

City of Willoughby Hills

ORDINANCE NO 2009-43

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

WHEREAS, Ordinance No. 2006-82, adopted by the Council of the City Willoughby Hills on December 28, 2006, 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 members of the Fire Department by providing for fair and just wages in order to insure the orderly and uninterrupted efficient operations of government while promoting individual efficiency and service to the citizens of Willoughby Hills.

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

SECTION 1. (a) Upon recommendation of the Fire Chief and at his discretion, the Safety Director, and approval of the Mayor, part time members of the Fire Department shall receive compensation retroactive to the first pay in 2009 pursuant to the following schedule:

<u>CLASSIFICATION</u>	<u>EFFECTIVE</u> <u>FIRST PAY OF 2009</u>
Assistant Chief	\$ 15.98
1st Class Fireman A	14.77
1st Class Fireman	14.49
2nd Class Fireman	13.76
3rd Class Fireman	12.74
4th Class Fireman	9.91

Compensation for Station Duty Time and Drill Time shall be paid at the same rate as set forth above and shall be paid bi-weekly. All compensation shall be based upon approved payroll vouchers. For Call-in Duty, the part time members of the Fire Department shall receive a minimum of two (2) hours pay; call-in pay in excess of two (2) hours shall be based on time worked, and paid effective with the first pay in 2009, at one and one-half times their regular rate of pay. Part time Fire Fighters who are designated by the Fire Chief or his designee to temporarily assume the duties of a Fire Lieutenant (Shift Officer) and who perform these duties shall be entitled to an additional one dollar seventy-five cents per hour (\$1.75).

Notwithstanding anything herein to the contrary, if a part time member of the Fire Department is called in within two (2) hours of scheduled duty, he shall receive call-in pay only for that period of time commencing with the call-in and terminating with the beginning of the scheduled duty and shall not be eligible for any minimum call-in pay.

Each part-time Class "A" employee of the Fire Department with at least 12 months of service as a Class "A", consistent with current practice, shall be entitled to paid personal time totaling ninety-six hours on January 1st of each year. The personal time shall be paid at their normal hourly rate for such employee. All personal time shall be taken during the calendar year of entitlement and shall not accrue from year to year.

(b) In addition to the pay provided above, personnel with EMT-P Certification shall receive an additional one dollar (\$1.00) per hour and personnel with EMT-Advanced Certification shall receive an additional fifty cents (\$0.50) per hour.

(c) Part-time Fire Fighters pursuant to Fire Department Regulations, who have been assigned to a regular shift that consists of an average work week of 52 hours, shall be entitled to a shift incentive of fifty cents (\$.50) per hour, effective with the first pay in the year 2009.

(d) Part time Fire Fighters will be paid one and one-half times their regular hourly rate for all hours worked on Christmas Day (December 25th), Thanksgiving Day (4th Thursday of November), New Years Day (January 1st), Labor Day, the Fourth of July, and for any other holiday for which full time Fire Fighters receive one and one-half times pay.

SECTION 2. Upon recommendation of the Fire Chief and at his discretion, the Safety Director, and approval of the Mayor, part time members of the Fire Department shall receive an annual clothing allowance in accordance with the following schedule:

1. **Fire Fighter Class "A"** Up to five hundred dollars (\$500) in the form of a voucher and in accordance with City and Fire Department requisition and purchase policies. An additional clothing maintenance allowance check in the sum of four-hundred fifty dollars (\$450) shall be issued the first pay of September, not to exceed a total of nine-hundred fifty dollars (\$950) during the year of entitlement.
2. **Fire Fighter Class "B"** Up to two hundred and fifty dollars (\$250) in the form of a voucher and in accordance with City and Fire Department requisition and purchase policies. An additional clothing maintenance allowance check in the sum of four-hundred dollars (\$400) shall be issued the first pay of September, not to exceed a total of six-hundred and fifty dollars during the year of entitlement.
3. **Fire Fighter Class "C"** Up to five hundred dollars (\$500) payable in two equal installments, beginning in the first pay in May and the first pay in September, not to exceed five-hundred dollars (\$500) during the year of entitlement.
4. **Fire Fighter Class "D"** Up to five hundred dollars (\$500) in the form of a voucher, and in accordance with City and Fire Department requisition and purchase policies, not to exceed five-hundred dollars (\$500) during the year of entitlement.

SECTION 3. All compensation shall be by direct deposit. However, should an employee be disadvantaged by direct deposit as determined in the sole discretion of the Safety Director, the Safety Director shall provide an exemption from direct deposit.

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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, safety and welfare of the inhabitants of the City of Willoughby Hills, in so far as it provides for the usual daily operation of the Fire Department, and further provides for immediate compensation for the part time members of the Fire Department for the calendar year of 2009; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: June 23, 2009

Submitted to the Mayor for his approval
on this 23 day of June, 2009

ATTEST:

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

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor

April 23, 2009

Robert M. Weger
Robert M. Weger
Mayor

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I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2009-43** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **April 23, 2009**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the Lake County News-Herald on **April 29, 2009**. Effective date of Legislation: **April 23, 2009**.

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