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CHAPTER 185 Fringe Benefits

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185.01 EMPLOYEE DEFINED.

“Employee” as used in this Chapter 185 means a person appointed to a permanent position of employment with The City of Springfield, Ohio, except:

- (a) persons holding position within bargaining units certified by the State Employment Relations Board,
- (b) persons subject to individual employment agreements,
- (c) elected officials, and
- (d) persons employed by the Clark County Municipal Court through appointment by the judge(s) and clerk of the Clark County Municipal Court.

185.02 HOLIDAYS.

(a) The following days of each year shall be observed as holidays for all employees:

- (1) January 1--New Year's Day
- (2) Martin Luther King Day--third Monday in January
- (3) Presidents Day--third Monday in February

- (4) Memorial Day--last Monday in May
- (5) Independence Day--July 4th
- (6) Labor Day--first Monday in September
- (7) Veterans' Day--November 11th
- (8) Thanksgiving Day--last or next to last Thursday in November
- (9) Day after Thanksgiving
- (10) Christmas Eve--last work day before Christmas
- (11) Christmas Day--December 25th
- (12) Employee's Birthday

In the event any of the above mentioned holidays falls on a Saturday, the same shall be observed on the preceding day; if any of the above mentioned holidays falls on a Sunday, the same shall be observed on the succeeding day. The term holiday as used in this chapter will apply to the preceding or succeeding day of observance.

(b) Holidays may not be accumulated beyond the calendar year in which they occur.

(c) The birthday holiday may be used anytime throughout the calendar year in which the birthdate occurs provided that the employee was or is actually employed on such birthdate. Any employee who terminates his or her service with the City prior to his or her birthdate, having used the birthday holiday, shall have deducted from any final compensation due an amount reflecting the prior payment for such birthday holiday. Birthday holidays must be used during the calendar year in which the birthdate occurs and cannot be carried over for use in any subsequent calendar year.

(d) Holidays that have occurred for which an employee has not been paid shall, upon leaving City employment for any reason, be paid for those holidays which have occurred during the calendar year.

185.03 HOLIDAY PAID LEAVE OF ABSENCE; EXCEPTIONS.

(a) Each full time employee shall be entitled to leave of absence with pay on each of the holidays listed in Section 185.02. Payment for each holiday shall be equivalent to one day's regular pay, provided that such employee shall have worked or have been in approved leave status on the employee's regular work days immediately preceding and immediately following the holiday.

(b) Employees whose regular schedule of work includes work on holidays, shall work on holidays pursuant to that schedule and shall be granted a substitute day off with pay to be scheduled with approval of the employee's manager.

185.04 WORK ON HOLIDAYS.

(a) An employee compensated on an hourly basis, who is required to work on a holiday, shall be paid at twice the employee's regular hourly rate for actual time worked on the holiday, rounded to the nearest one-tenth (1/10) hour, provided such

work has been authorized and directed by management. Authorization after the fact will only be granted in cases of extraordinary emergency.

(b) No overtime will be paid for work on the Employee's birthday holiday.

(c) Notwithstanding the provisions of paragraph (a) above, in the event that a person or organization schedules a conference or training program on a holiday, and the City Manager or his designee determines that the conference or training program would be beneficial to the operations of the City, any employee attending such a program will not be paid pursuant to paragraph (a), but instead will receive their regular rate of pay for such holiday and one additional day off with pay. Such additional day shall be taken at a time approved by the director of the department in which the person is employed with due regard to the preference of such employee consistent with efficient operation.

185.05 HOLIDAY LEAVE PAYMENT.

(a) Each Assistant Chief within the Fire Division, following written notification to the Chief of the Fire Division, may elect to receive a cash payment in lieu of all or part of his paid annual holidays for three (3) consecutive calendar years within the four (4) calendar years immediately prior to service retirement eligibility. Such employees who elect to exercise this provision shall be paid for any remaining unused holidays for which he is entitled at the straight-time rate in effect at the end of the last full pay period of the relevant year. Such payment shall be made in January following the calendar year in which the holidays were unused.

