

BILL #21-212

ORDINANCE # 21-211

BY: MR. DAVENPORT

Authorizing the Mayor to immediately allocate 5% of the 2021 HOME-ARP funding for administrative and planning costs pursuant to HOME-ARP guidelines.

WHEREAS, the City has been awarded \$1,061,958.00 from the HOME-ARP Grant Agreement, and

WHEREAS, in accordance with CPD Notice 21-10, and the HOME-ARP Grant Agreement, a Participating Jurisdiction (PJ), as of the Federal Award Date, may use up to five percent (\$53,097.90) of its total award for administrative and planning costs.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. This City Council does hereby approve the allocation and expenditure of 5% (\$53,097.90) of the 2021 HOME-ARP funding for administrative and planning costs pursuant to HOME-ARP guidelines.

SECTION 2. That this measure shall take effect and be in force after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 5 October 2021
1st Reading 19 October 2021
2nd Reading
PASSED 19 October 2021

ATTEST /s/ Amy Yockey
Clerk of Council

SIGNED /s/ David Falgoutte
President of Council

APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

BILL #21-216

ORDINANCE # 21-212

BY: MR. VAN HARLINGEN

Authorize the Finance Director to advance funds, as needed, from the General Fund (#101) to the Grant Fund (#224) for the purpose of providing temporary resources at month-end in the event there is a negative cash balance due to the timing of federal and/or state reimbursable grant receipts, and declaring an emergency.

WHEREAS, the repayment will occur in the following month when federal and/or state reimbursable grant receipts are actually realized.

WHEREAS, the City's fund balance reports are being monitored by the Director of Finance as chief fiscal officer of the City, and said Director has indicated that some advances of monies will be necessary to balance funds for certain month-end reporting periods.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Director of Finance be, and she is hereby, authorized to make such advances, between the City's General Fund (#101) and Grant Fund (#224) in order to balance funds as of each month-end reporting period for proper accounting purposes, provided that said Director shall be able to furnish appropriate documentation to support each advance made under this authorization, retroactive back to January 1, 2021.

SECTION 2. That by reason of the immediate necessity of advancing funds, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 October 2021
1st Reading 19 October 2021
2nd Reading
PASSED 19 October 2021

ATTEST /s/ Amy L. Yockey
Clerk of Council

SIGNED /s/ David Falquette
President of Council

APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

BILL #21-218

ORDINANCE # **21-213**

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to accept a Grant from the Richland County Foundation in the aggregate amount of two thousand four hundred and 00/100 dollars (\$2,400.00) for the purpose of hiring an intern in the Community Development Department, and declaring an emergency.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Public Works Director be, and he is hereby, authorized to accept a Grant in the aggregate amount of two thousand four hundred and 00/100 dollars (\$2,400.00) from the Richland County Foundation to be used for the purpose of hiring an intern in the Community Development Department.

SECTION 2. That the sum of two thousand four hundred and 00/100 dollars (\$2,400.00) be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the Community Development Department Grants (224.65.30) Personal Services (\$2,079.00) and Employee Benefits (\$321.00) Classifications.

SECTION 3. That by reason of the immediate necessity to accept the Grant, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 October 2021

1st Reading 19 October 2021

2nd Reading

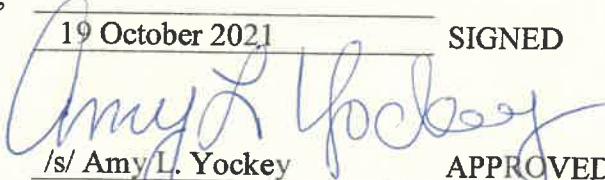
PASSED 19 October 2021

SIGNED


/s/ David Faquette

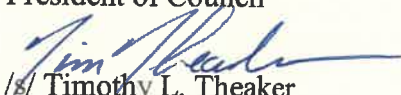
President of Council

ATTEST


/s/ Amy L. Yockey

Clerk of Council

APPROVED


/s/ Timothy L. Theaker

Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

BILL #21-219

ORDINANCE # 21-214

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to purchase, according to STS pricing contract RS903121, from Valley Ford Truck Inc., one (1) 2022 Ford F-750 Chassis with dump bed, for the Sewer Repair Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Public Works Director be, and he is hereby, authorized to purchase, one (1) 2022 Ford F-750 Chassis with dump bed from Valley Ford Truck, Inc. (5715 Canal Road, Cleveland, OH 44125), through the state bidding schedule, at a cost not to exceed \$95,987.00 (ninety-five thousand, nine hundred eighty-seven and 00/100 dollars).

SECTION 2. That the total cost of the equipment and/or vehicles to be purchased under Sections 1 hereof shall be paid from the Sewer Fund (#503), Sewer Repair (503.43.42) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity for purchasing this equipment for the Sewer Repair Department, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 October 2021
1st Reading 19 October 2021
2nd Reading 19 October 2021
PASSED 19 October 2021

ATTEST /s/ Amy L. Yockey
Clerk of Council

SIGNED /s/ David Falquette
President of Council

APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

BILL #21-220

ORDINANCE # 21-215

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to purchase according to STS#515, pricing contract 800864, from Murphy Tractor & Equipment, one (1) John Deere 544 P Wheel Loader, for the Street Department through the State Term Schedule and without competitive bidding, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Public Works Director be, and he is hereby, authorized to purchase, one (1) John Deere 544 P Wheel Loader, from Murphy Tractor & Equipment (1550 Industrial Parkway S Road, Brunswick, OH 44212), through the State Term Schedule and without competitive bidding, at a cost not to exceed \$175,305.55 (one hundred seventy-five thousand three hundred five and 55/100 dollars).

SECTION 2. That the total cost of the equipment and/or vehicles to be purchased under Sections 1 hereof shall be paid from the Street Maintenance and Repair Fund (#202) Capital Outlay Classification in the amount of \$21,479.16 (202.53.01), and the Motor Vehicle License Tax Fund (#206) Capital Outlay Classification in the amount of \$110,000 (206.53.01), for a total of (75%), and (25%) from the Sewer Fund (#503) Sewer Repair Operations (503.43.42) Capital Outlay Classification in the amount of \$43,826.39.

SECTION 3. That by reason of the immediate necessity for purchasing this equipment for the Street and Sewer Repair Departments, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 October 2021
1st Reading 19 October 2021
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PASSED 19 October 2021

ATTEST /s/ Amy L. Yockey
Clerk of Council

SIGNED /s/ David Falquette
President of Council

APPROVED /s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM:

John R. Spon
Law Director
City of Mansfield, Ohio

BILL #21-221

ORDINANCE # 21-216

BY: MRS. MEIER

Reaffirming Section 105.01 of Chapter 105 (Wards and Boundaries) of the Mansfield Codified Ordinances of 1997, as amended, to maintain the current boundaries of the City Ward Map according to the population evidenced by the 2020 decennial census, and declaring an emergency.

WHEREAS, as a result of the 2020 federal census, it has been determined that the population in each of the City's wards did not vary significantly relative to a mean average for each ward of 7,937 individuals, and

WHEREAS, given that the minimal variances in the current ward populations provide substantially equal population in each of the City's wards, an adjustment in the ward boundaries is not necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Section 105.01 of Chapter 105 (Wards and Boundaries) of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, reaffirmed by adopting and incorporating by reference, the attached Exhibit "A" and so thereby maintaining the configuration of the City's six wards.

