

ORDINANCE NO. 2009 -11

**AN ORDINANCE FIXING THE NUMBER AND WAGES OF EMPLOYEES
OF THE VILLAGE OF WARSAW AND DECLARING AN EMERGENCY**

WHEREAS, it is necessary to formally establish the employment positions, pay rates, and benefits accorded to the employees of the Village; and

WHEREAS, it is necessary to fairly and consistently treat the employees of the Village, whether full time workers or part-time workers.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Warsaw, Coshocton County, Ohio, as follows:

SECTION 1. That the employees of the Village of Warsaw shall be as follows, and shall receive their respective compensation as hereinafter provided.

A. VILLAGE ADMINISTRATOR

The Village Administrator shall work under the supervision of the Mayor and shall receive an annually salary of Five Thousand Six Hundred Twenty-two and 24/1000 (\$5,622.24) payable biweekly at the same scheduled periods as other Village employees. Said sum to be apportioned one-third (1/3) from the water fund, one-third (1/3) from the wastewater fund, and one-third (1/3) from the Village general fund.

B. UTILITIES AND STREET SUPERINTENDENT

1. The Utilities and Street Superintendent shall be the Village Administrator and shall be in charge of the Village water, wastewater, and street departments. For purposes of benefits, the Village Administrator and the Utilities and Street Superintendent shall be treated as one full time position.
2. The Utilities Superintendent shall work a minimum of forty (40) hours per week, inclusive of his or her duties as Village Administrator.
3. The Utilities Superintendent shall have no less than an Ohio EPA Class II Water License and an OTCO or Ohio Department Commission Backflow Certificate and an Ohio EPA Class II Wastewater License.
4. The rate of compensation for the Utilities Superintendent shall be Forty Four Thousand Thirty-three and 86/100 (\$44,033.86) and apportioned 37.5% from the water fund, 57.5% from the wastewater fund, and 5% from the street fund.
5. The Utilities and Street Superintendent shall work under the supervision of the Mayor
6. The Utilities and Street Superintendent shall receive an annual clothing allowance of \$400.00.

C. FISCAL OFFICER

The Fiscal Officer shall work under the supervision of the Mayor and shall be classified as a part-time position and will be paid an annual sum of Twelve Thousand Eight Hundred Ninety-six and 43/100 (\$12,896.43) payable monthly to be apportioned 30% from the water fund, 50% from the wastewater fund, and 20% from the general fund.

D. SHERIFF'S DEPUTY

The Sheriff's Deputy assigned to the Village shall be under the supervision of the County Sheriff and/or Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-four hours in any given work week. The Sheriff's Deputy shall be compensated at the rate of:

Base Rate \$9.58 per hour

E. SEXTON

The Sexton shall work under the supervision of the Village Administrator and shall handle the day to day maintenance and upkeep of the Village Cemetery and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. The Sexton shall be compensated at the rate of:

Base Rate \$7.61 per hour
After 10 years of service \$10.00 per hour

F. SERVICE WORKER

Service Workers shall work under the supervision of the Village Administrator and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Service Workers shall be compensated at the rate of:

Base Rate \$9.00 per hour

G. UTILITY AND/OR CLERICAL WORKER

The Utility and/or Clerical Worker shall be under the supervision of the Fiscal Officer for all clerical related duties and under the supervision of the Village Administrator for all non-clerical related duties and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. The Utilities Clerk shall be responsible for the billing of all water and wastewater utilities. Utilities Clerks shall be compensated at the rate of:

Base Rate \$7.61 per hour

Any utility worker who attains his or her Class I operator license for Water shall receive a base rate increase of .25 per hour from the date of the successful examination. Any utility worker who attains his or her Class I operator license for Wastewater shall receive a base rate increase of .25 per hour from the date of the successful examination.

H. POOL MANAGER

Pool Managers shall be under the supervision of the Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Pool Manager shall be compensated at the rate of:

Base Rate	\$9.00 per hour
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I. CONCESSION WORKER

Concession Workers shall work under the direction of the Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Concession Workers shall be compensated at the rate of:

Base Rate	\$4.50 per hour
After one season of service	\$4.75 per hour

I. LIFE GUARD

Life Guards shall work under the direction of the Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Life Guards shall be compensated at the rate of:

Base Rate	\$5.25 per hour
After one season of service	\$5.75 per hour

J. FIELD MAINTENANCE WORKER

Field Maintenance Workers shall work under the direction of the Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Field Maintenance Workers shall be paid an annual salary of One Thousand Five Hundred and 00/100 (\$1,500.00).

K. CEMETERY WORKER

Cemetery Workers shall work under the direction of the Mayor and shall be classified as a part-time position with employment hours not to exceed thirty-two hours in any given work week. Cemetery Workers shall be compensated at the rate of:

Base Rate	\$7.50 per hour
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SECTION 2. WORK WEEK

A. The normal work week for full-time employees shall begin at 12:01 A.M. on Monday, and terminate on Sunday at midnight. All full time Village employees, unless stated otherwise, will be expected to work a normal work week consisting of forty (40) hours.

