

ORDINANCE NO. 12-2023

OFFERED BY: Mayor Alonso

AN ORDINANCE TO AMEND CHAPTER 141 OF THE CODIFIED ORDINANCES OF THE CITY OF REMINDERVILLE, ENTITLED “FIRE DEPARTMENT”, AND DECLARING AN EMERGENCY.

WHEREAS, Council has determined that there is a need to amend Chapter 141 of the Codified Ordinances, therefore,

NOW, BE IT RESOLVED by the Council of the City of Reminderville, County of Summit, State of Ohio:

SECTION 1. That Chapter 141 of the Codified Ordinances of the City of Reminderville which presently reads as follows:

141.01 ESTABLISHMENT.

(a) There is hereby created and established in the City, a Fire Department, which shall consist of a Fire Chief, at least one Assistant Fire Chief, and not less than ten or more than forty members who shall be appointed by the Mayor, with the advice and consent of the Council. and shall continue in office until removed therefrom for the causes and under the powers and procedures provided for the removal of officers by Ohio R.C. 733.35 to 733.39 inclusive.

(b) The equipment used by the Fire Department shall be owned by the City and shall be used for the extinguishment of fires throughout the City.
(Ord. 4-2003. Passed 4-8-03.)

141.02 BY-LAWS.

The Fire Department, created hereby, shall have authority to organize in such manner as its members shall see fit and for that purpose adopt a constitution and by-laws so long as its organization constitution and by-laws are in furtherance of and not in conflict with the ordinances and resolutions of the City, the Civil Service Rules and Regulations or the laws of the State; that a copy of such constitution and by-laws and amendments hereto, shall be filed with the City Fiscal Officer.

(Ord. 1-2011. Passed 10-23-12.)

141.03 AS GOVERNMENT UNIT; CONTRACTS.

(a) The Fire Department created hereby is a governmental unit and shall have no official connection whatsoever with any fire companies privately organized for any purpose, other than the fact that its members may also be members of such companies.

(b) The Fire Department hereby created shall be bound by any contract that may be made by Council or any other party with which they can legally contract, according to the terms thereof.
(Ord. 4-2003. Passed 4-8-03.)

141.04 QUALIFICATIONS.

(a) All applicants and prospective fire fighters shall be a minimum of eighteen (18) years of age, be a high school graduate, possess a valid Ohio driver’s license, pass a criminal background check, pass a medical evaluation, pass a drug screen test, possess a valid Ohio Fire Certification for Level 1A or higher, and pass the Fire Fighters Physical Agility test before the end of any

probationary period. Such qualified applicants shall become members of the Fire Department only after a one-year probationary period.

(b) All applicants and prospective part-time fire fighters shall be a minimum of eighteen (18) years of age, be a high school graduate, possess a valid Ohio driver's license, pass a criminal background check, pass a medical evaluation, pass a drug screen test, possess a valid Ohio Fire Certification for Level 1B or higher, and pass the Fire Fighters Physical Agility test before the end of any probationary period. Such qualified applicants shall become members of the Fire Department only after a one-year probationary period.

(Ord. 01-2022. Passed 2-8-22.)

141.05 FIRE DEPARTMENT RESPONSES. (REPEALED)

(EDITOR'S NOTE: Former Section [141.05](#) was repealed by Ordinance 01-2022, passed February 8, 2022.)

141.06 FIRE PHONES. (REPEALED)

(EDITOR'S NOTE: Former Section [141.06](#) was repealed by Ordinance 15-1998 on October 13, 1998.)

141.07 INTERCHANGE OF SERVICES.

The Mayor and the Fiscal Officer are hereby authorized to enter into a contract for and on behalf of this political subdivision with various other political subdivisions of the State of Ohio, for the interchange of the services of fire departments and the use of fire apparatus.

(Ord. 4-2003. Passed 4-8-03.)

141.08 TRAINING HOURS. (REPEALED)

(EDITOR'S NOTE: Former Section [141.08](#) was repealed by Ordinance 06-2022, passed February 8, 2022.)

141.09 DISCIPLINARY ACTIONS, REDUCTIONS, SUSPENSIONS, REMOVAL; HEARINGS.

(a) The City Fire Chief shall have the exclusive right to suspend any fireman or employee in the City Fire Department who is under his management and control for incompetence, gross neglect of duty, gross immorality, habitual drunkenness, failure to obey orders given them by the proper authority or for any other reasonable or just cause, including those provided in the Civil Service Rules and Regulations.