(b) Each Captain within the Police Division, following written notification to the Chief of the Police Division, may elect to receive a cash payment in lieu of all or part of his paid annual holidays for three (3) consecutive calendar years within the four (4) calendar years immediately prior to service retirement eligibility. Such employees who elect to exercise this provision shall be paid for any remaining unused holidays for which he is entitled at the straight-time rate in effect at the end of the last full pay period of the relevant year. Such payment shall be made in January following the calendar year in which the holidays were unused.

185.06 VACATION LEAVE.

(a) Full time employees of the City hired before May 31, 2006, except Captains in the Police Division, shall accrue vacation leave in accordance with the following schedule:

<u>Length of Employment</u>	<u>Vacation Accrual Rate</u>
Upon completion of 6 mos.	24 hrs
After 6 mos.	1.23 hrs / pay period
After 1 year	4 hrs / pay period
After 4 years	4.92 hrs / pay period
After 9 years	5.54 hrs / pay period
After 14 years	6.46 hrs / pay period

After 19 years	7.08 hrs / pay period
After 24 years	7.69 hrs / pay period
After 29 years	8.62 hrs / pay period

(b) Captains in the Police Division hired before May 31, 2006, shall accrue vacation in accordance with the following schedule:

<u>Length of Employment</u>	<u>Vacation Accrual Rate</u>
During the first year	3.69 hrs / pay period
After 1 year	4.31 hrs / pay period
After 4 years	5.23 hrs / pay period
After 9 years	5.85 hrs / pay period
After 14 years	6.77 hrs / pay period
After 19 years	8.0 hrs / pay period

(c) Full time employees of the City, hired on or after May 31, 2006 shall accrue vacation leave in accordance with the following schedule:

<u>Length of Employment</u>	<u>Vacation Accrual Rate</u>
Upon completion of 6 mos.	24 hrs
After 6 mos.	1.23 hrs / pay period
After 1 year	3.08 hrs / pay period
After 5 years	4.62 hrs / pay period
After 10 years	6.16 hrs / pay period

(d) The above accrual schedules presume that the employee is in paid status for 80 hours in the pay period. Vacation accrual will be prorated for any pay period in which the employee is in paid status less than 80 hours.

185.07 CALCULATING VACATION LEAVE.

(a) In calculating length of employment under Section 185.06, an employee shall be credited with prior period(s) of employment with the City.

(b) Employees who were credited with service with another public employer under prior ordinances shall continue to receive such credit, but no employee hired after the effective date of this ordinance shall receive such credit.

(c) In determining length of employment under Section 185.06, an employee shall be credited with military service in addition to service with the City, provided the employee entered military service directly from City employment and returned to City service immediately following completion of the military service.

185.08 USE OF VACATION.

An employee may use vacation to obtain absence with pay. The time scheduled for use of vacation leave shall be approved by management in accordance with policies established by the City Manager.

185.09 UNUSED VACATION.

(a) Employees may carry over from one calendar year to the next, accrued and unused vacation leave up to a maximum of 320 hours. Vacation leave accrued and unused in excess of this limitation shall be cancelled at year end. With the written approval of the City Manager, an employee may exceed the maximum limitation only at the end of the year preceding the employee's intended retirement.

(b) Upon termination of employment, an employee shall receive an amount equal to the employee's accrued unused vacation leave hours multiplied by the employee's regular hourly rate. The regular hourly rate of a salaried employee shall be calculated by dividing the employee's annual salary by 2080.

(c) Upon layoff, an employee shall have the option to be paid for accrued and unused vacation time up to the date of layoff in the manner described in the preceding paragraph. An employee desiring to exercise such option shall do so in writing directed to the City prior to the effective date of the layoff. In the event that an employee is on layoff status for a period of one continuous year, payment of accrued, unused vacation time to such an employee shall be made in conformity with subsection (b) hereof.

185.10 SICK LEAVE ACCRUAL.

Each full time employee shall accrue sick leave at the rate of .0575 hours for each hour in paid status. Salaried employees shall accrue sick leave at the rate of 4.6 hours per pay period.

185.11 SICK LEAVE USAGE.

(a) Sick leave shall be used to continue the employee's regular pay when the employee is unable to work for any of the following reasons:

- (1) the medical condition of the employee,
- (2) the medical condition of a member of the employee's immediate family residing with the employee such as to require the personal care and attendance of the employee,
- (3) to attend scheduled appointments for medical or dental examinations or treatments of the employees, or
- (4) to make arrangements for and attend a funeral of a member of the employee's immediate family.