SECTION 2. That the alignment of the City of Mansfield's six wards as delineated in Section 1 hereof shall be effective for and applicable to the municipal primary election to be held in May 2022.

SECTION 3. That in order to reaffirm ward boundaries as soon as possible, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 October 2021

1st Reading 19 October 2021

2nd Reading

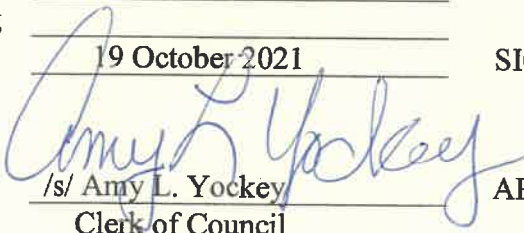
PASSED 19 October 2021

SIGNED


/s/ David Falquette

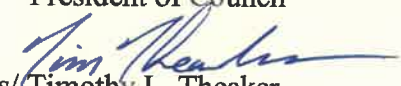
President of Council

ATTEST


/s/ Amy L. Yockey

Clerk of Council

APPROVED


/s/ Timothy L. Theaker

Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

Exhibit "A"
to Bill#21-221

Townships	Population 2020	Population 2010	+/- Change	% Change
Bloomington	1295	1204	91	7.5581%
Butler	1167	1205	-38	-3.1535%
Cass	1599	1647	-48	-2.9144%
Franklin	1679	1721	-42	-2.4404%
Jackson	3700	3552	148	4.1667%
Jefferson	4905	4851	54	1.1132%
Madison	11106	11168	-62	-0.5552%
Mifflin	6106	6219	-113	-1.8170%
Monroe	2721	2723	-2	-0.0734%
Perry	1461	1456	5	0.3434%
Plymouth	1981	2083	-102	-4.8968%
Sandusky	1002	993	9	0.9063%
Sharon	9006	9125	-119	-1.3041%
Springfield	11064	10685	379	3.5470%
Troy	7116	7000	116	1.6571%
Washington	6622	6428	194	3.0180%
Weller	1884	1780	104	5.8427%
Worthington	2988	2868	120	4.1841%

Municipalities	Population			
Bellville	1963	1918	45	2.3462%
Butler	941	933	8	0.8574%
Lexington	4848	4822	26	0.5392%
Lucas	589	615	-26	-4.2276%
Mansfield	47625	47821	-196	-0.4099%
Ontario	6656	6225	431	6.9237%
Plymouth*	896	1857		
Shelby	9282	9317	-35	-0.3757%
Shiloh	619	649	-30	-4.6225%

Other Areas	Population			
Richland County	124936	124475	461	0.3704%

* available 2020 data is only for the portion within Richland County

** Townships include population inside a municipality, if that municipality has not been seperated from the township.

NAME	Population	Housing Units	Percent of Toal Population
MANSFIELD WARD 1 PREC A	1260	591	
MANSFIELD WARD 1 PREC B	1221	499	
MANSFIELD WARD 1 PREC C	1396	841	
MANSFIELD WARD 1 PREC D	1823	1025	
MANSFIELD WARD 1 PREC E	1850	1071	
MANSFIELD WARD 1 PREC F	855	465	
Ward 1 Total	8405	4492	17.648%
MANSFIELD WARD 2 PREC A	1269	624	
MANSFIELD WARD 2 PREC B	1545	667	
MANSFIELD WARD 2 PREC C	1594	740	
MANSFIELD WARD 2 PREC D	1320	650	
MANSFIELD WARD 2 PREC E	1373	702	
MANSFIELD WARD 2 PREC F	1478	810	
Ward 2 Total	8579	4193	18.014%
MANSFIELD WARD 3 PREC A	1361	758	
MANSFIELD WARD 3 PREC B	1380	760	
MANSFIELD WARD 3 PREC C	1399	682	
MANSFIELD WARD 3 PREC D	1593	764	
MANSFIELD WARD 3 PREC E	1744	882	
Ward 3 Total	7477	3846	15.700%
MANSFIELD WARD 4 PREC A	1659	799	
MANSFIELD WARD 4 PREC B	1538	813	
MANSFIELD WARD 4 PREC C	1572	785	
MANSFIELD WARD 4 PREC D	1160	601	
MANSFIELD WARD 4 PREC E	1691	818	
Ward 4 Total	7620	3816	16.000%
MANSFIELD WARD 5 PREC A	6462	700	
MANSFIELD WARD 5 PREC B	1146	560	
Ward 5 Total	7608	1260	15.975%
MANSFIELD WARD 6 PREC A	1642	845	
MANSFIELD WARD 6 PREC B	2801	1355	
MANSFIELD WARD 6 PREC D	1511	745	
MANSFIELD WARD 6 PREC E	1982	901	
Ward 6 Total	7936	3846	16.664%

Mansfield Total Population:	47625
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Population /6	7937.5	16.67%
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Tract	Population	Housing Units
4	2549	1181
5	3706	2039
6	3056	1519
7	2776	1327
8	2584	1259
9	4665	2071
10	5630	2855
11	2699	1386
12	3880	1961
13	3159	1513
14	2298	1251
15	1904	922
16	1712	817
17	5017	12
18	3710	1686
19	6106	2654
20	5730	2470
21.01	5444	2839
21.02	4822	2054
22	7119	2991
23	6351	2696
24	5891	2629
25	4354	1859
26	4652	2275
27	5583	2347
28	3580	1445
29	4356	1471
30.01	5357	2242
30.02	3997	1651
31	2249	1100
Total	124936	54522

BY: MS. MOTON:

Upgrading wages, salaries, fringe benefits and terms of employment for certain employees of the City, repealing ordinances, and declaring an emergency.

WHEREAS, Ordinance # 18-106, passed May 1, 2018, was the last complete revision of wages, salaries, fringe benefits and terms of employment for non-bargaining unit employees of the City, and,

WHEREAS, with the approval of new collective bargaining agreement with AFSCME and in keeping with a long-standing past practice of mirroring benefits for non-bargaining with those offered bargaining unit members, the fringe benefits afforded non-bargaining employees needs to be revised and updated.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the following positions are excluded from collective bargaining units and are, upon adoption by the appointing authority, covered by the fringe benefits and terms of employment established hereby:

1. Directors, division managers, division administrators, advisors, department managers, administrative assistants, operations supervisors, supervisor and foremen in all departments and divisions of the City;
2. Civil Service Commission and staff;
3. Information Technology Division - Administrators;
4. Fire Division - Administrative Assistant;
5. Human Resources - Human Resources Specialist(s);
6. Mayor – Mayor’s ~~Administrative~~ **Executive** Assistant;
7. Parks & Recreation - Confidential Secretary, Recreation Coordinator;
8. Police Division - Confidential Secretary(s), Forensic Scientist, Crime Analyst, DNA Analyst;
9. Safety-Service Director, Administrative Assistant;
10. City Council Staff;
11. Clerk of Court’s Staff;

12. Finance Director's Staff - Income Tax Director, Payroll Director, Assistant Finance Director, Internal Auditor Tax Compliance Officer, Confidential Accountant, Administrative Assistant (Finance), Income Tax Enforcement Officer, Inventory Control Officer;
13. Judges' Staff;
14. Law Director's Staff;
15. Community Development - Community Development Officer; **Assistant Grant Specialist**;
- ~~16. Regional Community Advancement (RCA) Staff;~~
- ~~17. Litter Prevention Staff;~~
- ~~18. METRICH Enforcement Unit Staff;~~
- ~~19. Airport - Confidential Secretary;~~
- ~~20. 18. Certified Building - Confidential Secretary; **Chief Building Official**; Electrical Safety Inspector;~~
- ~~21. 19. City Engineer's Staff;~~
- ~~22. 20. Temporary employees (who do not work more than five hundred twenty (520) hours per calendar year), intermittent employees (who do not work more than twenty (20) hours per work week and one thousand forty (1040) hours per calendar year) and interim employees (appointed to fill in for regular employees on an approved leave of absence or to perform the number of hours and length of time under a grant or contract).~~

SECTION 2. That the fringe benefits and terms of employment for other employees of the City are contained in the collective bargaining agreement for each recognized unit and established by this Ordinance for those employees excluded from collective bargaining units.

