

**ORDINANCE AUTHORIZING THE ADOPTION OF AN EMPLOYEE PROBATIONARY PERIOD -
INITIAL APPOINTMENT POLICY AND PROBATIONARY POLICY PERIOD – PROMOTION AND THE
ADDITION OF THE POLICIES AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK**

WHEREAS, Brewster Village Council desires to adopt Section 2.15 an Employee Probationary Period – Initial Appointment Policy and to modify the Village Employee Handbook to include Section 2.15 an Employee Probationary Period – Initial Appointment Policy, and

WHEREAS, Brewster Village Council desires to adopt Section 3.27 an Employee Probationary Period – Promotion Policy and to modify the Village Employee Handbook to include Section 3.27 an Employee Probationary Period – Initial Promotion Policy.

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

SECTION 1: The Village shall adopt Section 2.15 an Employee Probationary Period – Initial Appointment Policy as defined below and shall add Section 2.15 an Employee Probationary Period – Initial Appointment Policy to the Village Employee Handbook as follows:

Section 2.15 an Employee Probationary Period – Initial Appointment Policy

A probationary period provides time for learning and adjusting to a new position and for the Village to determine the suitability of the probationary employee (appointee).

A. Probationary Period

All original appointments shall be probationary in nature during the first six (6) months of the employee’s connection with the Village.

B. Part-Time or Irregular Scheduling Affects Probationary Period

Part-time appointees who work a portion of each normal working day may have their probationary period determined by the number of calendar days following the appointment in the same manner as full-time appointees. Appointees who work an irregular schedule or who work less than the normal number of working days per week may have their probationary period determined on the basis of equivalent time actually worked.

C. Must Satisfactorily Complete Probationary Period

No promotional appointment is final until the appointee has satisfactorily served the probationary period.

D. Continued Employment

Satisfactory completion of the probationary period does not guarantee employment for a fixed period of time.

Satisfactory completion of the promotional probationary period does not change the status of employees-at-will, who may be removed at any time for any non-protected reason both during and after their probationary period.

E. Instruction and Training

All probationary employees (appointees) shall be given instruction, training, and feedback during their probationary period.

F. Extension of Probationary Period

The department manager, with the approval of the Village Administrator (for the Utilities and Street Departments) or Mayor (for the Police and Fire Departments) may extend the initial probationary period.

G. Inactive Pay Status

If any appointee is granted a leave of absence, or is not in active pay status for a period of time

during the probationary period, that time shall not be counted as part of the probationary period and the probationary period shall be extended accordingly.

H. Evaluation During Probationary Period

The purpose of a probationary period is to determine an appointee's suitability for the position to which they have been appointed. Their suitability is determined in part, but is not limited to:

- evaluating their skills
- evaluating their work habits
- evaluating their ability to learn the new position
- evaluating that they understand the essential duties and responsibilities of their job and are performing accordingly
- evaluating their compatibility with the mission, vision and goals of their department and the Village.

I. Probationary Removal

At any time during the probationary period, a probationary employee (appointee) may be dismissed.

At the end of the probationary period (or an extension thereof) any probationary employee (appointee) must either be given a regular appointment or be dismissed.

For employees of the Utilities and Street Departments, the Village Administrator may dismiss a probationary employee (appointee) during the probationary period for any reason other than an unlawful reason. If the service of an appointee is considered unsatisfactory by their department manager, the department manager will make a recommendation to the Village Administrator.

For employees of the Police and Fire Departments the Mayor may dismiss a probationary employee (appointee) during the probationary period for any reason other than an unlawful reason. If the service of an appointee is considered unsatisfactory by their Chief, the Chief will make a recommendation to the Mayor.

A removed probationary employee (appointee) does not have the right to appeal the removal.

J. Resignation During Probationary Period

If an appointee resigns during their probationary period, the appointee is not eligible for reinstatement. The appointee may, with the approval of the appointing authority, be considered for rehire. However, a new probationary period must be served if rehired.