(b) For the purpose of this Section 185.11 "immediate family" means the employee's spouse, parent, step-parent, child, step-child, sibling, brother-in-law, sister-in-law, father-in-law, mother-in-law, grandparent, grandchild, daughter-in-law, son-in-law, and also includes other relatives who reside with the employee.

185.12 DONATION OF SICK LEAVE.

An employee who has a sick leave balance in excess of 300 hours may donate hours in excess of 300 to another employee who is an eligible donee. An eligible donee is another employee who is terminally ill (as determined by a licensed physician) who

has exhausted all accumulated paid leave. The City Manager shall establish rules and procedures for donation of sick leave.

185.13 UNUSED SICK LEAVE.

(a) An employee who retires or otherwise terminates employment in any manner except by discharge for cause or death and who on such termination date has been in the employ of the City of Springfield for a period of ten years or more, having accumulated over 300 hours of sick leave, shall be paid sixty two and one-half percent (62.5%) for all accumulated sick leave in excess of 300 hours.

(b) An employee who is laid off and who has accumulated over 300 hours of sick leave and has been in the employ of the City for a period of ten years or more, shall have the option of receiving the payment for unused sick leave authorized in subsection (a) hereof. Such option may be exercised at any time after notice of layoff to such employee who has been given but no later than the time when such employee ceases to be laid off and in no event later than one continuous year after layoff status commences. An employee shall do so by submitting a written request therefor.

(c) Payment for unused sick leave shall be made at the employee's regular hourly rate in effect on the date of termination of employment or layoff, as the case may be. An employee electing to receive payment for unused sick leave pursuant to subsections (a) and (b) of this section shall have his accumulated sick hour balance cancelled.

(d) An employee who leaves the employ of the City for a position with a qualifying governmental agency, as defined and provided for by the Ohio Revised Code, and who satisfies the requirements of subsection (a) hereof may elect to be paid for a portion of their accumulated sick leave as provided for in subsection (a) hereof and transfer the remaining portion in excess of the minimum accumulation (300 hours) and excluding those hours used to calculate a partial pay-out under this section to such qualifying governmental agency at the rate of one hundred percent (100%); subject to the limitations of State law and the policies of the entity to which the employee transfers. An employee wishing to exercise this option shall do so by submitting a written request therefor to the Director of Finance and Personnel Director no later than two weeks prior to such transfer.

(e) An employee who dies while employed by the City, and who has been in the employ of the City of Springfield for a period of ten years or more as of the date of death, shall have paid to his/her estate one-hundred percent (100%) of all accumulated sick leave hours. The rate utilized to calculate such payment shall be the regular hourly rate in effect for the employee at the time of death.

(f) An employee who shall become disabled, apply for and be found to be eligible for disability retirement under the provisions of Ohio law, shall use all accumulated sick leave prior to going on disability retirement. However, in the event the

City should find it necessary to declare any such person's position vacant or for other reason except discharge for cause find it necessary to terminate an employee who is going on disability retirement before the employee has exhausted his accumulated sick leave, then in such event the employee shall be paid one hundred percent (100%) of any accumulated sick leave which he/she has been unable to use.

(g) The accumulated hours referred to in subsection (a), (b), (d), (e) and (f) hereof must be hours accumulated with the City and not transferred in from another agency. In making this calculation, the City shall subtract the number of hours transferred in by the employee under Section 185.14.

185.14 TRANSFER OF UNUSED SICK LEAVE.

Unused sick leave accumulated in the service of a public agency other than this City, pursuant to Ohio R.C. 124.38, shall be credited to any such employee transferring from such public agency to the employment of the City up to a maximum of 300 hours.

185.15 SICK LEAVE RULES.

The City Manager shall establish rules and procedures for the administration of sick leave benefits. Such rules may include methods of verifying the legitimacy of sick leave usage, and the reporting and recording of sick leave usage.

185.16 INJURY LEAVE.

(a) When an employee sustains an injury on duty and acting nonnegligently in the line of duty, the employee shall make application for and actively prosecute claims under the Workers' Compensation laws of Ohio.