SECTION 3. That employees designated as temporary, intermittent or interim shall not be eligible for insurance coverage, wage continuation, longevity pay, attendance bonus, vacation pay, holiday pay, call-in pay, stand-by pay, compensatory time or for any other benefit set forth in this Ordinance except as required by law.

SECTION 4.

The term "appointing authority" as used throughout this Ordinance means:

- A. in the instance of City Council's staff: the City Council;
- B. in the instance of the Clerk of Court's staff: the Clerk of Court;
- C. in the instance of the Finance Director's staff/Income Tax: the Finance Director;

- D. in the instance of the Judges' staff: the Judges;
- E. in the instance of the Law Director's staff: the Law Director;
- F. in the instance of the Civil Service Commission/staff, the Mayor's staff, the Safety-Service Director, the Public Works Director, the Human Resources Director, the Chief of Fire, and the Chief of Police, appointed under the City Charter, the Economic Development Director, **and** the Community Development & Housing Director ~~and the Regional Community Advancement Manager~~; the Mayor; and
- G. in the instance of the Assistant Chief of Police appointed under the City Charter: the Chief of Police; and
- H. in the instance of all other employees covered by this Ordinance, **based on the Mayor's organizational chart**: the Safety-Service Director **or Public Works Director**.

SECTION 5.

I. SENIORITY.

A. Definition of Seniority. For all purposes of this ordinance except as set forth in Paragraph B herein, seniority, shall be defined as an employee's length of continuous service with the City; provided, however, that service as a temporary, intermittent, interim, seasonal or part-time employee shall not be counted in any calculation of seniority.

B. Seniority in rank is defined as the employee's service within the rank from date of promotion to that rank after completion of the employee's probationary period.

C. An employee's seniority shall terminate in the following events:

1. If the employee quits.
2. If the employee is discharged for just cause, and/or such decision is accepted or upheld by proper authority if contested by the discharged employee.
3. If the employee does not return at the expiration of a leave of absence or if the employee takes other employment during a leave of absence, unless consented to by the employee's appointing authority.
4. If the employee does not request reinstatement within ninety (90) days of military service.
5. If while on lay-off status, an employee fails to report to work within seven (7) days after being notified by certified mail, return address requested, to the employee's last address of record with the Human Resources Department of the City.
6. If the employee is absent from the employ of the City by reason of lay-off for thirty-six (36) consecutive months.

II. INSURANCE.

A. Health Insurance

1. Eligibility - All full-time regular employees who work at least thirty (30) hours per week on a regularly scheduled basis and elected officials other than members of City Council are eligible to participate in the City's health insurance program under the cost sharing arrangement described herein. Members of City Council may elect to participate in the health insurance program at the council member's sole cost. Part-time employees who work thirty (30) hours per week will be eligible for participation in the City's health insurance program in accordance with applicable provisions of the Patient Protection and Affordable Care Act of 2010 and any subsequent amendments thereto.
2. Election - Employees may elect coverage under the insurance plan within ~~thirty (30)~~ **fourteen (14)** days of initial appointment, or apply for coverage during the next following open enrollment period.
3. Payment - The costs of the monthly premiums for such coverage shall be shared by the City and employees as determined and set on an annual basis as agreed between the City and employee representatives.
4. Paid Leave and Family and Medical Leave - The City will continue to pay its share of the health insurance premium for employees on all paid leaves of absence for so long as the employee is in active pay status. The City will also continue to pay its share of the health insurance premium for employees on Family and Medical Leave for so long as the employee pays the employee's share of the premium.
5. Unpaid Leave of Absence Without Pay - Employees who exhaust their accumulated paid leave and Family and Medical Leave and thereby go on a leave of absence without pay or other unpaid status shall be eligible for continuation coverage at the employee's sole cost.
6. If a covered employee and his dependent(s) incur a covered hospital expense in connection with the treatment of an illness or injury caused by the negligence or wrongful act of a third party, the insurance carrier shall be subrogated to all the covered employee's and/or his dependent(s) rights of recovery against said third party to the extent of any and all payments made hereunder by the insurance carrier with respect to such illness or injury, and the covered employee and/or his dependent(s) or the appropriate agency shall execute all papers and take all action necessary and proper to secure to the insurance carrier such rights of subrogation.

B. Liability Insurance. There shall be available to all City employee's professional liability insurance provided by the City through an insurance carrier licensed through the State of Ohio to provide public entity liability coverage.

C. Life Insurance. Full-time regular employees shall be provided with paid group term life, accidental death and dismemberment insurance. Coverage details can be obtained from the Human Resources Department.

D. Opt-Out. An employee who provides satisfactory proof of medical coverage under another group employer sponsored insurance plan may waive medical coverage. An

employee who waives coverage will receive \$1,500 annually. Payments will be made in December of the calendar year coverage is waived. Payments for new hires, terminations, etc., will be pro-rated. City employees married to one another or children of City employees who are also employees of the City are not eligible for the waiver stipend if both employees remain on the City sponsored health plan.

III. HOURS OF WORK AND OVERTIME.

A. Schedules for employees covered by this Ordinance shall be maintained as deemed necessary by the appointing authorities for such employees as recommended by the head(s) of the department(s)/division(s) under those appointing authorities. A Division of Fire platoon system of forty-eight (48) hours shall constitute a full, regular, average work week computed on the basis of the average over the declared work cycle.

B. Pay for Overtime. If authorized in writing in a specific instance by an employee's appointing authority or appointing authority's designated supervisor, the City will pay overtime at the rate of time and one-half times the regular hourly rate of pay for all hours worked in excess of forty (40) hours in any one scheduled work week. Such overtime pay shall be available only to an employee covered by this Ordinance who is not exempted from the provision of overtime pay.

C. Call-in Pay. Call-in pay is defined as payment for work assigned by the Division/Department manager or his designee and performed by a non-exempt employee at a time other than his normal and prescheduled hours of work. Work done in this manner shall be compensated at the rate of one and one-half (1-1/2) times the normal rate of pay with minimum compensation being for four (4) hours.

If an eligible employee covered under this Ordinance is required to work within one (1) hour immediately before or after his prescheduled hours, it shall not be considered call-in pay.