(b) If a fireman or employee is suspended, the Fire Chief shall immediately certify this fact in writing together with the cause for the suspension, to the Mayor and the Civil Service Commission, and shall immediately serve a true copy of the charges upon the person against whom they are made. Within five days after receiving this certification, the Mayor shall inquire into the cause of the suspension and shall render a judgment on it. If the Mayor sustains the charges, his judgment may be for the person's suspension, reduction in rank, or removal from the Department.

(c) An employee who is suspended for more than three (3) working days, discharged, or demoted, may appeal in writing to the Civil Service Commission within seven (7) days of receiving the written notice of action being taken.

(d) Upon receipt of a timely appeal from an order of termination, demotion or suspension for more than three (3) days, the Commission shall set a time and place to hear the appeal within thirty

(30) calendar days of the receipt of the employee's timely written appeal and commence the hearing procedures as outlined in its adopted Rules and Regulations.

(e) Either the employee or the department head may appeal the Commission's action to the appropriate Court of Common Pleas within the time period allowed pursuant to Ohio R.C. Chapter 2506. (Ord. 2-2011. Passed 10-23-12.)

141.10 BILLING PROCEDURE FOR FIRE DEPARTMENT TRANSPORT CALLS AND SUPPLIES.

(a) The City will provide ambulance emergency squad services and supplies in exchange for an assignment of insurance company proceeds available to the user. The rates and charges shall be in accordance with existing billing service agreements.

(b) The Mayor is hereby authorized to enter into an agreement with any municipality or other entity to provide a claims filing system for the purpose of collecting insurance proceeds as provided above.

(Ord. 6-2007. Passed 8-14-07.)

141.11 VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD.

(a) The Volunteer Fire Fighters' Dependents Fund Board (hereinafter the "Board") is hereby established.

(b) The Board shall consist of five members, to serve one-year terms, without compensation, beginning the first day of January. The Board members shall be chosen as follows:

(1) Two members elected by Council;

Two members elected by the Fire Department, each of which must be electors of the City; and

One member elected by the Board members who were elected pursuant to subsections (b)(1) and

(2). This member shall be an elector of the City, but not a public employee, a member of Council, or a member of the Fire Department.

(c) The Board shall meet promptly after its election and organize. A chairperson and secretary shall be elected. The secretary shall keep a complete record of the proceedings of the Board, which record shall be maintained as a permanent file.

(d) The Board may adopt rules necessary for the handling and processing of claims.

(e) The Board shall meet within five days after receipt of a claim to consider the claim and, if satisfied with the validity of the claim, shall make a determination of the amount due and to become due and shall certify its determination to the State Fire Marshal for payment. The certificate shall show the name and address of the Board, the name and address of each beneficiary, the amount to be received by or on behalf of each beneficiary, and the name and address of the person to whom the payments shall be made. The Board may make a continuing order for monthly payments to become due to a claimant for a period not exceeding three months from the date of the determination. The determination may be modified after issuance to reflect any changes in eligibility of the claimant.

(f) If the Board, after consideration of a claim, finds that the claimant has no right to benefits or that the claim is without merit, it shall deny the claim and issue notice of such action by delivering to the claimant a copy of the order, or by leaving a copy at the claimant's place of residence, or by mailing to the claimant a copy thereof by registered mail.

(Ord. 4-2003. Passed 4-8-03.)

141.12 PETTY CASH FUND. (REPEALED)

(EDITOR'S NOTE: Former Section [141.12](#) was repealed by Ordinance 06-2022, passed by February 8, 2022.)

141.13 FIRE PROTECTION OUTSIDE CITY.

Council hereby authorizes the Reminderville Fire Department to provide fire protection to any county, municipal corporation and/or township of this State upon the authorization of the Mayor or Fire Chief or his designee.
(Ord. 4-2003. Passed 4-8-03.)

141.14 UNIFORM ALLOWANCE.

(a) Part-time Firefighters.

There shall be a uniform allowance for part-time firefighters in the amount of two hundred and fifty dollars (\$250.00) per year.

The minimum hours required to qualify for such allowance shall be 24 hours per month.

(b) Volunteer firefighters.

(Editor's Note: Former subsection (b)(1) was repealed by Ordinance 06-2022, passed February 8, 2022).

(c) Each member of the Fire Department will be issued appropriate structural Firefighting turn-out gear and such gear will be repaired or replaced by the Fire Department at the Fire Chief's discretion.