Such employee may file a request for injury leave with the City. Such application shall assign to the City all wage loss benefits which the employee may receive through the Workers' Compensation laws for any period of time during which the employee is receiving injury leave benefits from the City.

If an employee refuses to make such assignment, such employee shall be ineligible for injury leave benefits. If the employee fails to comply with the terms of the assignment by failing to turn over to the City all such wage loss benefits through Workers' Compensation laws, such failure shall constitute grounds for termination of employment.

(b) If the application for injury leave benefits is approved by the City, such employee may convert up to 347 hours of his accumulated sick leave balance to injury leave. Such conversion shall be at the rate of three hours of injury leave for every one hour of accumulated sick leave balance.

185.17 LONGEVITY PAYMENT.

(a) Each full time employee hired before May 31, 2006 shall receive an annual longevity payment based on a percentage of the employee's total wage or salary earnings (excluding overtime compensatory time paid out under Section 185.22(d) and longevity) for the longevity year most recently completed in accordance with the

following schedule:

<u>Completed Years of Service</u>	<u>Percentage</u>
5	2%
10	3%
15	4%
20	5%
25	6%

(b) Each full time employee hired on or after May 31, 2006 shall receive an annual longevity payment based on a percentage of the employee's total wage or salary earnings (excluding overtime compensatory time paid out under Section 185.22(d) and longevity) for the longevity year most recently completed in accordance with the following schedule:

<u>Completed Years of Service</u>	<u>Percentage</u>
5	1%
10	1.5%
15	2%
20	2.5%
25	3%

185.18 LONGEVITY ADMINISTRATION RULES.

(a) Longevity payments shall be made on the last bi-weekly payday in November.

(b) As used in Section 185.17 "Longevity year" means the 26 pay periods preceding the last pay period in October. In calendar years in which there are 27 pay periods, the "Longevity year" shall include 27 pay periods.

(c) "Completed years of service" as used in Section 185.17(a) and (b) means a period of 365 days, whether continuous or not, in which an employee has been in full time paid status.

(d) When an employee's employment with the City is terminated for any reason other than discharge, the employee shall be paid a longevity payment based upon the employee's total wage or salary earnings (excluding overtime compensatory time paid out under Section 185.22(d) and longevity) since the completion of the previous longevity year. In calculating the longevity payment to be made upon termination, payouts for accrued benefits such as vacation and sick leave shall not be included. A discharged employee shall receive no longevity payment.

(e) In determining a "completed year of service", an employee shall be credited with service to the end of the calendar year in which the longevity payment is to be made. If the employee fails to complete the employee's final year of service, the City shall deduct any overpayment arising under the previous sentence from the employee's final pay.

185.19 PERSONAL DAYS.

(a) After six months from date of hire, employees shall be entitled to two days of personal leave with pay per year, July 1 to June 30. The days shall be used in units of not less than four hours, and shall not be cumulative or converted for cash payment.

(b) Except for unanticipated personal emergencies, application in writing for personal leave shall be made in advance of the leave requested. If an emergency is such that the application cannot be made in advance, the employee shall notify his immediate supervisor at the first opportunity and shall make written application upon the employee's return to work. The application shall state the reason for the request but does not require specific detailed information.

185.20 OTHER PAID LEAVE.

(a) Any employee who is required to appear in court for any of the following reasons and who agrees to pay the City whatever fees received as a result of such appearance, shall be granted a leave of absence with pay to the extent that such appearance prevents any such employee from performing the employee's employment with the City:

- (1) Any employee who is subpoenaed or directed by the City to appear in any court proceedings which results from the employee's position with the City;
- (2) Any employee who is subpoenaed or directed by the City to appear in any court proceedings in which the City is a party;
- (3) Any employee subpoenaed to appear as a witness in any felony proceedings;
- (4) Any employee subpoenaed to testify before a grand jury; or
- (5) Any employee who is required to serve as a juror in any court proceeding.

(b) Any employee who is subpoenaed to appear in court in any civil proceeding other than as described in subsection (a) above shall be permitted to use vacation benefits in increments as low as one hour for each such subpoenaed appearance.