D. Pyramiding of Premium Pay. There shall be no pyramiding of premium pay for the same hours worked. For purposes of computing overtime pay, when specifically authorized as required by this subsection, the hours a non-exempt employee spends in an active pay status during his normal schedule of hours shall be deemed as hours worked and shall include holidays, vacation days, wage continuation, sick leave, and all other paid leaves, unless otherwise provided.

E. Compensatory Time. In lieu of overtime pay, and if authorized in writing to a specific instance by an employee's appointing authority or appointing authority's designated supervisor, a non-exempt employee may be granted compensatory time at the rate of one and one-half (1-1/2) hours off for each hour of overtime actually worked, provided no employee may accrue compensatory time under this section, in excess of two hundred eighty (280) hours. Any compensatory time to an employee's credit may be paid to the employee at the applicable rate of pay, upon written request to their appointing authority or appointing authority's designated supervisor. An employee, at his or her request, may cash in compensatory time only once during any calendar year period.

IV. VACATION.

A. All eligible full-time non-bargaining unit employees, except employees covered in Section IV (B) shall earn paid vacation leave and begin accruing such leave upon appointment. After one (1) full

year of continuous service, all vacation leave accrued is credited to the employee, who shall then be eligible to take such leave.

Eligible employees, hired prior to January 1, 2014, earn paid vacation leave as follows:

COMPLETED YEARS OF SERVICE	MAXIMUM HOURS ACCUMULATED
After 1 year but less than 8 years	96
After 8 years but less than 15 years	144
After 15 years but less than 20 years	192
After Twenty (20) years but less than thirty (30) years	240
Thirty (30) or more years of service	280

Eligible employees, who are hired on January 1, 2014 or later, earn paid vacation as follows:

COMPLETED YEAR OF SERVICE	MAXIMUM HOURS ACCUMULATED
Less than one (1)	0
One (1) but less than eight (8)	80
Eight (8) but less than fifteen (15)	120
Fifteen (15) but less than twenty (20) twenty-five (25)	160
Twenty-five (25) or more years of service but less than thirty (30) years	200
Thirty (30) or more years of service	240

B. The Assistant Chief(s) of Fire shall earn paid vacation leave each calendar year as follows:

COMPLETED YEARS OF SERVICE	MAXIMUM HOURS ACCUMULATED	MAXIMUM LEAVE ALLOWANCE* (HOURS)
Less than one (1)	0	0
One (1) but less than eight (8)	96	96 - 120

Eight (8) but less than fifteen (15)	144	144 - 168
Fifteen (15) but less than twenty (20)	192	192 - 240
Twenty (20) or more but less than thirty (30) years	240-288	288 - 336
Thirty (30) or more years of service	336	336-384

* Hours will vary within the range depending on which weeks are taken as vacation

C. Preference dates for vacation shall be in accordance with seniority in the division to which the employee is assigned, subject to manning requirements of the division to which the employee is assigned.

D. Employees are encouraged to take vacation in increments of forty (40) hours. The minimum chargeable vacation increment shall be ~~two (2)~~ **one (1)** hours.

E. No employee entitled to vacation leave pursuant to IV (A) or (B) hereof shall maintain a total vacation leave balance to his or her credit in excess of the accrual for three (3) years. "Total vacation" being defined as current hours earned plus the hours earned in the previous two years. Such excess leave shall be eliminated from the employee's leave balance.

F. Non-Scheduled Vacations. Requests for vacation must be made as far in advance as possible, and no later than the end of the regular shift on the workday before the day desired off, except in emergency situations approved in advance by the appointing authority.

G. Payment for Unused Vacation at Termination or Death. If an employee is laid off, terminated, resigns, or retires, after the completion of one year of continuous service, the employee shall be entitled to and receive payment for any earned but unused vacation leave to his credit at the time of separation. [i.e. if an employee, whose anniversary date is January 1, 2013 quits employment on June 1, 2014, he/she would be entitled cash payment for up to 96 hours of accrued but unused vacation plus a prorated amount for vacation earned during the five months of 2014 that he/she was employed.]

H. If an employee (other than a newly hired employee in his first year of employment) dies while in an active pay status or on an authorized leave of absence, the unused vacation leave accrued to the employee's credit at the time of death shall be paid to his estate in accordance with O.R.C. §2113.04.

I. Vacations shall exclude days declared by law to be holidays, and each calendar week of vacation shall include therein one Saturday and one Sunday.

J. Credit for Prior Service – Non-Retirants. Employees who previously separated from the City, by means other than retirement through a state retirement system, shall be credited with their prior service as a regular full-time employee of the City for purposes of computing years of service for vacation accrual.

K. Retirants – Vacation Accrual. Any retirant from a state retirement system, whether it be from the City or from another political entity or subdivision, who is hired and/or rehired by the

City is not entitled to have any pre-retirement service credit utilized in the calculation of newly earned vacation leave.

V. HOLIDAYS

A. The following are designated paid holidays:

New Year's Day (January 1)
Martin Luther King Day (3rd Monday in January)
Presidents' Day (3rd Monday in February)
Memorial Day (last Monday in May)
Juneteenth (June 19)
Independence Day (July 4)
Labor Day
Columbus Day (2nd Monday in October)
Veterans' Day (November 11)
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day (December 25)

The holidays listed above shall be celebrated on the dates set forth unless designated, by the appropriate governmental official or body, to be celebrated on a different day.

B. Non-exempt, full-time employees shall be paid eight (8) hours pay for each of the holidays designated above. Employees working a forty-eight (48) hour week shall receive a maximum of twenty-four (24) hours pay for each holiday. To be eligible for holiday pay the employee must be in an active pay status on his last scheduled shift preceding the holiday and his first scheduled shift following the paid holiday.

C. Eligible employees covered by this Ordinance, who are required to work on a holiday designated in subsection V(A), shall be compensated at the rate of one and one-half (1-1/2) times their normal rate of pay for all hours worked in addition to the amount of holiday pay to which the employee is entitled under subsection V(B). An employee who does not work the holiday because the holiday is celebrated on the employee's regularly scheduled day off (and is not in a leave status), instead of receiving the pay assigned by this subsection for working the holiday or receiving the holiday pay for the holiday being celebrated on the employee's regularly scheduled day off, may take another day off, subject to approval by the head of the division to which the employee is assigned or the approval of the appointing authority, subject to the employee using the holiday within a sixty (60) day period from the actual holiday (or the employee will be paid for the holiday pay entitlement).

No employee will be scheduled to work the designated holiday unless deemed necessary by the Division Manager, or his designee.

D. Personal Days. All employees in active pay status, whether exempt or non-exempt will be afforded three (3) personal days off with full normal pay each calendar year. Newly hired employees will be afforded such personal days in their first year of appointment or reappointment as follows:

Hired before May 1three (3) days
Hired from May 1 to August 31two (2) days
Hired after August 31 one (1) day

VI. RELIGIOUS ACCOMMODATIONS.

- A. As required by law, the City will accommodate all employees' religious beliefs. Those who wish to do so may attend religious services according to their faith upon the following conditions:
1. The employee's absence does not cause disruption of the employee's department;
 2. The employee's absence shall not be paid;
 3. The employee may elect to use personal days, vacation days, or comp time to attend religious services or events.

The City of Mansfield's religious accommodation ordinance/policy does not prohibit any employee from utilizing their personal, vacation, or comp time for any non-religious purposes subject to the approval of department head or appointing authority. A person wishing to use time for non-religious purposes must conform to the conditions listed above in Section 5. VI. Religious Accommodations (A).

