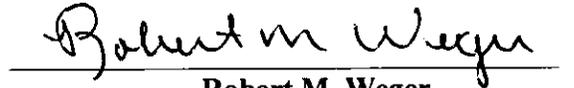
Submitted to the Mayor for his approval
on this 10 day of NOVEMBER, 2016

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Nancy E. Fellows
President of Council

Approved by the Mayor
November 10, 2016


Robert M. Weger
Mayor