(c) Employees shall be granted military leave as required by applicable state and federal law.

(d) A City employee who is a certified Disaster Service Volunteer of the American Red Cross may be granted leave from his regularly scheduled work with pay for not to exceed thirty work days in each year to participate in specialized disaster relief services for the American Red Cross, upon request of the American Red Cross for the services of that employee and upon the approval of the City Manager. The City shall compensate an employee granted leave under this subsection (b) at his regular, straight time rate of pay for those regularly scheduled work hours during which the employee is

absent from his work.

(e) Employees who donate blood shall be permitted up to two hours of paid leave of absence annually for the purpose of donating such blood. No overtime wages shall be paid for this purpose.

185.21 OVERTIME.

(a) An employee paid on an hourly basis required to work in excess of eight (8) hours on any one day, or in excess of forty (40) hours in any one week, shall be paid for the excess hours at a rate of one and one half times the employee's regular hourly rate, including longevity.

(b) Overtime pay shall be rounded to the nearest tenth (1/10) of an hour.

(c) In determining eligibility for overtime payment under this section, hours in approved paid leave status shall be considered as hours worked.

185.22 COMPENSATORY TIME.

All employees eligible for overtime payment pursuant to Section 185.21 shall be permitted to accrue compensatory time in lieu of overtime payment with the following restrictions:

- (a) Compensatory time hours will be credited at the rate of one and one half (1½) times the overtime hours worked.
- (b) Compensatory time shall be used with the same advance scheduling approval as vacation.
- (c) Usage of compensatory time may be denied if a replacement will be required at an overtime premium rate.
- (d) Compensatory time shall not be accrued beyond the last day of November in any calendar year. All earned but unused compensatory time shall be paid out on the payday of the first full pay period in December at the base rate in effect as of November 30 of such calendar year, including longevity. Employees may accrue compensatory time only up to a maximum of 80 hours per calendar year. All hours in excess of 80 shall be paid as overtime wages.
- (e) Employees entitled to compensatory time pursuant to this section shall be paid upon termination or layoff for any accumulated but unused compensatory time.

185.23 SHIFT DIFFERENTIAL.

(a) Except as provided in Section 185.23(b) below, an employee regularly assigned to the second or third shift shall be paid thirty cents (\$.30) per hour in addition to the regular hourly rate for time worked on the second or third shift.

(b) Employees classified as "Communication Coordinator" shall be paid forty cents (\$.40) per hour in addition to the regular hourly rate for all hours worked on

assigned shifts beginning at or after 2:00 P.M. and prior to 4:00 A.M. in lieu of the shift differential provided in subsection (a) above.

(c) Shift differential payments shall be included in calculating the overtime rates provided in Section 185.21.

185.24 LICENSE BONUS.

(a) All employees who are licensed or certified by the State of Ohio and who use such license or certification in conjunction with the employee's position with the City shall receive the following additional compensation:

- (1) Water and Wastewater Plant Certificate: Class I--\$5.00 per week, Class II--\$8.75 per week, and Class III--\$13.25 per week.
- (2) Water Distribution Certificate: Class I--\$5.00 per week and Class II--\$8.75 per week.
- (3) Certificate for approval for Laboratory Analysis: \$13.25 per week.
- (4) Federal Aviation Act (F.A.A.) Maintenance License: \$5.00 per week.
- (5) Federal Communication Commission (F.C.C.) Second Class Radio and Telecommunications License: \$5.00 per week.
- (6) Wastewater Collection Certificate: Class I--\$5.00 per week and Class II--\$8.75 per week.
- (7) Chemical Applications License: \$5.00 per week.

(b) Any employee who receives additional compensation by reason of Section 185.24(a) and who obtains more than one of the licenses or certificates set forth in Section 185.24(a) shall receive additional compensation for only that one license or certificate used by the employee which provides the highest rate of compensation, unless the City Manager determines that multiple licensure serves the best interests of the City.

185.25 UNIFORM ALLOWANCE.

(a) Captains in the Police Division shall be paid an amount equivalent to the annual uniform allowance provided to members of the Fraternal Order of Police/Ohio Labor Council (Command Officers) unit.

(Ord. 11-95. Passed 4-12-11.)