VII. LEAVES OF ABSENCE.

A. SICK LEAVE

1. Accrual - All eligible full-time, non-bargaining unit employees earn .05769 hours (.0928 hours for employees working forty-eight (48) hour weeks) of sick leave for each non-overtime hour in active pay status. Employees may accrue and carry over all sick leave earned with no limits.

2. Credit for Prior Service.

(a) Transfer of Leave. Employees who previously separated from service with the City or who transfer between City departments or divisions, will be credited with their unused balance of accumulated sick leave. If the time between separation does not exceed (ten) 10 years and the unused balance has not been converted to cash. Additionally, an employee who has prior service with a public agency, as defined herein, shall be credited with the unused balance of accumulated sick leave earned during said prior service, so long as he/she is employed by the City.

(b) Restoration of Leave Credit Upon Re-employment. An employee who has previously accumulated sick leave credit earned with the City or another public agency shall, upon re-employment by the City, have restored all unused sick leave credit which was not converted to a cash benefit provided the employee is re-employed within ten (10) years.

Employees are responsible for informing the Human Resources Department of such prior service.

The term "public agency" as used herein shall include state agencies, counties, municipalities, boards of education, libraries and townships within the State of Ohio.

Employees who have previous service with a public agency as defined herein will be entitled to use sick leave accrued with such prior employer(s), as set forth hereinafter, but shall not be permitted to have it calculated for the purpose of the Annual Conversion Option provision of this Section.

3. Usage - An employee shall take sick leave in the following manner: Sick leave accrued as an employee of the City shall be taken first. If an employee has a sick leave credit carried over from service with another public agency, as defined above, it shall only be used by the employee if all sick leave accrued as an employee of the City has been exhausted.

Sick leave may be used only for the following reasons:

- a. Illness or injury or pregnancy or childbirth related conditions of the employee, or of a member of the employee's immediate family requiring the employee's attendance and personal care;
 - b. Exposure of an employee to a contagious disease which would have the potential of jeopardizing the health of the employee or the health of others;
 - c. Physical, dental, optical or psychological examination or treatment of the employee or a member of the employee's immediate family by an appropriate practitioner.
4. Immediate Family - For purposes of this policy, "immediate family" is defined as the employee's: spouse, mother, father, child, step-child, mother-in-law, father-in-law, or person with whom the employee maintains a spousal relationship or to whom or with whom the employee stands in loco parentis.
 5. Payment - Employees absent on approved sick leave shall be paid at their applicable hourly or salaried rate.
 6. Annual Conversion Option. An employee with at least six hundred (600) hours of accumulated sick leave to his credit as of January 1 of each year may elect to convert up to eighty (80) hours of accrued but unused sick leave into compensatory time (pay for exempt employees), provided that no employee may accrue compensatory time under this section in excess of one hundred sixty (160) hours. Such election shall be made in writing on a form provided by the City delivered by the employee to his division head between January 1 and January 31. Only one election per year shall be processed.
 7. Sick Leave Conversion Upon Resignation. Upon resignation after eight (8) or more years of service with the City, an employee shall be paid in cash the value of the

employee's accrued but unused sick leave credit up to a maximum of two hundred forty (240) hours. Compensation for each day of such leave shall be computed on a basis of the employee's annual salary at the time of resignation, divided by 2080.

In the event of a termination due to a disciplinary action, the above conversion shall apply.

8. Sick Leave Conversion Upon Full Retirement. Upon full retirement, compensation for accrued, unused sick leave shall be based upon the computation charts set forth below. Compensation for each day of such leave shall be computed on a basis of the employee's annual salary at the time of retirement, divided by two thousand eighty (2080).

For an employee hired before January 1, 2014, the number of compensated hours shall be as follows:

Seniority	Hours
1-25 years	One (1) hour for every two (2) hours accrued.
+25-30 years	One (1) hour for every one (1) hour accrued up to a maximum of 1,500 hours accrued and one (1) hour for every two (2) hours accrued remaining beyond 1,500 hours.
over 30 years	One (1) hour for every one (1) hour accrued up to a maximum of 2,000 hrs. accrued and one (1) hour for every two (2) hours accrued remaining beyond 2,000 hours.

For an employee hired on January 1, 2014 or later, the number of compensated hours shall be as follows:

SENIORITY	HOURS
1-25 years	One (1) hour for every three (3) hours accrued.
+25 - 30 years	One (1) hour for every one (1) hour accrued up to a maximum of 1,500 hours accrued and one (1) for every two (2) hours accrued remaining beyond 1,500 hours.
over 30 years	One (1) hour for every one (1) hour accrued up to a maximum of 2,000 hours accrued and one (1) hour for every two (2) hours accrued remaining beyond 2,000 hours.

Full Retirement is defined as an employee who is eligible for retirement by age, service,

or disability requirements of the applicable State Retirement System.

If an employee otherwise eligible for sick leave conversion under subsection VII.A.8 dies while still employed, then the employee will be considered to have retired on the date of his death; and the employee's sick leave conversion benefits shall be computed in accordance with subsection VII.A.8. (except that payment shall be one (1) hour for every one (1) hour of accrued, unused sick leave) and will be paid to the deceased employee's dependents as defined in Ohio Revised Code, §4123.59(D) (1)(2).

9. Transfer Credits. Upon transfer from one division or department of the City to another, unused sick leave days shall continue to be available for the transferred employee's use.

10. Sick Leave Donation Program.

a. An employee may receive donated sick leave, up to the numbers of hours the employee is scheduled to work each pay period or as provided in paragraph (A)(4) of this rule, if the employee who is to receive donated sick leave:

- (1) Has a serious illness or injury as documented by a medical doctor that renders them unable to perform their job function for a minimum of at least four weeks.
- (2) Has no accrued leave;
- (3) Has not been approved to receive other benefits; and
- (4) Has applied for any paid leave, or benefits programs for which the employee is eligible. An employee who has applied for these programs may use donated sick leave to satisfy any waiting period for such benefits, when applicable.

b. An employee may donate sick leave if the donating employee:

- (1) Voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned;
- (2) Donates a minimum of eight hours; and
- (3) Retains a sick leave balance of at least 480 hours.

c. The sick leave donation program shall be administered on a pay period by pay period basis. An employee using donated sick leave shall be considered in active pay status and shall accrue leave (except holidays) and be entitled to any benefits to which they would otherwise be entitled. Holidays will be taken hour for hour as they fall and the employee will not be charged sick leave on that day. Leave accrued by an employee while using donated sick leave shall be used, if necessary, in the following pay period before additional donated sick leave may be received.

Donated sick leave shall not count toward the probationary period of an employee who receives donated sick leave during his or her probationary period. Donated sick leave shall never be converted to a cash benefit. No employee will be permitted off work more than twelve consecutive calendar months using donated sick leave.

