

RECORD OF ORDINANCES

Resolution No. 2023-31

Passed APRIL 5, 2023

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AMENDING ARTICLE IV, SECTION B OF THE FULL-TIME FIREFIGHTER HANDBOOK, ENTITLED "HOLIDAYS, VACATION, LEAVE AND ABSENCES," AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution No. 2022-61, this Council adopted the Full-Time Firefighter Handbook (the "Handbook") to govern the employment of the full-time firefighters in the Village, which was subsequently amended by this Council by Resolution No. 2022-85; and

WHEREAS, the Mayor and Fire Chief have recommended further amending Article IV, Section B of the Handbook, entitled "Holidays, Vacation, Leave and Absences," concerning the carry-over of vacation time and the accrual of vacation time by certain newly hired employees with prior years of service credit for other Ohio political subdivisions, said amendments being set forth on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to amend the Handbook as set forth above.

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

SECTION 1: This Council hereby amends Article IV, Section B of the Handbook, entitled "Holidays, Vacation, Leave and Absences," as set forth on Exhibit A, attached hereto and incorporated herein.

SECTION 2: The amendment provided for in this Resolution shall take effect and be in force retroactively to December 1, 2022 and shall apply to all full-time firefighters hired after that date.

SECTION 3: This Council 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 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately amending the Handbook so that the amended provisions may be applied to recently hired and/or to-be hired employees, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

RECORD OF ORDINANCES

Resolution No. 2023-31

Passed APRIL 5, 2023

Michael Ruddish 4-5-23
President of Council Date

Ann A. ... 4-5-23
Mayor Date

Attest:
[Signature]
Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-31

Passed APRIL 5, 2023

EXHIBIT A

Article IV, Section B of the Full-Time Firefighter Handbook, entitled “Holidays, Vacation, Leave and Absences” is hereby amended as follows:

B. Vacation

Except as modified below, full-time employees are entitled to vacation with pay after one (1) year of continuous service with the Village of Mogadore Fire Department. The amount of vacation leave to which an employee is entitled is based upon length of service as follows:

<u>Length of Service</u>	<u>Vacation</u>
1 year, but less than 5 years	96 hours*
5 years but less than 10 years	144 hours
10 years but less than 15 years	192 hours
15 years but less than 20 years	240 hours
20+ years	288 hours

*Except as modified below.

Employees will receive their full allowance of vacation hours on their anniversary date of hire. Employees shall schedule vacations by seniority prior to March 1st of the year of entitlement. Only one full-time employee may be on a vacation at a time. Any vacation time left unscheduled after March 1st shall be scheduled on a first come, first serve basis. Employees shall be permitted to carry over 96 hours of unused vacation each year.

Each employee who is entitled to 240 hours of vacation may, at the approval of the Chief, select to forego the taking of all but 96 hours of vacation and receive an amount commensurate with the vacation earned during this time. This compensation will be paid equally over pay periods in the year in which the vacation could have been taken by the employee. An employee wishing to select this option must give notice of intent to select the option to the Chief by no later than March 1st in this year the employee wishes to select the option.

Any full-time employee who is hired by the Village from another Ohio political subdivision, and who has been employed by that political subdivision for at least one (1) year, may carry with them and start their employment with the Village with up to 144 hours of vacation, provided, that (i) the employee shall not have any rights to “cash out” said vacation as set forth in the prior paragraph, (ii) the employee may carry over up to 96 hours of any unused carried over vacation to the following year, and (iii) the employee may not utilize any carried over vacation until the six (6) month anniversary of the commencement of the employee’s employment with the Village.

Additionally, any employee who meets the requirements of the prior paragraph to carry over vacation hours (regardless of whether the employee in fact carries over any vacation), who also has at least five (5)

RECORD OF ORDINANCES

Resolution No. 2023-31

Passed APRIL 5, 20 23

years of service with political subdivisions in Ohio, shall be entitled to 144 hours of vacation leave for each year of service commencing with one (1) year of service with the Village but less than five (5) years of service with the Village. Thereafter, that employee will accrue leave in accordance with the schedule set forth in this Section.