(b) Assistant Chiefs in the Fire Division shall be paid an amount equivalent to the annual uniform allowance provided to members of the IAFF, Local 333 bargaining unit.

(Ord. 12-109. Passed 4-10-12.)

(c) The uniform allowance under this Section 185.25 shall be paid in semi-annual payments in April and October.

(Ord. 09-78. Passed 3-31-09.)

185.26 MEDICAL INSURANCE.

All full-time employees and the Mayor and City Commissioners shall be provided with medical benefit coverage in accordance with the City of Springfield Employee Benefit Plan. The City Manager may amend the said City of Springfield Employee Benefit Plan from time to time, as he deems necessary, including the amount of the employee contribution to said plan, without further legislative action being required.

185.27 DENTAL INSURANCE.

All full-time employees and the Mayor and City Commissioners shall be provided with dental benefit coverage in accordance with the City of Springfield Employee Benefit Plan. The City Manager may amend the plan from time to time, as deemed necessary, including the amount of the employee contribution to said plan without further legislative action being necessary.

185.28 LIFE INSURANCE.

(a) Each full-time employee, excepting salaried professional and management employees, shall, commencing on their ninety-first day of continuous employment, be furnished by the City at no cost to the employee a fifteen thousand dollar (\$15,000) term life insurance certificate with additional provisions for accidental death, dismemberment, and waiver of premium coverage should the insured employee become totally disabled prior to age sixty.

(b) Each full-time employee in the salaried professional and management group shall, commencing on their ninety-first day of continuous employment, be furnished by the City at no cost to the employee a term life insurance certificate with additional provisions for accidental death, dismemberment and waiver of premium coverage should the insured employee become totally disabled prior to age sixty. The amount of such insurance shall be equal to twenty-five thousand dollars (\$25,000), plus one thousand dollars (\$1,000) for each two thousand dollars (\$2,000) that such person receives in base annual salary in excess of fifteen thousand dollars (\$15,000). However, notwithstanding any other provision of this section, in no event shall the amount of such insurance coverage exceed fifty thousand dollars (\$50,000.00).

(c) Coverage shall be provided for eligible employees on authorized leave of absence due to sickness or injury, for a period not to exceed six months.

(d) Each elected City Commissioner and the Mayor, during their term commencing on the 91st day of their first term, shall be furnished by the City at no cost to the Commissioner or Mayor, a fifty thousand dollar (\$50,000) term life insurance certificate with additional provisions for accidental death, dismemberment and waiver of premium coverage should the insured Commissioner or Mayor become totally disabled prior to age sixty.

185.29 RESIDENCY.

Captains in the Police Division and Assistant Chiefs in the Fire Division are

required to reside within Clark County, Ohio.

185.30 TUITION REIMBURSEMENT.

All full-time employees are eligible to participate, from and after the first anniversary of their continuous service with the City, in a tuition reimbursement program subject to the terms and conditions which follow.

- (a) The Department of Personnel shall have responsibility for overall administration of the tuition reimbursement program. The Personnel Director shall have the authority to interpret provisions of this section consistent with the policy objectives stated in the enacting legislation.
- (b) To be eligible for tuition reimbursement, a course must be only taken at an accredited educational institution. The course must either be directly job-related or required pursuant to a degree program that is related to the City's mission or is reasonably related to a promoted position within the employees' classification series. Determinations of eligibility under this paragraph shall be within the sole discretion of the Personnel Director and shall be final.
- (c) For courses determined to be eligible, the City will pay one hundred percent (100%) of the tuition, registration, and lab fees up to a maximum of three thousand dollars (\$3,000.00) per calendar year for undergraduate courses, and up to a maximum of five thousand dollars (\$5,000.00) per calendar year for advanced degree programs. The City will not reimburse costs for books, housing, travel, meal or similar expenses. The City will reimburse tuition costs for only such undergraduate course as the employee earns either a "pass" or a grade of "C", and only such graduate courses as the employee earns a "pass" or a grade of "B".
- (d) To be eligible for tuition reimbursement, an employee must notify his or her department director, in writing, of the intention to participate in the tuition reimbursement program no later than September 1st of the calendar year prior to the year in which the employee intends to begin classes. In addition, applications for tuition reimbursement must be submitted not later than sixty (60) days prior to registration for an eligible course. In addition to the employee's department director, the Personnel Director also must approve any application as a pre-condition to tuition reimbursement. The employee's department director must indicate his or her approval once the eligible course is completed for tuition costs to be reimbursed. Only those costs which are not otherwise covered by, e.g., GI Bill, scholarships, and other collateral sources, will be reimbursed. Evidence of the employee's final grade and the educational institution's invoice must be attached to the request for reimbursement.
- (e) All employees receiving tuition reimbursement must continue their employment with the City for at least one year following completion of any course for which reimbursement was received. If an employee voluntarily leaves the City employment within that time, he or she must repay all moneys previously reimbursed back to the City for courses begun or

