

ORDINANCE # O-27-2018

AN ORDINANCE TO EDIT SECTION 10.2 AND SECTION 10.3 OF THE POLICIES AND PROCEDURES MANUAL

WHEREAS, the Village recently had at least one employee who has moved to an alternate schedule vs. the standard workweek;

WHEREAS, a question has arisen regarding holiday pay and vacation time for employees with alternate schedules;

WHEREAS, there is no statute or other regulation which would be instructive on this matter, as it is left up to the individual employers to decide how this is to be handled;

WHEREAS, the Village Council for the Village of Bolivar wishes to amend and restate Section 10.2 of the Policies and Procedures Manual regarding the Village's holiday policy:

10.2 Holiday Leave

The following days shall be observed as holidays by full-time employees of the Village of Bolivar: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day, Christmas Eve and Christmas Day. The dates for observation of the above holidays shall be those designated at the Federal level, unless otherwise provided by the Village Council. A holiday day shall be defined as one eight (8) hour day.

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Village offices are closed on legal holidays as appointed by the Council or by the Governor only when ratified by the Village of Bolivar Council.

When an employee is not working on a designated holiday, the employee will be paid 8 hours (or the prorated amount if less than full time) at the employee's regular rate of pay. If the employee is on an alternate work schedule, such as working 4 days for 10 hours vs. the standard workday, that employee will receive the 8 hours of holiday pay, and the employee may:

1. elect to use either vacation, flex time, or compensatory time earned to make up for the time in excess of the 8 hours that the employee was originally scheduled to work; or
2. elect to forego compensation for the difference; or
3. upon supervisor approval, an employee may work additional hours during the same designated workweek as the holiday, in lieu of using accrued leave.

10.2.1 Working on a Holiday

When an employee is required, by schedule, to work on any of the above holidays, he or she shall be paid for the hours worked on that holiday at two times the regular rate of pay.

10.2.2 Holiday During Leave

Employees will not be paid for holidays which occur during a leave of absence or disciplinary action against the employee. If a holiday falls during an employee's sick leave, that day will be counted as a holiday and not as a sick day. A holiday occurring while an employee is on vacation will be counted as a holiday and not as a vacation day.

10.2.3 Religious Holidays

Special holidays of a religious nature may be allowed upon advance request of the individual employee. Any special holidays shall be without pay. Requests for special holidays which are submitted to the department head and/or Council at least one (1) month in advance will be authorized as much as possible. The employee's department head or Council shall make reasonable efforts to accommodate all requests submitted later than one (1) month in advance.

WHEREAS, the Village Council for the Village of Bolivar wishes to amend and restate Section 10.3 of the Policies and Procedures Manual regarding the Village's vacation policy:

10.3 Vacation Leave

Only full-time employee who have completed one year of service and are on active pay status with the Village shall be eligible for vacation leave. An employee shall receive the following vacation leave hours upon their anniversary date of employment:

- After one (1) year of continuous service, two (2) weeks, or 80 hours.
- After ten (10) years of continuous service, three (3) weeks or 120 hours.

After twenty (20) years of continuous service four (4) weeks or 160 hours.

Under this Section, a week shall be defined as five (5) eight (8) hour days. For those employees on a non-traditional schedule, they shall be entitled to the same hours of vacation time as a traditional employee of their seniority. So, for example, an employee on a non-traditional schedule who has one year of service will still only have 80 hours of vacation time.

Vacation leave is used in two (2) hour increments. Vacation leave is not cumulative from year to year and any unused vacation leave will be forfeited on the employee's anniversary date.

Now, therefore be it ordained by the Village Council the Village of Bolivar, Ohio, as follows:

SECTION 1. The Village Council for the Village of Bolivar hereby amends and restates Section 10.2 and Section 10.3 of the Policies and Procedures of the Village of Bolivar to include the aforementioned language.

READ: September 4, 2018, October 1, 2018, and November 5, 2018

PASSED: November 5, 2018

REBECCA HUBBLE, MAYOR

ATTEST:

MARIA APP, FISCAL OFFICER