- d. An employee who wishes to donate sick leave shall certify on a form provided by the City:
 - (1) The name of the employee for whom the donated sick leave is intended;
 - (2) The number of hours to be donated;
 - (3) That the donating employee will have a minimum sick leave balance of at least 480 hours; and
 - (4) That the sick leave is donated voluntarily and the employee understands that the donated leave will not be returned.
- e. Appointing authorities shall ensure no employees are forced to donate leave. Appointing authorities shall respect an employee's right to privacy, however appointing authorities may, with the permission of the employee who is in need of the leave, inform other employees of their co-worker's critical need for leave. No appointing authorities nor any other city employee shall directly solicit leave donations from employees. The donation shall occur on a strictly voluntary basis.
- f. No employee who donates sick leave shall lose his/her sick leave bonus as a result of such sick leave donation.

B. WAGE CONTINUATION.

- 1. Eligibility and Qualifications. All eligible non-exempt full-time employees who suffer a compensable industrial injury or illness may be eligible for wage continuation benefits in lieu of workers' compensation lost time benefits. Payment of related medical benefits shall remain the responsibility of the Bureau of Workers' Compensation (BWC). Wage continuation benefits are paid only at the discretion of and with the written approval of the Safety-Service Director or Public Works Director, after review and approval by the Human Resources Department, subject to the following conditions:
 - a. The injury or illness must be determined to be compensable by the City, or in the case of dispute, the Ohio Industrial Commission (OIC).
 - b. Valid medical proof of disability must be provided on Form HR62 - Attending Physician Statement and/or appropriate BWC form. The employee's attending physician must complete and sign the form in its entirety.
 - c. The employee shall immediately receive all appropriate and necessary medical

treatment, and, if required, a drug test immediately after the injury occurs and test negative.

- d. The employee must complete an FRO1-1 application, and sign both a wage continuation agreement and election.
 - e. The City reserves the right to have an employee examined by a physician of its choice to confirm any medical diagnosis and/or period of disability.
 - f. Wage continuation will be paid for only those periods of lost time that would qualify the employee for receipt of workers' compensation lost time benefits.
2. Payment. Wage continuation benefits shall be the employee's rate of pay at the time of the injury multiplied by the employee's regularly scheduled hours per week. Such payments shall normally commence immediately upon receipt of disability proof and a completed claim application.
3. Employment Status. An employee qualifying for wage continuation shall be eligible to reschedule any prescheduled vacation which was to be taken during the period of wage continuation. If such vacation, or other accrued vacation, cannot be taken before the end of the employee's anniversary year, the employee shall be entitled to receive payment for such vacation hours, or, the employee can elect to carry over part or all of such vacation as provided in Section IV. E. Such employees shall be entitled to holiday pay for any holidays which occur during a period of wage continuation leave, in addition to wage continuation.
4. Termination of Benefits. Wage continuation will cease upon any of the following conditions:
- a. The employee returns to work.
 - b. The employee's or City's physician releases the employee to return to work.
 - c. The employee begins working for another employer.
 - d. The employee fails to return to work on a Transitional Duty assignment (if applicable) consistent with the employee's medical restrictions.
 - e. The employee fails to appear for a City sponsored medical exam.
 - f. The employee has reached maximum medical improvement (MMI) and/or the condition has become permanent.
 - g. The claim is found to be fraudulent after payment has begun.
 - h. The employee attempts to collect both temporary total compensation and wage continuation.
 - I. Notice of a positive drug/alcohol test;

- j. Termination of employment; or
 - k. Regardless of the above conditions, wage continuation benefits shall terminate when an employee is on wage continuation for 1,560 hours (1,872 hours for forty-eight (48) hour employees) as a result of each incident of compensable injury or illness or re-aggravation of same.
5. An employee who is unable to return to work after the termination of wage continuation benefits shall be placed on the appropriate leave of absence.
6. An ill or injured employee may also qualify for the City's Transitional Duty Program in accordance with Section 5.16 of the City's Personnel, Policy, and Procedure Manual.

C. BEREAVEMENT LEAVE

1. Pay for Bereavement Leave. A leave of absence of five (5) days (with full normal pay) to attend the funeral of a member of the immediate family, to include spouse, child, parent, and parent-in-law, or other relatives or persons with whom the employee maintains a spousal relationship or to whom the employee stands in the place of a parent, living in the same household as the employee at the time of the relative's death, shall be granted to a non-exempt employee.

2. A leave of absence of three (3) days (with full normal pay) to attend the funeral of other immediate family members, to include brother, sister, grandparent, grandparent-in-law, grandchild, half brother, half sister, brother-in-law, and sister-in-law (spouse's sibling or sibling's spouse), shall be granted to a non-exempt employee.

3. A leave of absence of one (1) day (with full normal pay) shall be granted to an employee to attend the funeral of an employee's aunt or uncle, niece or nephew. Proof of death and relationship of the deceased shall be provided to the City by the employee, if so requested.

4. Extended Bereavement Leave. Upon approval of the Safety-Service Director or Public Works Director, bereavement leave in excess of that provided for in subsection VI.C.1. will be charged to the employee's accrued sick leave balance. This use of sick leave counts for purposes of the bonus described in Section VII (A)(6) herein.

5. Definitions. Each of the family member categories included above includes full, half and step members.

6. Bereavement leave as set forth herein shall be available to any employee covered by this Ordinance, whether they be considered exempt or non-exempt.

D. LEAVE OF ABSENCE WITHOUT PAY

1. Eligibility - All employees who have completed their probationary period may request a leave of absence from employment without pay. Approval of such request is solely at the discretion of the Safety-Service Director or Public Works Director and each request will

be determined on its own merits. A leave of absence without pay shall generally not exceed six (6) months, although an extension of up to three (3) months may be granted at the discretion of the appointing authority.

2. Reasons for Leave - Eligible employees may request a leave of absence without pay for the following reasons:
 - a. to pursue education related to the employee's job; or
 - b. when an eligible employee who has exhausted all paid leave is determined by a licensed physician chosen by the City to be temporarily unable to perform the essential functions of the employee's job. A leave of absence without pay may be granted if such physician certifies that the probable length of disability and date of return will not exceed the maximum length of such leave.
3. Return From Leave - Upon returning from an approved leave of absence, the employee shall be placed in the employee's original position, or similar position should the employee's original position be unavailable. Should no similar position be available, the employee will be laid off, and shall have the appropriate displacement rights.
4. Failure to Return or Properly Use Leave - Failure to return to work within three (3) working days after the scheduled end of an authorized leave of absence without acceptable justification will be deemed a voluntary resignation effective as of the scheduled expiration of the authorized leave. Failure to use a leave of absence for the reasons stated in the request for leave may result in cancellation of the leave.
5. Effect On Employment - Sick leave, vacation leave, holiday pay and personal leave are not earned by or paid to employees while on an authorized leave of absence without pay. A leave of absence without pay shall not be considered a break in service for seniority purposes if the employee returns to service at the end of the leave.

E. SPECIAL LEAVE

Leave without pay for personal reasons may be granted at the discretion of the appointing authority for good cause shown for a period not to exceed ninety (90) days. Such requests must be made in writing by the employee on a form provided by the City. Requests will be considered on a case by case basis. All discretionary paid leave must be used before such leave may be granted. Employees on special leave are in a no-pay status, and no paid benefits are accrued or paid while on such leave. The City shall cease paying its share of any health insurance premium for the employee, and shall notify the employee of his COBRA rights, if such leave extends beyond the period of time covered by the last premium payment made by/for the employee.