- completed within a one-year period prior to their separation.
- (f) Notwithstanding any provision of this Section to the contrary, participation in this tuition reimbursement program is expressly subject to budgetary limitations. Whenever the City Manager determines, in his sole discretion, that there are insufficient funds for participation in this tuition reimbursement program, that determination shall be final.

185.31 GRIEVANCE PROCEDURE.

An employee of the City may present in writing any grievance which the employee may have to the head of the employee's department. Within five working days thereafter, such department head shall afford such employee an opportunity to be heard and to present evidence relevant to such grievance. Within ten working days after hearing such grievance, the department head shall render a decision in writing thereon, which may contain such orders or directives as may be reasonably required to resolve the grievance and to prevent the recurrence of the type of incident or practice which gave rise to such grievance. A copy of such decision shall be delivered to each person affected thereby.

Any person affected by any such decision may, within five working days from the date he receives a copy thereof, appeal such decision by filing a notice of such appeal with the City Manager. Within ten working days from the filing of such notice, the City Manager or his designated representative shall conduct a hearing upon such appeal and shall permit any person affected by the decision appealed from to be heard. The City Manager, or his designee, shall, upon conclusion of such hearing, affirm, reverse or modify the decision appealed from, as the facts may warrant, and the decision shall be rendered in writing within fifteen days from the date of conclusion of such hearing.

185.32 BENEFITS FOR PERMANENT PART-TIME EMPLOYEES.

An employee serving in a permanent part-time position shall receive the benefits described in this Section 185.32.

- (a) Holidays. Permanent part-time employees shall be entitled to a paid leave of absence on each of the holidays listed in Section 185.02(a) 1-11, provided that the listed holiday occurs on a day when the employee is regularly scheduled to work. The period of paid absence shall be limited to the employee's regular work day.
- (b) Vacation.
1. Permanent part-time employees shall receive 20 hours of paid vacation leave after the completion of one year of continuous service. After the completion of one year of continuous service, such employees shall accrue paid vacation leave at the rate of .0500 hours of leave for each hour in paid status.
 2. The time scheduled for use of vacation shall be approved by management in accordance with policies established by the City Manager.
- (c) Sick Leave. Permanent part-time employees shall receive sick leave

benefits as described in Sections 185.10, 185.11, 185.12, 185.13, 185.14 and 185.15 above.

- (d) Permanent part-time employees shall receive injury leave benefits as described in Section 185.16 above.
- (e) Longevity. Permanent part-time employees shall not receive longevity payments.
- (f) Personal Day. After six months from date of hire, permanent part-time employees shall be entitled to eight hours of personal leave with pay per year, July 1 to June 30. The personal leave day shall be used in units of not less than two hours and shall not be cumulative or converted for cash payment. The provision of Section 185.19(b) shall govern the usage of the personal day.
- (g) Other Paid Leave. Permanent part-time employees shall receive the leave benefits described in Section 185.20 above.
- (h) Overtime. Permanent part-time employees shall be permitted to work overtime (only with the prior written consent of the employee's department head). Overtime compensation shall be limited to that required by state or federal law. Permanent part-time employees shall not be eligible for compensatory time.
- (i) Shift Differential. No shift differential shall be paid to permanent part-time employees.
- (j) License Bonus. No license bonus shall be paid to permanent part-time employees.
- (k) Insurance Benefits. No medical or dental insurance benefits shall be provided to permanent part-time employees.