

AN ORDINANCE AUTHORIZING THE ADOPTION OF AN EMPLOYEE VACATION POLICY AND THE ADDITION OF THE POLICY AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK

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

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

SECTION 1: The Village shall adopt an Employee Vacation Policy as defined below and shall add Section 5.02 - Employee Vacation Policy to the Village Employee Handbook as follows:

SECTION 5.02 Employee Vacation Policy

A. Purpose

Vacation time off with pay is available to regular full-time employees to provide opportunities for rest, relaxation, and personal pursuits.

B. Vacation Entitlement

Full-time employees are entitled to vacation as set forth herein. Part-time employees are not entitled to vacation. This method of accrual of vacation shall begin with the first payroll in 2017.

Length of Service (Years) Start YR – End Year	Bi-Weekly Accrual Rate	General Calendar Year Equivalent (Reference Only)	Maximum Permitted Accumulation of Unused Vacation Credit
Less than 5 complete years	3.075 hours	2 Weeks/Year or 80 hours/Year	120 Hours
More than 5 complete years but less than 10 complete years	4.615 hours	3 Weeks/Year or 120 hours/Year	180 Hours
More than 10 complete years but less than 20 complete years	6.155 hours	4 Weeks/Year or 160 hours/Year	240 Hours
More than 20 complete years or more	7.7 hours	5 Weeks/Year or 200 hours/Year	300 Hours

The first payroll period following an employee’s applicable anniversary date the employee shall begin accumulating vacation at the next bi-weekly accrual rate.

Newly hired employees may not use their accrued vacation until they have completed their probationary period.

C. Increment(s) of Use

Use of vacation will be charged in minimum one half (1/2) day increments.

D. Forfeiture of Vacation

Employees shall forfeit their right to take or to be paid for any vacation leave which is in excess of the maximum permitted accrual set forth herein. Such excess vacation leave, when it occurs, shall be automatically eliminated from the employees’ vacation leave balance unless there is an approval to carry over said vacation in accordance with this policy.

E. Carryover of Vacation

Carryover of vacation hours (exceeding maximum accumulation) is permitted in an emergency situation only. The Village Administrator or Appointing Authority will consider each situation on an individual basis on its own merits.

F. Rate of Pay for Vacation

Vacation shall be payable along with the general payroll of the Village and shall be computed by multiplying the employee’s base hourly rate, including longevity pay and any other relevant factors

if any, for each earned hour of vacation to be utilized by the employee.

The use of vacation shall be considered to be hours worked for the purposes of earning and/or computing overtime or compensatory time.

G. Scheduling and Approval for the Use of Vacation

1. For use of vacation, employees must request advance approval of from their Appointing Authority (i.e. Mayor, Clerk-Treasurer, or Village Administrator). Requests for vacation should be submitted in writing.
2. Each Department Head shall schedule vacations for employees under his/her supervision to conform with the operating requirements of the Village.
3. Requests will be approved or denied according to departmental needs and staffing requirements with adequate notice.
4. When possible, vacation will be assigned in accordance with employee requests, taking operating requirements into account. Generally speaking, length of service with the Village will determine priority in scheduling vacation times if there is a conflict.
5. The Village may revoke the approval of vacation if operational circumstances necessitate it, at the sole discretion of the Appointing Authorities (i.e. Mayor, Clerk-Treasurer, or Village Administrator).
6. Appointing Authorities (i.e. Mayor, Clerk-Treasurer, or Village Administrator) may establish processes and/or forms to facilitate the approval process.

H. Credits Remaining at Termination or Death

Should an employee resign, they will be paid for accrued but unused vacation ~~time~~ balance earned through the last day of work.

However, if the Village, in its sole discretion, terminates an employee for cause, forfeiture of accrued but unused vacation may result.

Upon termination from Village of Brewster, employees shall be entitled to compensation at their most recent rate of pay, including longevity pay and any other relevant factors if any, for all earned but unused vacation leave to his or her credit at the time of termination. The applicable base rate of pay shall be considered to be that to which the employee was entitled to when he or she was last on active pay status.

In case of death of an employee, accrued but unused vacation leave shall be paid in accordance with section 2113.04 of the Ohio Revised Code, or to the employee's estate.

I. Length of Service Adjustments – Prior Public Service

1. Previous service with the State of Ohio or one of its political subdivisions may qualify an employee for a higher rate of vacation accrual.
2. Each employee's rate of accrual may be adjusted by the Clerk-Treasurer Finance Department.
3. The calculations of length of service for vacation calculations only shall be made by adding the employee's verified non-Village of Brewster public service, if applicable, to the actual hire date with the Village of Brewster. For implementation of this section only, whole months shall be utilized to determine non-Village of Brewster service. Credit shall not be given for partial months.
4. Any previous service with the State of Ohio or one of its political subdivisions which occurred prior to a retirement from the State of Ohio or one of its political subdivisions **cannot** be utilized for a higher rate of vacation accrual.

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 shall be in full force and effect at the earliest date provided by law.

Over, please

Mayor Michael E. Schwab

ATTEST:

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 February 6, 2017

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.

Clerk K. Kris King