B. All days not worked when expected will be classified and recorded as one of the following:

1. Holiday
2. Compensatory time off
3. Sick Leave
4. Without Pay

Such time off will be documented in the employees record.

SECTION 3. VACATION

Vacation pay is only available to full time employees. Vacation periods for full time employees of the Village are hereby established as follows:

- A. Vacations to be selected by seniority.
- B. Two defined work weeks (10 days) after the first full year of full-time employment.
- C. Three defined work weeks (15 days) after eight years of continuous full-time service.
- D. Four defined work weeks (20 days) after fifteen years of continuous full-time service.
- E. Five defined work weeks (25 days) after twenty-five years of continuous full-time service.
- F. Vacation shall not exceed fourteen (14) consecutive days, except with the approval of the Mayor.
- G. A maximum of forty (40) hours of vacation may be carried over from one year to the next with approval of the Mayor.
- H. Any unused vacation beyond the forty (40) hours that can be carried over shall be paid to the employee at the rate of fifty percent (50%) of regular vacation pay up to a maximum of 20 hours of pay.
- I. Vacation to be taken no less than four (4) hours at one time unless approved by the Mayor.
- J. Upon separation from employment any unused vacation will be paid to the employee at the rate of fifty percent (50%) up to a maximum of 20 hours of pay.
- K. Part time employees shall not be entitled to vacation.

SECTION 4. HOLIDAYS

A. There shall be eleven (11) paid holidays as follows:

Christmas, New Year's Day, Memorial Day, July 4th, Labor Day, Veterans Day Thanksgiving Day, day after Thanksgiving, the day before Christmas or the day after or the day before New Year's Day or the day after, Martin Luther King Jr. Day, and any birthday of the full-time employee.

B. Part time employees shall not be paid for holidays.

SECTION 5. SICK LEAVE

A. Each full time employee shall be entitled to sick leave of five (5) days per year. Employees may use sick leave for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and for illness, injury, or death in the employee's family or a close friend of the employee on approval of the Mayor. Unused sick leave shall not accumulate and shall not carry over from year to year. When sick leave is used, it shall be deducted from the employee's credit at the rate of one hour for every hour of absence from previously scheduled work.

B. Three (3) days time off shall be granted for death of an immediate family member, not deducted from sick leave. If more time is needed, it shall be deducted from sick leave.

C. Immediate family member shall be defined to include: father, mother, brother, sister, son, daughter, husband, wife, grandmother, grandfather, grandchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-parents, step-brother, step-sister, or step-children of said employee.

D. Unused sick leave may be cashed out annually at the full rate of pay for an hourly employee or on an hourly pro-rated basis for any salaried employee.

SECTION 6. HEALTH INSURANCE & HEALTH REIMBURSEMENT AGREEMENT

Hospitalization coverage shall be provided for all full-time employees and their families unless. All full-time employees will have an HRA (Health Reimbursement Agreement) account (agreement in Fiscal Officers office) that is funded bi-annually at the rate of \$10,000.00. The Fiscal Officer will administer this account.

Except as to the amount of the HRA contribution which shall be exclusively determined by this Ordinance, the policies and procedures of the HRA shall be governed by Village Ordinance Number: 2006-02.

SECTION 7. OHIO PUBLIC EMPLOYEES RETIREMENT (OPERS)

All part-time and full time employees of the Village specifically listed in this Ordinance shall have the required contribution for OPERS deducted from their wages and the Village shall contribute its appropriate share on behalf of the said employees to OPERS.

SECTION 8. DEFINITIONS

A. Part-time employee is defined as accumulating less than 32 hours per week except in the case of the Sheriff's Deputy in which case it is defined as accumulating less than 34 hours per week.

C. Full-time employee is defined as accumulating less than 40 hours per week.

D. Anniversary Date for a full time employee is defined as the date the employee started working for the village.

SECTION 9. INFORMATION

A. Employees, Elected Officials, and Solicitor, who are on Village business, shall be reimbursed for the use of their own vehicle, based on the current IRS allowable deduction amount if previously approved by the Mayor.

B. All employees shall receive their regular compensation for all times that they are required to be away from their job while serving jury duty for a maximum reimbursable period of 2 weeks.

SECTION 10. COMPENSATION FOR ELECTED OFFICIALS:

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|-------------------------|---|
| 1. Mayor | \$3,600.00 per year plus \$25.00 per meeting attended with a maximum of four meetings per month |
| 2. President of Council | \$45.00 per month |
| 3. Council Members | \$40.00 per month |

SECTION 11.

Any and all ordinances and/or resolutions or portions thereof in direct conflict herewith shall be, and the same are herewith repealed. The effective date of the terms, provisions, and conditions of this Ordinance shall be retroactive to November 4, 2009.

PASSED: _____

Ron Davis, Mayor

Cherie Jones, Fiscal Officer

Approved as to form:
William Todd Drown, Solicitor
Folland & Drown, LPA
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