

**AN ORDINANCE AUTHORIZING THE ADOPTION OF AN EMPLOYEE DIRECT DEPOSIT POLICY AND THE ADDITION OF THE POLICY AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK, AND DECLARING AN EMERGENCY**

WHEREAS, Brewster Village Council desires to adopt an Employee Direct Deposit Policy and to modify the Village Employee Handbook to include an Employee Direct Deposit Policy.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:**

**SECTION 1:** The Village shall adopt an Employee Direct Deposit Policy as defined below and shall add Section 3.30 - Employee Direct Deposit Policy to the Village Employee Handbook as follows:

**3.30 Direct Deposit**

**A. Direct Deposit of Payroll Mandatory**

Pursuant to the authority of Ohio Revised Code Section 9.37(G), all public officials and/or employees of the Village of Brewster shall have their compensation direct deposited.

**B. Written Authorization for Direct Deposit**

1. Pursuant to the authority of Ohio Revised Code Section 9.37(G), all public officials and/or employees of the Village of Brewster shall provide a written authorization for the public official's and/or employees compensation that:

- Designates a financial institution equipped to accept direct deposits.
- Designates an account number into which the deposit shall be credited.

**2. Written Authorization Form**

The *Written Authorization Form* shall be in a form as determined by the Clerk-Treasurer.

**3. Written Authorization Remains in Effect**

The authorization shall remain in effect until withdrawn in writing by the public official and/or employee, or until dishonored by the financial institution.

**4. Failure to Authorize Direct Deposit**

The Clerk-Treasurer shall cause a public official and/or employee who has failed to authorize the direct deposit of their compensation into a financial institution of their choice to have their compensation directly deposited into a financial institution designated by the Clerk-Treasurer for the benefit of the public official and/or employee. A public official and/or employee who has failed to authorize the direct deposit of their compensation into a financial institution of their choice shall comply with all the requirements of the financial institution designated by the Clerk-Treasurer under this paragraph if that public official's and/or employee's compensation is deposited into said financial institution as a result of this paragraph.

Any public official and/or employee who fails to provide written authorization for direct deposit shall be responsible for all fees incurred as a result of Clerk-Treasurer depositing their compensation into a financial institution designated by the Clerk-Treasurer for the benefit of the public official and/or employee. All such fees shall be deducted from the person's compensation by the financial institution designated by the Clerk-Treasurer as part of the administration of such account by said financial institution.

Failure of an employee to comply with the requirements of this policy by authorizing direct deposit shall *also* cause the employee to be subject to progressive discipline.

**5. Change of Financial Institution**

A public official and/or employee may change the specific financial institution and/or account to which the public official's and/or employee 's compensation is directly deposited as they choose, however, they shall maintain the direct deposit of their compensation into a financial institution during the entire tenure of their employment with the Village.

**6. Cancellation of Direct Deposit**

A public official and/or employee who has authorized the direct deposit of their compensation into a financial institution of their choice that has had such direct deposit authorization cancelled for any reason, shall within two weeks of such cancellation:

- authorize the direct deposit of the person's compensation into another financial institution of their choice, or
- authorize the direct deposit of their compensation into another appropriate account at the same financial institution where the prior authorization was cancelled, or
- authorize the direct deposit of their compensation into a financial institution designated by the Clerk-Treasurer for the benefit of the person pursuant to this policy.

**C. Written Authorization Submitted is NOT a Public Record**

Pursuant to the authority of Ohio Revised Code Section 9.37(G) the written authorization is not a public record under section 149.43 of the Revised Code.

**SECTION 2:** The above policy replaces any previous version of this policy and supersedes any current policy which may be in conflict with this policy.

**SECTION 3:** This ordinance is an emergency to accommodate the recently approved contracted payroll service and shall be in full force and effect at the earliest date provided by law.

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Mayor Michael E. Schwab

ATTEST:

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Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on January 7, 2019

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Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni’s IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

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Clerk K. Kris King