

**ORDINANCE NO. 2017-68
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 159 OF THE
CODIFIED ORDINANCES OF THE CITY TITLED
“EMPLOYEES GENERALLY” BY AMENDING SECTION
159.10 CAPTIONED VACATION AND HOLIDAYS AND
DECLARING AN EMERGENCY**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO THAT:**

SECTION 1. That the Codified Ordinances of the City of Lyndhurst are hereby supplemented by amending Section 159.10 to read as follows: (new material appears like THIS: deleted materials to appear like ~~this~~) :

159.10 VACATION AND HOLIDAYS

Each full-time salaried and hourly rate employee in the several offices and departments of the City shall be entitled to vacation with full pay as follows:

After one year and through five years of continuous service	2 weeks each year
After five years and through ten years of continuous service	3 weeks each year
After ten years and through fifteen years of continuous service	4 weeks each year
After fifteen years of continuous service	5 weeks each year

In addition, for each year of continuous service after twenty (20) years, an employee will receive an additional day of vacation up to five (5) additional days as shown in the following schedule:

Twenty-one years	1 day
Twenty-two years	2 days
Twenty-three years	3 days
Twenty-four years	4 days
Twenty-five years	5 days

FULL-TIME ~~E~~employment by another political subdivision of the State shall be included when determining years of continuous service, provided that there is not more than one month between termination from such former public employment and appointment in the City.

If an employee is appointed after April 1 and prior to October 1 of the calendar year, he or she is entitled to two weeks the following year. If an employee is appointed between October 1 and December 31, he or she is entitled to one week vacation the following year after six months of employment. If an employee is appointed between January 1 and April 1, he or she is entitled to one week vacation in that year after six months of employment.

Vacation time shall accrue to the employee each calendar year following the determination of the first vacation period as set forth above. A vacation shall be taken by the employee during the year in which it has accrued. If an employee has been unable to use his or her full vacation allotment during a calendar year, the employee will be paid any unused vacation pay up to, and not in excess of, forty (40) vacation hours' vacation pay.

All vacations shall be taken at such time as is approved by the department head or the Mayor. During vacations, employees shall receive their current salary or the proportionate amount thereof if the Mayor or department head schedules such vacations into shorter periods for the convenience of the conduct of City business.

Hourly paid part-time employees shall accrue vacation time in the same manner as full-time employees, except that the per day hours of vacation pay shall be those part-time hours normally worked by such part-time employees. Seasonal employees shall not be entitled to vacation pay. Part-time employees must work a portion of each month, and a minimum thirty hours per week, to be entitled to pro-rated vacation pay.

If an employee retires or leaves employment prior to October 1, there shall be no additional paid vacation time beyond his or her entitlement for that year. If an employee retires or leaves employment between October 1 and April 1, he or she shall be entitled to one-half of his or her annual entitlement for the coming year, and if he or she retires or leaves employment after April 1, he or she shall be entitled to his or her full paid vacation time as determined by the above procedure.

In addition to vacation, each full-time or part-time municipal employee hired after August 1, 2012 who works thirty or more hours per week, whether on an hourly basis or salary basis shall be entitled to the following holidays with pay.

New Year's Day	Thanksgiving Day
Memorial Day	Day After Thanksgiving Day
Labor Day	Christmas Day
Independence Day	Five floating holidays

Floating holidays shall be taken within the calendar year and shall be at a time requested by the employee with the approval of the department head. Seasonal employees shall not be entitled to holiday pay. Persons who are hired or leave employment during the calendar year shall be entitled to one floating holiday for each three months worked or portion thereof. A portion may not be less than one month.

Notwithstanding the foregoing, all noncollective bargaining unit employees within a department shall be entitled to receive the same vacation and holiday allowances as the collective bargaining unit employees within that department.

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Lyndhurst for the reason that it is necessary to enact said amendment immediately in order to comport with the City's Employee Handbook. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approved by the Mayor or otherwise at the earliest time allowed by law.

PASSED: October 16, 2017

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on October 26, 2017 and November 2, 2017.

Clerk of Council

First Reading: October 16, 2017

Second Reading: Suspended

Third Reading: Suspended