K. Layoff During Probationary Period

If a layoff occurs during a probationary period, the appointee may be recalled or returned to active pay status in the same classification. The condition upon which an appointee will be recalled shall be determined by their overall evaluation while in active pay status.

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: The Village shall adopt Section 3.27 an Employee Probationary Period – Promotion Policy as defined below and shall add Section 3.27 an Employee Probationary Period – Promotion Policy to the Village Employee Handbook as follows:

Section 3.27 an Employee Probationary Period – Promotion Policy

A probationary period provides time for learning and adjusting to a new position and for the Village to determine the suitability of the promotional probationary employee (appointee).

A. Probationary Period – Promotion

All promotional appointments shall be probationary in nature during the first six (6) months following the employee's promotion.

B. Part-Time or Irregular Scheduling Affects Probationary Period

Part-time promotional probationary employee (appointee) who work a portion of each normal working day may have their probationary period determined by the number of calendar days following the appointment in the same manner as full-time promotional probationary employee (appointee). Promotional probationary employees (appointees) who work an irregular schedule or who work less than the normal number of working days per week may have their probationary period determined on the basis of equivalent time actually worked.

C. Must Satisfactorily Complete Probationary Period

No promotional appointment is final until the promotional probationary employee (appointee) has satisfactorily served the probationary period.

D. Continued Employment

Satisfactory completion of the promotional probationary period does not guarantee employment for a fixed period of time. Satisfactory completion of the promotional probationary period does not change the status of employees-at-will, who may be removed at any time for any non-protected reason both during and after their probationary period.

E. Instruction and Training

All promotional probationary employees (appointees) shall be given instruction, training, and feedback during their probationary period.

F. Extension of Probationary Period

The department manager, with the approval of the Village Administrator (for the Utilities and Street Departments) or Mayor (for the Police and Fire Departments) may extend the initial probationary period.

G. Inactive Pay Status

If any appointee is granted a leave of absence, or is not in active pay status for a period of time during the probationary period, that time shall not be counted as part of the probationary period and the probationary period shall be extended accordingly.

H. Evaluation During Probationary Period

The purpose of a probationary period is to determine a promotional probationary employee's (appointee's) suitability for the position to which they have been appointed. Their suitability is determined in part, but is not limited to:

- evaluating their skills
- evaluating their work habits
- evaluating their ability to learn the new position
- evaluating that they understand the essential duties and responsibilities of their job and are performing accordingly
- evaluating their compatibility with the mission, vision and goals of their department and the Village.

I. Return to Former Position

At any time during the probationary period, any promotional probationary employee (appointee) may be returned to their prior position.

For employees of the Utilities and Street Departments, the Village Administrator may return a promotional probationary employee (appointee) during the probationary period for any reason other than an unlawful reason. If the service of an appointee is considered unsatisfactory by their department Administrator, the department Administrator will make a recommendation to the Village Administrator.

For employees of the Police and Fire Departments the Mayor may return a promotional probationary employee (appointee) during the probationary period for any reason other than an unlawful reason. If the service of an appointee is considered unsatisfactory by their department head, the department head will make a recommendation to the Village Administrator.

In addition, a promotional probationary employee (appointee) may request to be returned to their former position during their probationary period.

A promotional probationary employee (appointee) returned to their prior position does not have the right to appeal the return to their former position during the probationary period or extension thereof.

J. Layoff During Probationary Period

If a layoff occurs during a probationary period, the promotional probationary employee (appointee) may be recalled or returned to active pay status in the same classification or returned to their former position. The condition upon which a promotional probationary employee (appointee) will be recalled shall be determined by their overall evaluation while in active pay status.

SECTION 4: The above policy replaces any previous version of this policy and supersedes any current policy which may be in conflict with this policy.

SECTION 5: This ordinance shall be in full force and effect at the earliest date provided by law.

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 December 19, 2016

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