F. LEAVES OF ABSENCE FOR TEMPORARY MILITARY TRAINING

1. An employee who is a member of the Ohio National Guard, the Ohio Air Guard, the Ohio Naval Militia, or other reserve components of the armed forces of the United States shall be entitled to military leaves of absence from his respective duties for such time as he is in such military service on field training or active duty and pay as provided for in

Ohio Revised Code §5923.05.

2. An employee shall receive the difference between his military pay and his regular pay for this period of time. However, satisfactory evidence of the military pay must be presented to the Finance Director before payment is authorized.

G. CIVIL LEAVE

A non-exempt regular full-time employee covered hereunder subpoenaed for a court appearance or jury duty in any court of record of Ohio shall be paid his regular salary for the period of time so served, unless such court appearance is in connection with the employee's personal business (e.g., traffic court, divorce, etc.). Such employees shall notify a supervisor of their division in advance and shall return to work each day when excused from court for that day. The employee shall deposit all funds received for court duty performed during regular working hours with the Finance Director.

H. DISASTER LEAVE

Time off with pay shall be allowed to a fully qualified non-exempt regular, full-time employee covered hereunder for service in specialized disaster relief service for the American Red Cross. Said leave shall be granted only after the requisition of the individual to serve in such capacity by the American Red Cross and except in case of the need for the employee to function in his job with the City due to an emergency.

I. EXAMINATION LEAVE

Time off with no loss of pay shall be allowed to non-exempt regular, full-time employees covered by this Ordinance to participate in the City's Civil Service tests or taking a required examination pertinent to their City employment before an Ohio or federal licensing board.

J. ORGAN DONOR LEAVE

1. A full-time employee shall receive up to one hundred twenty (120) hours of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of any portion of an adult liver or because of the employee's donation of an adult kidney.

2. A full-time employee shall receive up to forty (40) hours of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of adult bone marrow.

3. Leave under this section does not have to be used in conjunction with other types of accrued leave such as sick leave, vacation or compensatory time.

VIII. LONGEVITY.

- A. Each eligible employee hereunder shall receive a longevity payment for service as a regular full-time employee.

B. An employee entitled to a longevity payment under this Article shall receive \$100 for each year of completed service as computed on November 30 of each year to be paid by December 1 of that year.

In calculating completed service for the purpose of longevity, for all employees other than re-hired retirants, the beginning date shall be the employee's original date of hire by the City. For employees who have retired from the City and been rehired, the calculation of longevity shall begin with the date of rehire. Provided however, that any re-hired retirant who is currently receiving longevity which is calculated utilizing pre-retirement service shall continue to receive longevity on that basis until such time as service with the City is finally concluded.

C. In the event an eligible employee terminates his/her employment during a calendar year, he/she shall be paid a prorated share of his applicable longevity payment. An employee shall be credited with completed years and months of service based on his/her anniversary date. "Completed month" meaning that an employee has worked more than fifteen (15) days in an anniversary month [e.g. If anniversary date is November 10th and retirement date is December 1st, then employee would be paid longevity for the month of November 10th through December 10th].

IX. SHIFT DIFFERENTIAL

Non-exempt employees who are assigned to a regular eight (8) hour shift on second or third shift shall receive shift differential pay of \$1.00 per hour in addition to the employee's straight hourly rate of pay for all hours worked on second or third shift.

X. CLOTHING ALLOWANCE

A. The City will furnish, at its own cost, such items of protective clothing, gloves, boots, safety equipment, etc. designated in writing by the appointing authority for the employee as necessary to protect the employee on the job assignment. The employee shall be responsible for all issuances. He shall turn in all such clothing and equipment when requested by his supervisor, or upon termination of employment. A copy of the issuance, including costs, shall be given the employee. The City will provide any uniforms it designates to be worn by employees. Such uniforms must be worn.

B. A uniform maintenance allowance of One Thousand Dollars (\$1,000) per year shall be paid to the Chief of Police, the Assistant Chief of Police, the Chief of Fire, and the Assistant Chief(s) of Fire. Such allowance shall be paid in two (2) installments of Five Hundred Dollars (\$500) each and shall be payable for the prior six (6) month period **on the first pay date in** ~~the first week of~~ November and May of each year. An employee of the Division of Fire or the Division of Police as aforementioned, retiring or resigning shall be entitled to receive the uniform maintenance allowance, prorated to the nearest full month on the date of resignation or retirement.

XI. CERTIFICATION PAY

A. Employees covered by this Ordinance, who are required by their position to possess, or are approved by their appointing authority to utilize the license or certification indicated below, in addition to their normal rate of pay, shall receive license pay as follows:

CDL-A	\$40.00 \$50.00 /month
CDL-B License	\$35.00 \$40.00 /month
Each CDL Endorsement	\$25.00 \$30.00 /month additional

Class I *	\$45.00 \$52.50 /month
Class II*	\$62.50 \$70.00 /month
Class III*	\$80.00 \$90.00 /month
Class IV*	\$97.50 \$110.00 /month

Building Official \$97.50/month

Residential Bldg. Official \$97.50/month

Master Plans Examiner \$97.50/month

Building Inspector \$97.50/month

Electrical Safety Inspector \$97.50/month

Electrical Class A License \$97.50/month

EPA Chemical & Microbiological

Lab Certification (WTP) (one per plant)..... \$45.00/month

OWEA Class II Lab Certification

(WWTP) (one per plant)..... \$45.00/month

Ohio Department of Agriculture

Commercial Pesticide Applicator

License (four (4) total: one at WTP,

one at WWTP, one at Service Complex,

one Building Maintenance \$35.00/month

* These classified licenses **include** are for Water Distribution/Wastewater Collection System certifications/licenses issued by the Ohio EPA.

All license or certification pay listed above, ~~with the exception of CDL License payments~~, shall be pro-rated and paid each pay period. ~~CDL License pay shall be paid annually, however, should an employee who is eligible for CDL License pay have his employment terminated for any reason prior to November 30 of a given year shall receive a pro-rated annual payment based on the actual calendar days which elapsed prior to the termination of employment during the year prior to November 30.~~

B. Employees in the Division of Engineering (except the City Engineer or Chief Deputy City Engineer) shall receive additional monthly compensation, unless such qualification is a prerequisite to the position held as follows:

1. Registration by the State of Ohio as a Professional Engineer. \$35 per month.
2. Graduation from a four year college or university or registration by the State of Ohio as a professional land surveyor. \$30 per month.
3. Graduation or a diploma from a two year technical college. \$25 per month.

C. Guidelines.

1. An employee can receive one (1) additional certification payment per Section

XII(A), (B) or (C) or a maximum of three (3) payments.

2. Provide proof of up-to-date licenses or certification from the state to the Human Resources Department by no later than November 30 of each year, ~~for payment in January of the following year.~~
3. ~~The January payment will be an annual payment for licenses and certification qualifications for the preceding year.~~

D. Hazardous Materials/Technical Rescue Team. Each employee in the Division of Fire who meets the qualifications for service as determined by the Chief of Fire and is appointed to the division's Hazardous Material/Technical Rescue Team and who serves on the team for an entire calendar year ~~(beginning with calendar year 2000)~~, and is still on the team on January 1 of the following year, shall receive a payment of Five Hundred Dollars (\$500), payable in the first pay in April.

XII. EDUCATION REIMBURSEMENT

A. Education Reimbursement. Each full-time regular employee with at least one (1) year of service since the employee's most recent hire date is eligible to apply for reimbursement of tuition and other costs of instruction voluntarily undertaken by the employee subject to the following conditions.