(d) All regular members will receive an initial uniform issue as prescribed by the Fire Chief.
(Ord. 4-2003. Passed 4-8-03.)

141.15 OVERTIME.

(a) Fire department employees will be paid overtime at one and one-half their current hourly rate for each hour worked in excess of 106 hours per pay period.

(b) Attendance at departmental meetings and/or training during off duty hours will be paid at the firefighters' regular rate of pay.

(c) Except for responses to emergencies, no member will work overtime hours without prior approval of the Fire Chief or Officer in Charge.

(Ord. 4-2003. Passed 4-8-03.)

141.16 HOLIDAY PAY.

(a) There shall be at least twelve (12) paid holidays per year, such dates to be determined by the Fire Chief prior to January 1st for holidays in the coming year. For purposes of this section, holidays shall be observed by the fire department on the actual date of the holiday.

(b) Any fire department member who is required to work on a holiday shall be paid double-time (twice the regular hourly rate) for each hour worked that day.

(Ord. 02-2022. Passed 2-8-22.)

141.17 LEAVE OF ABSENCE.

Any regular member of the Fire Department may apply for a leave of absence of up to one year with prior approval of the Fire Chief and the Mayor, for personal or emergency matters. No penalty of any sort will be imposed on the firefighter who secures approval for such leave of absence, however, time accrued during authorized leaves of absence will not apply towards longevity pay or seniority.

(Ord. 4-2003. Passed 4-8-03.)

141.18 HOSPITALIZATION.

All regular members of the Fire Department may purchase any hospitalization program initiated by the City at the expense of the employee. Cost of such hospitalization will be deducted from the employees' pay each month.

(Ord. 4-2003. Passed 4-8-03.)

141.19 LONGEVITY.

(a) Longevity pay is hereby discontinued except for those employees presently qualified to and actually receiving longevity pay.

(b) Longevity pay for present and qualified grandfathered employees shall be capped at the rates as set forth below:

- Keith Geiger \$0.47
- Chad Johns \$0.51
- Benny Jones \$0.47
- Richard Kautzman \$0.56
- Mark Pazdernik \$0.47
- Tom Plunkett \$1420.56/year
- Tommy Plunkett \$0.51

(Ord. 03-2022. Passed 2-8-22.)

shall be amended to read as follows:

141.01 FIRE DEPARTMENT COMPOSITION.

(a) The Fire Department shall consist of a Fire Chief and an Assistant Fire Chief who shall be appointed by the Mayor subject to confirmation by Council.

(b) The Fire Chief and Assistant Fire Chief shall continue in office until removed therefrom for the causes and under the powers and procedures provided for the removal of officers by Ohio R.C. 733.35 to 733.39 inclusive, or by voluntary retirement or voluntary separation.

(c) The Fire Department shall consist of at least Three (3) full-time Firefighters and not more than forty (40) part-time firefighters.

(d) The Fire Department's ranks shall also consist of the following Company Officers: One (1) Fire Captain and at least (4) Fire Lieutenants.

(e) Company officer ranks and positions may be filled by appointment by the Mayor and subject to confirmation by Council.

141.02 BY LAWS. -REPEALED

141.03 AS GOVERNMENT UNIT; CONTRACTS. - REPEALED

141.04 QUALIFICATIONS.

(a) All new applicants and prospective fire fighters shall be a minimum of eighteen (18) years of age, be a high school graduate, possess a valid Ohio driver's license, pass a criminal background

check, pass a medical evaluation, pass a drug screen test, possess a valid Ohio Fire Certification for Level 11 and provide proof of passing the Fire Fighters Physical Agility test, in four (4) minutes and thirty (30) seconds or less, before the end of any probationary period. Such qualified applicants shall become members of the Fire Department only after a one (1) year probationary period.

141.05 FIRE DEPARTMENT RESPONSES. (REPEALED)

(EDITOR'S NOTE: Former Section [141.05](#) as repealed by Ordinance 01-2022, passed February 8, 2022.)

141.06 FIRE PHONES. (REPEALED)

(EDITOR'S NOTE: Former Section [141.06](#) was repealed by Ordinance 15-1998 on October 13, 1998.)

141.07 INTERCHANGE OF SERVICES.

The Mayor is hereby authorized to enter into a contract for and on behalf of this political subdivision with various other political subdivisions of the State of Ohio, for the interchange of the services of fire departments and the use of fire apparatus.

