

RECORD OF ORDINANCES

Resolution No. 2025-50

Passed SEPTEMBER 3, 20 25

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING THE FULL-TIME FIREFIGHTER HANDBOOK TO INCREASE THE AMOUNT OF UNUSED SICK LEAVE PAID OUT UPON RETIREMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation and benefits of the employees of the Village; and

WHEREAS, this Council has previously adopted a Full-Time Firefighter Handbook setting forth the terms and conditions of the employment of full-time firefighters by the Village, including compensation and benefits, and has amended the same from time to time; and

WHEREAS, following the precedent established in the collective bargaining agreement between the Village and the Fraternal Order of Police for the Village's full-time police officers, this Council desires to amend the Full-Time Firefighter Handbook to increase the amount of unused sick leave paid out upon retirement to be 100% of the first 1,000 hours of sick leave and 50% of every hour in excess of 1,000 hours of sick leave up to the total number of 2,500 hours of unused sick leave; 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 Full-Time Firefighter 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 approves and adopts the amended version of the Full-Time Firefighter Handbook attached hereto as Exhibit A, to increase the amount of unused sick leave paid upon retirement.

SECTION 2: All other ordinances, resolutions, or parts of other ordinances and resolutions which may be in conflict with the provisions of this Resolution are hereby declared null and void and are of no further force and effect.

SECTION 3: 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.

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SECTION 5: 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 ensuring consistency in the practice of paying out unused sick leave amongst the various full-time employees of the Village, 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.

Michael Roddick 9-3-25
President of Council Date

David L. 9-3-25
Mayor Date

Attest:

[Signature]
Clerk-Treasurer

B. Vacation

Full-time employees are entitled to vacation with pay after (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>	<i>Vacation</i>
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

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 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 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 the year the employee wishes to select the option.

Employees who terminate their employment with another political subdivision to take a full-time position with the Village of Mogadore Fire Department may, at the discretion of the Director of Public Service and Fire Chief, transfer any unused balance of vacation up to 144 hours from his or her previous position to the Village, pursuant to the applicable sections of the Ohio Revised Code. It is the employee's responsibility to furnish a written statement from the previous employer certifying the termination date and the total transferrable accumulated vacation balance upon termination.

C. Sick Leave

Full-time Employees shall earn sick leave at the rate of 4.6 hours per pay to a limit of one hundred twenty (120) hours per year. Each full calendar month of service shall be deemed a completed month of service.

Unused sick leave for regular full-time employees may be cumulative up to Two Thousand Five Hundred (2,500) Hours.

Employees absent from work on authorized holidays, sick leave, vacation leave, or on special leave of absence with pay, shall continue to accumulate sick leave at the rate prescribed in Section 1 above, except that the period of accumulation shall not exceed six (6) months.

An employee eligible for sick leave with pay may use sick leave for physician's appointments for said employee or an employee of the employee's immediate family, for absence due to personal illness, injury, exposure to contagious diseases which could be communicated to other employees, and illness or injury in the employee's immediate family.

Immediate family for purposes of Section 4 shall include spouse, children, or parents. Sick leave used for the employee's immediate family under Section 4, above shall not exceed more than ten (10) days per occurrence without the approval of the Chief.

When an employee is unable to work, they shall notify the immediate supervisor no later than one (1) hour before the time the employee is scheduled to report to work.

Proof of illness, or injury to substantiate a request for sick leave pay may be requested by the Chief or their designee after two (2) consecutive days of absence or, in the judgment of the Chief or their designee, such proof is necessary, due to a pattern of undocumented sick leave that suggests an abuse of the sick leave policy.

Sick leave shall be charged in minimum units of one (1) hour.

After conclusion of your first year, 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 - 24 hours pay
- 2) Taken 8 hours or less sick leave - 12 hours pay

~~In accordance with the following paragraph, f~~Full-time employees, with ten (10) or more years of service with the Village, who retire, or are disabled from employment, will, at the time of retirement or separation, be paid in cash for any unused sick leave the employee may have accrued.

~~Participation the DROP Program does not constitute retirement under this Section.~~

The Employee will be paid for accrued sick leave, a cash sum ~~of 100% of the first not to exceed One Thousand Hours (1,000 hours) and 50% of any hours over 1,000 hours.~~ At the ~~employer's Village's~~ discretion, the ~~e~~Employee may be paid on a bi-weekly basis for any sick leave the employee may have accrued.

Employees shall be permitted to participate in the Village of Mogadore Fire Department Sick