

Village of Mantua, Ohio
ORDINANCE 2013-57

**AN ORDINANCE AMENDING SECTION 5.2 OF THE VILLAGE OF MANTUA
EMPLOYEE HANDBOOK RELATING TO ACCRUAL AND USE OF VACATION
TIME, AND DECLARING AN EMERGENCY.**

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, in order to clarify this Council's intent as to the accrual and use of vacation time, Section 5.2 must be amended.

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

SECTION 1. Existing Section 5.2 of Ordinance 2010-24 is hereby repealed

SECTION 2. Section 5.2 of Ordinance 2010-24 is hereby enacted as set forth in "Exhibit A", attached hereto and incorporated herein by reference.

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 is hereby declared an emergency measure, in order to clarify the intent of this Council with respect to vacation leave at the earliest possible time, and shall become immediately effective upon approval by at least two thirds of the members elected to the Mantua Village Council.

Passed in Council this 16th day of July, 2013.

ATTEST:

Mayor Linda Clark

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 _____, 2013.

Approved as to Legal Form:

Michele A. Stuck, Solicitor

Clerk

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“EXHIBIT A”

- A. Permanent full-time employees only shall be granted vacation leave with pay at their regular rate of pay. Vacation leave shall accrue as follows:

<u>Length of Service with the Village</u>	<u>Accrual Rate per Pay Period</u>
Up to Ten Years	3.08 hours
Ten Years or More	4.62 hours
Fifteen Years or More	6.16 hours

Additionally, full-time employees hired prior to 1995 only shall accrue additional vacation time as follows:

Twenty Years or More	7.69 hours
Twenty-Five Years or More	9.23 hours

Existing full-time employees as of July 1, 2013 will begin to accrue vacation at the above rates beginning January 1, 2014, as their full vacation award for 2013 has previously been granted.

Accrual at a higher rate shall begin with the next pay period after the employee’s start date anniversary, as appropriate.

- B. The Village of Mantua does not consider employment with other State agencies when computing Length of Service for vacation accrual. Vacation leave accrual is based on full-time continuous employment with the Village. Should an employee voluntarily terminate his employment with the Village and later be re-hired, prior full-time service will not be considered. Should an employee’s full-time status be reduced to part-time and later elevated to full time, or the employee be laid off and later recalled, be on an authorized leave of absence or FMLA, prior full-time service will be included.
- C. Full-time employees will be eligible to use accrued vacation leave after six months continuous full-time service with the Village and the successful completion of their probationary period.
- D. If one of the holidays specified in Section 5.3 falls within the employee’s vacation week, the employee will be given holiday pay for the holiday and will be permitted to use the vacation leave at another time.
- E. No employee shall be permitted to carry over more than two hundred forty (240) hours of vacation leave from one calendar year to the next. Accrued but unused vacation time in excess of 240 hours existing as of December 31st of any year shall be forfeited except for all accumulated time accrued as of the first effective date of Ordinance 2010-24.
- F. Employees may only use vacation time to replace normally scheduled work hours. Vacation time shall not be considered “hours worked” and shall not be used to create an overtime situation. Vacation continues to accrue while the employee is on vacation, personal or sick leave, comp time, or leave of absence less than one month (section 5.9.G). All vacation time must be approved by the employee’s Department Head. Vacation Leave of Department Heads must be approved by the Mayor. A vacation request must be submitted no less than two weeks in advance of the vacation leave.
- G. Upon retirement or any other employment termination, the employee will be paid for any accrued vacation at his/her current hourly rate, except that an employee who fails to complete the six-month probationary period will not be paid for accrued vacation.
- H. There will be no cash payment for accrued but unused vacation time, except as provided in Section 5.2.G, or, in individual instances, upon affirmative vote of at least two-thirds of the Village Council for good cause shown.