(Ord. 4-2003. Passed 4-8-03.)

141.08 TRAINING HOURS. (REPEALED)

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141.09 DISCIPLINARY ACTIONS, REDUCTIONS, SUSPENSIONS, REMOVAL; HEARINGS.

(a) The City Fire Chief shall have the exclusive right to suspend any fireman or employee in the City Fire Department who is under his management and control for incompetence, gross neglect of duty, gross immorality, habitual drunkenness, failure to obey orders given them by the proper authority or for any other reasonable or just cause, including those provided in the Civil Service Rules and Regulations.

(b) If a fireman or employee is suspended, the Fire Chief shall immediately certify this fact in writing together with the cause for the suspension, to the Mayor and the Civil Service Commission, and shall immediately serve a true copy of the charges upon the person against whom they are made. Within five (5) days after receiving this certification, the Mayor shall inquire into the cause of the suspension and shall render a judgment on it. If the Mayor sustains the charges, his judgment may be for the person's suspension, reduction in rank, or removal from the Department.

(c) An employee who is suspended for more than three (3) working days, discharged, or demoted, may appeal in writing to the Civil Service Commission within seven (7) days of receiving the written notice of action being taken.

(d) Upon receipt of a timely appeal from an order of termination, demotion, or suspension for more than three (3) days, the Commission shall set a time and place to hear the appeal within thirty (30) calendar days of the receipt of the employee's timely written appeal and commence the hearing procedures as outlined in its adopted Rules and Regulations.

(e) Either the employee or the department head may appeal the Commission's action to the appropriate Court of Common Pleas within the period allowed pursuant to Ohio R.C. Chapter 2506.

(Ord. 2-2011. Passed 10-23-12.)

141.10 BILLING PROCEDURE FOR FIRE DEPARTMENT TRANSPORT CALLS AND SUPPLIES.

(a) The City will provide ambulance emergency squad services and supplies in exchange for an assignment of insurance company proceeds available to the user. The rates and charges shall be in accordance with existing billing service agreements.

(b) The Mayor is hereby authorized to enter into an agreement with any municipality or other entity to provide a claims filing system for the purpose of collecting insurance proceeds as provided above.

(Ord. 6-2007. Passed 8-14-07.)

141.11 VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD.

(a) The Volunteer Fire Fighters' Dependents Fund Board (hereinafter the "Board") is hereby established.

(b) The Board shall consist of five (5) members, to serve one (1) year terms, without compensation, beginning the first day of January. The Board members shall be chosen as follows:

(1) Two members elected by Council.

(2) Two members elected by the Fire Department, each of which must be electors of the City.

(3) One member elected by the Board members who were elected pursuant to subsections (b)(1) and (2). This member shall be an elector of the City, but not a public employee, a member of Council, or a member of the Fire Department.

(c) The Board shall meet promptly after its election and organization. A chairperson and secretary shall be elected. The secretary shall keep a complete record of the proceedings of the Board, which record shall be maintained as a permanent file.

(d) The Board may adopt rules necessary for the handling and processing of claims.

(e) The Board shall meet within five (5) days after receipt of a claim to consider the claim and, if satisfied with the validity of the claim, shall make a determination of the amount due and to become due and shall certify its determination to the State Fire Marshal for payment. The certificate shall show the name and address of the Board, the name and address of each beneficiary, the amount to be received by or on behalf of each beneficiary, and the name and address of the person to whom the payments shall be made. The Board may make a continuing order for monthly payments to become due to a claimant for a period not exceeding three (3) months from the date of the determination. The determination may be modified after issuance to reflect any changes in eligibility of the claimant.

(f) If the Board, after consideration of a claim, finds that the claimant has no right to benefits or that the claim is without merit, it shall deny the claim and issue notice of such action by delivering to the claimant a copy of the order, or by leaving a copy at the claimant's place of residence, or by mailing to the claimant a copy thereof by registered mail.

(Ord. 4-2003. Passed 4-8-03.)

141.12 PETTY CASH FUND. (REPEALED)

(EDITOR'S NOTE: Former Section [141.12](#) was repealed by Ordinance 06-2022, passed by February 8, 2022.)

141.13 FIRE PROTECTION OUTSIDE CITY. – REPEALED

141.14 UNIFORM ALLOWANCE. -REPEALED

141.15 OVERTIME. -REPEALED

141.16 HOLIDAY PAY. -REPEALED

141.17 LEAVE OF ABSENCE. -REPEALED

141.18 HOSPITALIZATION.

All part-time members of the Fire Department may purchase any hospitalization program initiated by the City at the expense of the employee. Cost of such hospitalization will be deducted from the employees' pay each month. Full-time employees will receive health benefits per city policy. (Ord. 4-2003. Passed 4-8-03.)

141.19 LONGEVITY.

(a) Longevity pay is hereby discontinued except for those employees presently qualified to and receiving longevity pay.

(b) Longevity pay for present and qualified grandfathered employees shall be capped at the rates as set forth below:

Chad Johns \$671.93
Benny Jones \$0.47
Richard Kautzman \$0.56
Mark Pazdernik \$0.47
Thomas Plunkett \$1420.56/year
Tommy Plunkett \$0.51

(Ord. 03-2022. Passed 2-8-22.)

141.20 SICK LEAVE AND SICK LEAVE CONVERSION.

(a) Sick Leave.

(1) Each regular, full-time employee of the City of Reminderville Fire Department employee shall earn Five and Five tenths (5.5) hours of sick leave for each completed Ninety-Six (96) hour pay period. Sick time will be accrued for all hours worked in each pay period.

(2) Part-time employees shall not be entitled to sick leave accumulation, nor can they carry over sick leave from another employer for use in the City of Reminderville.

(3) Sick time shall be used in a minimum of four (4) hours.

(4) When sick leave is used, it shall be deducted from the Employee's sick leave credit balance based on one (1) hour used for every one (1) hour of absence from previously scheduled work.

(5) Sick leave from another public employer may be carried over for full time employees upon receipt of confirmation of balance from the previous employer. Such sick leave carried over from another employer shall not be eligible for Sick Leave Conversion pursuant to this article.

(6) Unused sick leave shall be accumulated up to an unlimited number of hours, except for Sick Leave Conversion, as hereinafter provided.

(7) Employees may use sick leave, upon approval of the immediate supervisor, for absence due to any of the following:

A. Sickness of the Employee.

B. Injury of the Employee.

C. Sickness or injury in the Immediate Family where the Employee is needed to provide care for the ill or injured Immediate Family member. Immediate Family is defined as a spouse residing in the Employee's household and any dependent child aged eighteen (18) or under. Sick leave taken for any other individual other than Employee or Immediate Family shall only be permitted with previous approval of the Fire Chief. Extended periods of sick leave shall be governed by the Family Medical Leave Act.

D. Medical, dental, or optical consultation or treatment of an Employee or Immediate Family member; or

E. Quarantine of an Employee because of contagious disease.

(8) Upon using three (3) consecutive shifts of sick leave, a certificate from a registered physician shall be required verifying the specific reason that the Employee was unable to work during the period in question and that the Employee is able to resume all duties of the position. If such documentation is not provided upon Employee's return to work, sick leave benefits may be denied.

(9) The misuse or fraudulent use of sick leave may result in disciplinary action up to and including dismissal of the Employee.

(10) Sick leave shall be included in 'hours worked' when calculating overtime during a workweek.

(b) Sick Leave Conversion.

(1) Sick leave that has been accumulated at the City of Reminderville Fire Department shall be payable to an Employee upon retirement after ten (10) or more years of service to the City, death, or disability, as provided herein.

(2) Employees who transfer into the City shall receive accumulated sick leave credits in accordance with Ohio law, but such sick leave transfer credits shall not be included in the accumulation of time for purposes of Sick Leave Conversion pursuant to this article.

(3) Sick Leave Conversion benefits shall not be payable under any of the following circumstances:

A. The Employee was dismissed from the City of Reminderville.

B. The Employee has voluntarily terminated service with the City of Reminderville (other than retirement.)

C. At least thirty (30) days' notice of retirement is not first given to the City of Reminderville in writing.

(4) To qualify for payments upon retirement, the retirement must be established and recognized by the Ohio Police and Fireman's Pension Fund for full-time employees.

(5) In the event of the death of an Employee, all remaining benefits hereinunder shall be paid first directly to his/her surviving spouse or if there is none, then to his/her estate as provided herein. The last effective pay rate of the Employee shall be applied to all benefits herein.

(6) For the purpose hereof, a permanent disability of fifty percent (50%) or more, recognized by the Pension Board, or competent physicians of both the City of Reminderville and the Employee shall qualify Employee for payments of accumulated sick leave when such Employee separates from service with the City of Reminderville by reason of the disability.

(7) The Employee may elect, at the time of retirement from active service with the City of Reminderville, to be paid in cash for twenty-five percent (25%) of the sick leave hours accrued but unused by the Employee up to a maximum of two thousand seven-hundred twenty (2,720) hours. The payments shall be based on the Employee's last effective pay rate. Such election shall eliminate the Employee's entire sick leave balance for purposes of Sick Leave Conversion. Once such cash payment has been made, any remaining balance of sick leave hours shall not be available for use as sick time should the Employee ever be re-employed with the City of Reminderville; however, such balance shall remain on file should it be requested by another employer in the future.

(8) Any sick leave hours accrued after the effective date of this section by any Employee of any Department of the City of Reminderville shall be subject to the limitations prescribed herein.

(9) Any Sick Leave Conversion payments shall be paid over the course of two (2) years, by no more than twenty-four (24) payments.

(c) Repeal.

(1) That any other ordinance and resolutions or portions of ordinances or resolutions inconsistent herewith be and the same are hereby repealed, specifically Ordinance 28-1983 and 6-2003 (previously existing versions of [149.03](#)) hereby repealed. However, any ordinance and resolutions or portions of ordinance and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

141.21 INJURY LEAVE WITH PAY.

(a) When a workplace injury or illness occurs, the employee and his/her supervisor shall complete an Accident/Incident Report which shall be forwarded to the Fire Chief within twenty-four (24) hours of the incident. Failure to do so may result in a delay or denial of benefits. In the event of a claim by an injured worker, the city will abide by the Bureau of Worker's Compensation current rules and directives.

(b) An injured worker shall not be paid any Injury Pay until the Workers Compensation claim has been fully "allowed" by the Bureau of Workers Compensation and by the City. Prior to such approvals, the employee may use Sick Leave for days absent due to the injury. After a claim is "allowed", Injury Leave will replace Sick Leave for that incident.

(c) When an employee is injured in the line of duty while on duty and working for the City, the employee shall be eligible to remain on paid status for an unlimited number of working days providing the claim is "allowed" by the Ohio Bureau of Workers' Compensation.

(d) The City shall have the right to require the employee to have a physical exam by a physician appointed and paid by the City, resulting in the physician's certification that the employee is unable to work due to the injury or illness as a condition precedent to the employee receiving any benefits under this section. The designated physician's opinion shall govern whether the employee is or is not disabled, but shall not govern whether the City shall extend the period of leave.

(e) When an employee is injured while on duty, the employee may be eligible to return to work on light duty, if available, with the prior approval of the Fire Chief and a physician attesting to the fact that the employee is capable of satisfactorily performing the specific functions with or without accommodations. The employee on light duty shall be compensated at his or her regular rate of pay while performing light duty work.

(f) The City shall have the right to ask any employee injured in the line of duty to perform light duty work if the physician approves the employee can return to such light duty. If the employee refuses to perform light duty work, the City has the right to deny sick leave or injury leave to the employee.

(g) The employee is not permitted to work for any other employer during the hours that they are being paid Injury Leave by the City. Working for another employer during hours that the employee is being paid Injury Leave by the City, shall result in forfeiture of all Injury Leave pay for that injury or illness.

(h) Injury Leave shall be included in 'hours worked' when calculating overtime during a workweek.

141.22 JURY DUTY LEAVE.

All employees shall be granted leave with pay to serve on a jury when required to do so, but the pay will be reduced by the amount of any compensation received for such service. Compensation for travel or other expenses will not be deducted from the employees' pay. Employee shall give their supervisor at least one (1) weeks' notice of time off that will be needed for Jury Duty.

141.23 COURT APPEARANCE PAY.

If any full or part-time firefighter is required in the function of his/her job with the City to appear in Court for any reason other than Jury Duty, he/she shall be deemed to have worked a minimum of three (3) hours. However, any witness or mileage fees received by the officer by the Court for so serving shall be turned over to the City.

141.24 MILITARY LEAVE.

(a) City employees who are members of the Ohio National Guard or the Reserve Forces of the U.S. Air Force, U.S. Space Force, U.S. Navy, U.S. Army, U.S. Marine Corps or U.S. Coast Guard shall be granted leave, not to exceed fifteen (15) shift days per calendar year, in addition to vacation leave, for the purpose of participating in scheduled training duty. If the compensation received for such training duty is less than the employee's normal pay from the City, the employee will be paid the difference. If the compensation from the training duty is greater than the employee's normal pay, then the leave shall be leave without pay.