B. Approval. All requests for reimbursement must be approved in advance by the Human Resources Division, division head and Safety-Service Director or Public Works Director. Approval is based upon meeting all of the qualifications herein and the availability of funds. In addition, the Mayor shall create and maintain a current list of approved institutions for which reimbursement of tuition may be made under this section. Only those institutions licensed shall establish eligibility of an employee for reimbursement.

C. Tuition Reimbursement. Reimbursement of tuition for pre-approved courses shall be made upon presentation of an official transcript of payment as follows:

GRADE	% Of Maximum Reimbursement	
	Undergraduate	Graduate
A or equivalent (or pass if pass/fail)	100%	100%
B or equivalent	75%	50%
C or equivalent	50%	0%
Below a C (or fail if pass/fail)	0%	0%

So, for example, if an employee in an undergraduate course had a tuition reimbursement amount of \$500.00 for a semester approved, and the employee received a grade of "B" for the class, the employee would be reimbursed for \$375.00.

D. Other Fees. Course materials and fees required to attend approved courses may be reimbursed at 100%. Books, instructional materials and fees which are strongly advised, but not required, may be reimbursed at 25%.

E. Conditions. Reimbursement can only be made for the following courses and under the following conditions:

1. The course must be a technical or business post-high school level course at an accredited institution or an undergraduate or graduate course at an accredited college or university;
2. The course must be directly related to the duties and responsibilities of the employee's present position or the duties and responsibilities of the next higher position in the normal career path within the employee's department.
3. All courses must be taken during the employee's non-scheduled working hours. Any situation which in the discretion of the division head would require an employee's presence on the job shall take complete precedence over any time scheduled for course work.

F. Time spent in attending all courses hereunder is not considered compensable hours worked. Employees may not be reimbursed for meals, travel expenses, parking, housing or any other expense related to course attendance.

G. Employees who resign or are terminated from employment for just cause within five years after the end of any semester, quarter or class for which they received education reimbursement from the City shall repay such reimbursement to the City as follows:

Years	Repayment
0-1	100 %
1-2	80 %
2-3	60 %
3-4	40 %
4-5	20 %
more than 5	0 %

XIII. DISCIPLINE

A. The forms of misconduct which are the basis for the reduction, suspension or removal of an individual employee are: neglect of duty; incompetency; inefficiency; dishonesty; drunkenness; immoral conduct; insubordination; discourteous treatment of the public; any other failure of good behavior, and any other acts of misfeasance, malfeasance and nonfeasance.

B. Each record of disciplinary action shall remain in force and effect as follows:

1. Informal conference - 12 months
2. Record of written reprimand - 12 months
3. Record of suspension or fine - 24 months

C. Thereafter, each disciplinary action shall cease to have force and effect for progressive discipline purposes provided intervening disciplinary action does not occur within the 12 or 24 month period following the respective disciplinary action.

D. Supervisors may issue informal conferences and written warnings. Only the Safety-Service Director has the authority to reduce in classification or pay, fine, suspend or terminate a classified employee. Prior to such discipline, a pre-disciplinary conference must be held.

E. Whenever a division head determines that a classified employee may have committed an offense which could result, if proven, in a suspension, reduction in pay or classification, or termination, a pre-disciplinary conference will be scheduled by the division head to give the employee an opportunity to offer an explanation of the alleged conduct. Pre-disciplinary conferences will be conducted by the Human Resources Director.

F. Prior to the scheduled starting time of the conference, the division head will provide the employee with a written outline of the charges which may be the basis for disciplinary action. In response, the employee must appear at the conference to present an oral or written statement in the employee's defense; or appear at the conference and have legal counsel present an oral or written statement in the employee's defense; or elect in writing to waive the pre-disciplinary conference.

G. An employee who elects to attend the conference and present evidence, or who is called to testify, must answer all questions truthfully. If it is later proved that the employee's answers were not truthful, such dishonesty may result in disciplinary action.

H. At the conference the employee may present any testimony, witnesses, or documents which explain whether or not the alleged misconduct occurred. The employee shall provide a list of witnesses to the division head as far in advance as possible, but not later than one hour prior to the pre-disciplinary conference. It is the employee's responsibility to notify witnesses that their attendance is desired.

I. Personnel Files. Personnel files on all employees covered by this Ordinance shall be maintained in the office of the City's Human Resources Director, and each employee shall be allowed to review the contents of his personnel file at all reasonable times during his non-work hours upon written request. Memoranda clarifying and explaining alleged inaccuracies of any document in his file may be added to the file by the respective employee.

XIV. EMPLOYEE CONCERNS/COMPLAINTS

A. Each employee is permitted to pursue a concern, complaint, or a misunderstanding regarding their employment with the City of Mansfield. All concerns and complaints will be dealt with in a timely fashion and objectively.

B. The following procedure is available to all employees:

1. An employee first should approach his immediate supervisor on an informal basis. There is a possibility that the problem can be satisfactorily resolved at this level.

2. If the problem cannot be resolved on an informal basis, the employee should refer the problem to his division head (if that person is not his immediate supervisor).
 3. If the employee still has not received a satisfactory answer, the employee should feel free to contact his appointing authority or the Human Resources Director (if that person is not his immediate supervisor or division head) and a meeting will be arranged to discuss the situation.
- C. All concerns, complaints, and misunderstandings will be processed objectively.

XV. SERVICE HANDGUN AND FIRE HELMET

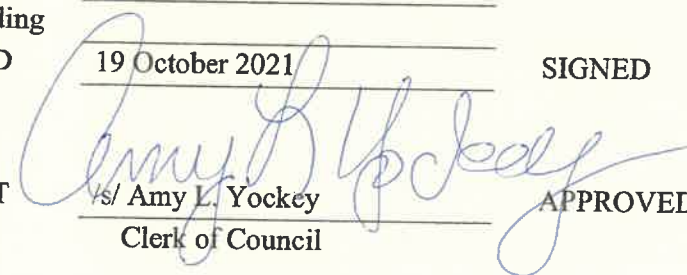
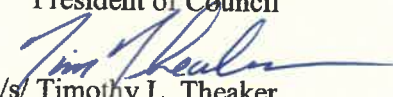
Upon full retirement with twenty-five (25) years of service or full disability retirement under the Ohio Police & Fire Pension Fund, a retiring Chief of Police or Fire or Assistant Chief of Police or Fire shall be permitted to purchase his service handgun or fire helmet from the City for the purchase price of One Dollar (\$1).

XVI. OTHER

Other policies, and procedures to implement these policies, shall be contained in a personnel policy manual and employee handbook maintained by the Human Resources Director.

SECTION 6. That any existing Ordinances pertaining to wages and salaries, fringe benefits and terms of employment of employees covered by this Ordinance be, and the same are hereby, repealed.

SECTION 7. That by reason of the immediate necessity for establishing and implementing wages, salaries, fringe benefits, and terms of employment for certain non-collective bargaining unit employees, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	19 October 2021		
1 st Reading	19 October 2021		
2 nd Reading			
PASSED	19 October 2021	SIGNED	 /s/ David Falquette President of Council
ATTEST	 /s/ Amy L. Yockey Clerk of Council	APPROVED	 /s/ Timothy L. Theaker Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio