

**ORDINANCE NO. 23 - 24**

**By: Jessica Saad**

**An ordinance to amend Section 262.02(c)(9)(B), Non-Exempt Employees; Section 262.02(c)(9)(B)(3), Compensatory Time; Section 262.02(c)(11), Regular Work Period and Hours of Work; and Section 262.02(c)(12)(B)(1), Sick Leave Accrual**

**WHEREAS:** The City regularly reviews its human resources policies and practices to ensure equity across departments, collective bargaining agreements, as well as external practices; and

**WHEREAS:** Certain changes are necessary to reflect best practices for employment matters within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY:**

**Section 1.**

That section 262.02(c)(9)(B) be amended as follows:

B. Non-exempt employees. Non-exempt employees who work in excess of forty hours per work week period as set forth in subsection (c)(11) hereof shall be compensated at the rate of one and one-half times the employee's straight time hourly rate of pay. The Superintendent of Maintenance, the Service Superintendent, the Grounds Maintenance Supervisor, Assistant Service Supervisor and all hourly employees, when called into work for **emergency** reasons, will be paid time and one-half for a minimum of ~~two~~ **three** hours regardless of the hours actually worked. No employee shall be paid for overtime work which has not been authorized by his or her supervisor. For purposes of calculating overtime, hours worked shall include any approved leave, including holidays, vacation, personal days, and injury, military and sick leave.

**Commented [BO1]:** All our contracts - call-in pay is 3 hr minimum. Inconsistency makes payroll difficult to administer. Also - have to defer to contract for acting pay for these positions on the reg.

**Section 2.**

That section 262.02(c)(9)(B)(3) be amended as follows:

3. Compensatory time. An employee may accumulate and maintain up to ~~twenty four (24) hours~~ **forty (40) hours** of compensatory time. The employee must notify the City each pay period to indicate that they want this earned overtime to be accumulated as

**Commented [BO2]:** AFSCME contract specs 40 hours; FOP is 80.

compensatory time. Compensatory time off requests must be made in advance and are subject to supervisory approval. Compensatory time may be carried over up until January 31st of the succeeding year adjusted to the rate of pay in effect in the preceding year.

### Section 3.

That section 262.02(c)(11) be amended as follows:

(11) Regular work period and hours of work. The regular work period ~~for salaried employees~~ shall consist of five consecutive workdays and two consecutive days off; provided that the Director of Recreation may, with the approval of the Mayor, establish a different schedule of workdays, work hours and days off for Recreation Supervisors and Recreation Activities Leaders. The regular hours of work for ~~salaried~~ **full-time** employees **hired on or after January 1, 2014** shall be eight hours per day, ~~except that the regular workday for office personnel shall be seven and one half hours. The regular work period for hourly employees shall be from 12:01 a.m. Thursday to 12:00 Midnight Wednesday and shall include five workdays and two consecutive days off. The regular hours of work for hourly employees shall be eight hours per day. For payroll and overtime eligibility, the work week shall be defined as 12:01 a.m. Monday to 12:00 p.m. Sunday.~~ The Mayor may, when he determines such change to be necessary, amend the regular work period and work hours for any employee.

Commented [BO3]: This is legacy code. Employees hired since 2014 have been hired based upon a 40 hour work week. We'd like to simplify this and make it uniform.

Commented [MF4R3]: Are you planning to keep the different work hours for employees hired prior to January 1, 2014?

### Section 4.

That section 262.02(c)(12)(B)(1) be amended as follows:

1. Effective September 1, 2019, for each completed 80 hour bi-weekly pay period in active pay status (including, but not limited to, vacation, sick and personal leave), an employee shall earn ~~4.6~~ **4.616** hours of sick leave. Employees who work less than 80 hours in a bi-weekly pay period shall earn a pro-rated share of sick leave. The amount of sick leave time which may be accrued is 2,100 hours. ~~Sick leave shall accrue and be recorded at the employee's base rate of pay in effect during the pay period when the sick leave is earned. Each time an employee is approved to use or convert sick leave, the sick leave available which accrued at the lowest base rate of pay shall be credited first. Sick leave shall be paid at the employee's rate of pay in which in effect at the time the leave is used.~~

Commented [BO5]: Consistency with contracts and ease of calculation

**Section 5.**

That this ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Monique Lampke, President of Council

Attest: \_\_\_\_\_  
Matt McPeck, Clerk of Council

Approved: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor Ben Kessler

First Reading: August 13, 2024

Second Reading:

Third Reading: