

RECORD OF ORDINANCES

Resolution No. 2023-11

Passed JANUARY 18, 2023

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING RESOLUTION NO. 2022-93, INCLUDING EXHIBIT A THERETO, ENTITLED “WAGE AND BENEFIT PACKAGE FOR FULL-TIME EMPLOYEES OTHER THAN POLICE OFFICERS,” TO REVISE THE VACATION BENEFITS PROVIDED TO SUCH EMPLOYEES, AND DECLARING AN EMERGENCY.

WHEREAS, it is the recommendation of the Mayor and the Finance Committee that this Council amend Resolution No. 2022-93, and Exhibit A attached thereto, entitled “Wage and Benefits Package for Full-Time Employees Other Than Police Officers,” to revise the vacation benefits provided to full-time employees of the Village other than police officers; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to amend Resolution No. 2022-93 and the Exhibit A attached thereto in order to revise the vacation benefits provided to full-time employees of the Village other than police officers.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: Resolution 2022-93 and Exhibit A attached thereto are hereby amended as set forth in the attached Exhibit A, entitled “Wage and Benefit Package for Full-Time Employees Other Than Police Officers,” which is incorporated herein.

SECTION 2: The effective date of Resolution 2022-93 of January 1, 2023 shall remain in full force and effect, and the revisions made by the aforementioned amendment shall take effect and be in force retroactively to January 1, 2023.

SECTION 3: All other ordinances, resolutions, or parts of other ordinances and resolutions which may be in conflict with the provisions of this ordinance are hereby declared null and void and are of no further force and effect.

SECTION 4: The Village of Mogadore finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Resolution is hereby declared to be an emergency measure necessary to immediately revise the benefits for the full-time employees other than police officers of the Village for purposes of equity and for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and shall take effect and be in force upon its approval by the Mayor or at the earliest period allowed by law.

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Michael Raddish 1-18-23  
President of Council Date

Michael A. Puri 1-18-23  
Mayor Date

Attest:

Sat K V  
Clerk-Treasurer

**WAGE AND BENEFIT PACKAGE FOR  
FULL TIME EMPLOYEES OTHER THAN POLICE OFFICERS  
FOR THE YEAR 2023**

SECTION 1: WAGES. Effective beginning January 1, 2023, employees shall be compensated according to the following scale:

Street Department Full Time Employees: 2023 - \$24.28 per hour

Street Department Supervisor: 2023 - \$31.59 per hour

SECTION 2: NEW FULL TIME EMPLOYEES.

New full-time employees shall be hired at one dollar (\$1.00) less per hour during a six-month probationary period.

SECTION 3: CLOTHING ALLOWANCE.

In addition to the uniforms provided by the Village of Mogadore to full-time street employees including the street supervisor, said employees shall receive an allowance of \$400.00 for 2023 per man for the purchase of foul weather clothing. Upon proof of purchase of said clothing by way receipts presented to the Clerk, said full-time employee shall be reimbursed for said expense. Purchase of jackets or any other type of wearing apparel shall be of uniform color.

SECTION 4: INSURANCE.

1) The Employer will provide insurance on behalf of each full-time employee and eligible dependents for hospitalization, medical, optical, and dental insurance. For 2023, monthly premium payroll deductions and required co-pays for all employees shall be in accordance with the schedule provided by Employee Benefits International.

The term "Full-Time Employees" shall include all elected officials of the Village, who are regularly employed and compensated on a full-time basis

2) Insurance coverage shall be also provided for the surviving spouse and/or eligible children of a deceased employee for a period of three (3) months after death.

3) The Employer will provide and pay the full premium for all full-time employees for a life insurance policy in the face of forty thousand dollars (\$40,000.00).

4) The Employer expressly reserves the right to change insurance coverage or carriers, so long as the new coverage meets the requirements contained within Section 1, Section 2, Section 3, and Section 4, contained herein.

SECTION 5: LONGEVITY.

On the first day of the month following a full-time employee's completion of four, nine, fourteen, nineteen, and twenty-four years of service with the Village of Mogadore said full-time employees other than police officers shall be entitled to, in addition to current base salary an amount equal to two, three, four, five, and six percent respectively of the current base salary.

SECTION 6: ACTING SUPERVISOR.

In the absence of the Street Supervisor for vacation, personal or sick time, the person who has been designated to be Acting Supervisor will be compensated at a rate of Four Dollars (\$4.00) per hour over and above his normal rate of compensation. Said compensation applies to any hours worked as an acting supervisor and shall be the responsibility of the Street Supervisor to identify said person and hours per time cards when warranted. Said rate of compensation for the acting supervisor will be in effect September 8, 2006.

SECTION 7: SHIFT DIFFERENTIAL.

Street Department workers and the Street Supervisor will be compensated with a SHIFT DIFFERENTIAL of fifty cents (\$0.50) per hour paid for hours regularly scheduled between the hours of. 3:30 p.m. and 7:30 a.m. The shift differential will only be paid for regular hours worked. Shift differential will not be paid if the employee works between 3:30 p.m. and 7:30 a.m. and these are overtime hours. The employee will receive overtime pay only for these hours.

SECTION 8: WORK WEEK.

Work week shall be defined as five (5) eight (8) hour days, totaling forty (40) hours, from 12:00 a.m. Monday through Friday.

All employees, for work performed in excess of eight (8) hours per day or eighty (80) hours in the standard work period, shall be compensated at the rate of one and one-half times the employee's regular rate for all overtime. All hours that are paid shall be included in the computation of overtime.

Paychecks shall be issued Bi-weekly.

SECTION 9: SICK LEAVE.

All full-time employees of the Village of Mogadore, other than elected officials and police officers shall be entitled to accumulate one and one-quarter (1-1/4) days of sick leave for each month worked. Unused sick leave may be cumulative up to one hundred fifty (150) days. Upon a bona fide retirement with the Public Employee Retirement System of Ohio, or upon disability while an employee of the Village, cash payment of a maximum of seventy-five (75) days shall be compensated to such employee at the option of the Village either as a lump sum or as an early retirement, to be paid in cash along with the general Village payroll.

In order to be entitled to sick leave of over three (3) consecutive days, employees must submit a

doctor's certificate attesting to the sickness involved, which must be submitted to the Mayor. The Mayor shall have full authority to investigate such claims for sick leave and allow or disallow the leave, subject to the right of the employee to resubmit his application to the Street Department and in turn the full Council in the event of its disallowance.

The following Sick Leave Bonuses will be made available effective the first pay period in January, based on an employee's attendance in the previous calendar year:

- 1) Taken no sick leave - 16 hours pay
- 2) Taken 8 hours or less sick leave - 8 hours pay

#### SECTION 10: FUNERAL LEAVE.

An employee who has any one of the following described members of his family die shall be excused from work without loss of pay for not more than three (3) days with the third day being the day of the funeral. Said three (3) days shall include scheduled and non-scheduled working days alike. Said members of the family shall be limited to parents, children, spouse, mother-in-law, father-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, great-grandparent, grandchild, great-grandchild, grandparent, and great-grandparent of spouse, or dependent who lives in the household. The above categories of relatives include step-relatives, half relatives, and legally adopted children.

In the application of this clause with respect to in-laws, recognition for any such relationship will be limited to those resulting from the employee's current marital status. Where a marriage has been terminated by death and there has been no subsequent marriage, the in-law relationship will be recognized.

#### SECTION 11: HOLIDAYS.

Each full-time employee shall be paid for the following holidays: New Year's Day, Martin Luther King Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day.

In order to receive compensation for any of the above holidays, an employee shall be present on the job the workday immediately preceding and immediately following each such legal holiday unless the said employee shall be on a duly authorized vacation. Compensation for hourly-paid employees for said holidays shall be computed for each individual employee on the basis of such employee's most recent hourly rate and on a forty (40) hour week. If any holiday described above, falls on a Saturday or Sunday, the Friday before or the Monday after, shall be a paid holiday for all full-time employees not scheduled normally to work on such a Saturday or Sunday. If the holiday falls within the period of vacation of any employee, such employee shall be entitled to an additional day of vacation for each occurrence.

If an employee is required to work on any of the holidays listed, he shall be entitled to pay for such time at the rate of two times the employee's regular hourly rate.

In addition, each full-time employee shall be paid for four (4) personal days off at regular pay to

be taken any day through the year with the Street Supervisors' approval.

#### SECTION 12: VACATION.

All full-time employees of the Village, other than elected officials, hired on or after July 1, 1981, shall be entitled to two (2) weeks vacation per year after completion of one (1) year but less than five (5) years of service with the Village; three (3) weeks vacation per year after completion of five (5) years but less than ten years of service, four (4) weeks vacation per year after completion of ten (10) years but less than fifteen (15) years of service with the Village; and five (5) ~~four (4)~~ weeks vacation per year after completion of fifteen (15) or more years of service with the Village.

For purposes of this provision, the term Full-time employee shall be an employee who is regularly and normally scheduled to work forty (40) hours per week. Also, for purposes of this provision, a week's vacation is defined as forty (40) hours at a straight time rate. Although the Village shall attempt to accommodate its employees in scheduling vacations, all vacations shall be scheduled at the convenience of the Village.

Any member of the Street Department who is entitled to five (5) weeks of vacation, may at the approval of the Service director select to forego the taking of all but two (2) weeks of vacation and receive an amount commensurate with the vacation earned during this time. The compensation will be paid over pay periods in the year in which the vacation could have been taken. Any member wishing to select this option must give notice of intent in writing to the Mayor by March 1st in the year the member wishes to select the option.

#### SECTION 13: DISABILITY RETIREMENT.

In the event an employee is separated from Village employment by reason of disability retirement, the employee shall receive payment for any unused portion of the earned vacation, based on rate of pay at the time the employee is removed from the payroll.

In the event, an employee is separated from Village employment by reason of disability retirement the employee shall receive payment for unused accumulated sick days, based on rate of pay at the time the employee is removed from the payroll.

#### SECTION 14: INJURY LEAVE.

If an employee is absent from work because of an injury received in the line of duty, the employee shall continue to receive a salary which, together with Workmen's Compensation, shall equal his regular pay and for a time equal to the employee's allowed sick leave without such time being charged against his sick leave.