

Village of Mantua, Ohio
ORDINANCE 2012-42
(amended)

**AN ORDINANCE AMENDING SECTION 4.4 OF THE VILLAGE OF MANTUA
EMPLOYEE HANDBOOK TO AMEND THE VILLAGE'S POLICY REGARDING
COMPENSATORY TIME.**

WHEREAS, this Council has previously passed Ordinance 2010-24, the Village of Mantua Employee Handbook which contains the Village's policies and guidelines relating to employees; and

WHEREAS, Section 4.4 of said Employee Handbook currently states that compensatory time is not an option for the compensation of employees working more than 40 hours in a week; and

WHEREAS, the Service Department has recommended that Compensatory Time be permitted and a policy for its use be established; and

WHEREAS, this Council wishes to amend the Village of Mantua Employee Handbook in order to address this recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Mantua, Portage County, Ohio, a majority or more of the members elected thereto concurring that:

SECTION 1. Existing Section 4.4 of Ordinance 2010-24, the Village of Mantua Employee Handbook, is hereby repealed.

SECTION 2. Section 4.4 of Ordinance 2010-24 is hereby enacted as follows:

Section 4.4 **EARNING AND USE OF OVERTIME AND/OR COMP TIME**

Employees shall be compensated for overtime at a rate of 1.5 hours per hour over forty (40) hours per week worked.

1. It shall be the Department Head's responsibility to see that accurate time records are kept of all hours worked. The Department Head shall use his/her best efforts to see that overtime is kept to a minimum.
2. Cash payment is the default method of pay for overtime. Employees wishing to be compensated with comp time must make specific request to Department Head prior to the close of the pay period in which the overtime work was performed.
3. Comp time, vacation time, leave of absence, holidays and sick time taken shall not be considered as hours worked in calculation of overtime compensations.
4. Evening Meetings. In order to prevent unnecessary accrual of overtime and/or comp time, where an hourly employee must attend an evening meeting, such employee shall make note of the amount of time spent at the meeting, and within that pay week, shall leave early by that same amount of time as long as leaving early does not create a loss of service to the public. This shall be reflected on the employee's time sheet. The Village Clerk shall have the right to withhold pay (overtime or regular), or to refuse to credit comp time, which results from any failure to adhere to this policy.

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5. All records of comp time shall be kept by the Department Head and turned in to the Village Clerk for approval/payment at the end of each pay period. This is for all employees. No employee may accumulate more than 40 hours of comp time. Comp time in excess of 40 hours shall be paid in the employee's next paycheck.
6. Any comp time taken shall only be used with approval of the Department Head.
7. Cashing in of compensatory time.
 - a. Compensatory time may be transferred into cash award to the employee at the current rate of pay at time of request. The maximum that may be paid out within any given year is 40 banked hours. All requests shall be in writing to the Department Head. The Department Head will make request to the Clerk/Treasurer for approval.
 - b. Upon retirement or any other employment termination, the employee will be paid for any compensatory time accumulated at the current hourly wage rate.

SECTION 3. All other provisions of Ordinance 2010-24, the Village of Mantua Employee Handbook shall remain in full force and effect.

SECTION 4. It is hereby found and determined that all formal action of this Council concerning and relating to the passage if this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in a meeting open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance will become effective after approval by a majority of the members elected to the Mantua Village Council at the earliest period allowed by law.

Passed in Council this 18th day of September, 2012.

1st Reading: July 17, 2012

Mayor Linda Clark

2nd Reading: August 21, 2012

3rd Reading: September 18, 2012

ATTEST:

Effective: October 18, 2012

Clerk

I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio, on the _____ day of _____, 2012.

Clerk

Approved as to Legal Form:

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Michele A. Stuck, Solicitor