

Placed on 1st reading &
referred to Finance 11/2/20;
2nd reading 11/16/20

Bullock, Kepple, Litten, Neff,
O'Malley, Rader, Shachner

ORDINANCE NO. 23-2020

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law amending Section 149.08(a)(1), Vacations, of the Lakewood Codified Ordinances in order to grant part-time employees credit for purposes of vacation accrual when the employee changes from a part-time to a full-time status.

WHEREAS, over the years various non-union employees have changed from part-time to full-time status and do not receive credit for the part-time years of service for purposes of vacation accrual; and

WHEREAS, the AFSCME Public Works Employee Unit Collective Bargaining Agreement provides for this benefit for union employees who transition from part-time to full-time employment; and

WHEREAS, in fairness and equity, this accrual should apply to all administrative employees; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments, in that these employees should receive vacation accrual based on actual years of service beginning January 1, 2021, in line with union employees; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 149.08(A)(1), Vacations, currently reading as follows:

149.08 VACATIONS.

(a) (1) Vacation time for all full-time permanent hourly employees and all annual salaried employees not covered by a collective bargaining agreement shall be earned in one calendar year and taken in a subsequent year. Probationary employees shall receive no vacation time during the first ninety (90) days of their probationary period but shall receive credit upon expiration of their probationary period for all time spent as a probationary employee. Vacation time earned during the first calendar year of employment shall be in accordance with the following schedule to reflect service time from the date of employment to December 31 of that first year:

Hours of Service	Vacation Hours Earned
240 to 439	8
440 to 639	16
640 to 839	24

840 to 1039	32
1040 to 1239	45
1240 to 1439	48
1440 to 1639	56
1640 to 1839	64
1840 to 2079	72

Effective January 1, 2002, all full-time permanent hourly employees and annual salaried employees not covered by a collective bargaining agreement, who have completed one full year of service or more as of December 31 of any given year shall be entitled to vacation in a subsequent year based on the following schedule:

Full Years of Service as of December 31	Vacation Hours Earned
1 thru 6	80
7 thru 12	120
13 thru 18	160
19 and over	200

When a full-time permanent hourly or salaried employee terminates his employment due to voluntary resignation, retirement or death, vacation time earned during that year shall be prorated based on the above schedules.

is hereby repealed.

Section 2. That new, Section 149.08(a)(1) is hereby enacted to read as follows:

149.08 VACATIONS.

(a) (1) Vacation time for all full-time permanent hourly employees and all annual salaried employees not covered by a collective bargaining agreement shall be earned in one calendar year and taken in a subsequent year. Probationary employees shall receive no vacation time during the first ninety (90) days of their probationary period, but shall receive credit upon expiration of their probationary period for all time spent as a probationary employee. Vacation time earned during the first calendar year of employment shall be in accordance with the following schedule to reflect service time from the date of employment to December 31 of that first year:

Hours of Service	Vacation Hours Earned
240 to 439	8
440 to 639	16
640 to 839	24
840 to 1039	32
1040 to 1239	45
1240 to 1439	48
1440 to 1639	56
1640 to 1839	64
1840 to 2079	72

Effective January 1, 2002, all full-time permanent hourly employees and annual salaried employees not covered by a collective bargaining agreement, who have completed one full year of service or more as of December 31 of any given year shall be entitled to vacation in a subsequent year based on the following schedule:

Full Years of Service as of December 31	Vacation Hours Earned
1 thru 6	80
7 thru 12	120
13 thru 18	160
19 and over	200

Effective January 1, 2021, full-time employees who previously served under a part-time status with the City will have their vacation accrual begin retroactively to the part-time date of hire with the City. This provision shall not apply to employees who formerly served as an elected official, served on the Civil Service Commission, or where there was a break in service with the City of Lakewood.

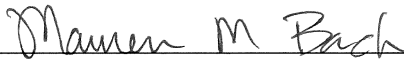
When a full-time permanent hourly or salaried employee terminates his employment due to voluntary resignation, retirement or death, vacation time earned during that year shall be prorated based on the above schedules.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

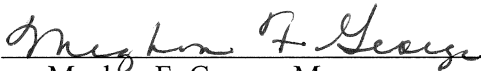
Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: 12/21/2020


Daniel J. O'Malley, President of Council


Maureen M. Bach, Clerk of Council

Approved: 12/23/2020


Meghan F. George, Mayor