(b) Employees of the City shall be granted leave to serve in the military forces of the United States when such service is in consequence of any Act of Congress or call of the President of the

United States. If the employee's military pay rate is less than the rate of compensation by the City at the time of activation, the employee shall be paid the difference during the period of service.

(c) Provided application is made for re-employment within ninety (90) days after expiration of the employee's obligated service, he/she shall be reappointed at the same rank of status as he/she held at the time of his/her call to military service. Any appointments or promotions affected while an employee is on extended military leave will be made with an understanding of the obligation of the City to reappoint such employee to his/her former rank at the termination of his/her obligated service. The period of extended military leave shall be credited to an employee when he/she is reappointed for purposes of longevity or qualification, just as though he/she were employed by the City during such time.

141.25 COMPASSIONATE LEAVE.

An employee shall be granted time off with pay (not to be deducted from the employee's sick leave) for the purpose of attending the funeral of a member of the employee's immediate family. The employee may be entitled to a maximum of three (3) shift days per occurrence for the immediate family as defined in Section [141.20 \(a\) \(7\) \(c\)](#) and at the discretion of the Fire Chief.

141.26 WORK RELATED ACTIVITIES.

All employees of the Fire Department who shall be required by departmental rules, directives, or orders to attend and participate in various supplemental job or work-related activities, such as off-site training, certifications and remote events shall be entitled to compensation for such hours calculated the same as their regular hours of employment and to have such hours so spent credited toward overtime hours should that be the case. Such activities must be approved by the Fire Chief.

141.27 PROBATIONARY PERIOD.

All initial and promotional appointments shall be for a minimum period of one (1) year. Initial appointment probationary employees may be removed at the sole discretion of the Fire Chief at any time prior to the end of the probationary period.

141.28 VACATION LEAVE.

(a) All full-time employees shall be entitled to a vacation after completion of one (1) year of continuous employment with the City. Employees' eligibility for the first vacation and for subsequent increases in vacation time will be determined by the anniversary date of employment. After any employee has qualified for the first week of vacation, the employee automatically qualifies for future vacations as of January 1 of the following year.

Each full-time employee shall earn vacation days in accordance with his/her length of service according to the schedule below.

<u>Years of Complete Service</u>	<u>Hours of Vacation</u>
1	48
2 to 4	96
5 to 9	144

10 to 19	192
20 or more	240

(b) All vacation leave shall be taken in increments of Eight (8) hours.

(c) Vacations are not cumulative and shall not be postponed until the following year unless there have been exceptional circumstances which caused postponement. A maximum of ten (10) days may be carried forward. In such cases, a request for holdover must be approved by the Fire Chief. All leave carried over must be taken within the first three (3) months of the following year.

(d) Absence due to sickness, injury, or disability in excess of that hereinafter authorized for such a purpose, may, at the request of the employee, and with the approval of the Fire Chief, be charged against vacation leave.

(e) Retired or deceased employees shall be entitled to vacation pay for months worked. The vacation pay shall be computed based on one-twelfth (1/12) of their entitled vacation as determined by subsection (a) hereof for each month in which an employee worked a minimum of One Hundred and Ninety-Two (192) hours. In the instance of deceased employees, the vacation pay shall be made to the deceased's spouse or estate.

(f) On termination of employment the employee shall be paid for any unused vacation balance, except that the Chief may rule such balance void if a resignation is submitted with less than ten (10) days' notice, or if the employee is discharged for cause. It is the declared intention hereof that terminating employees may qualify for no more than a pro rata vacation credit based upon their anniversary date and the years of service compared to their date of termination.

(g) All vacation leave shall be taken at such times as may be approved by the Fire Chief.

141.29 UNIFORM/CLOTHING ALLOWANCE.

(a) Full-Time Firefighters.

(1) All full-time firefighters will be permitted a uniform allowance in an amount not to exceed one thousand dollars (\$1,000) per year for purchase of uniforms as prescribed by the Fire Chief.

(b) Part-Time Firefighters.

(1) All part-time firefighters will be permitted a uniform allowance in an amount not to exceed five hundred dollars (\$500) per year for purchase of uniforms as prescribed by the Fire Chief.

(c) The uniform allowance for all firefighters is available annually and cannot be accumulated.

141.30 STANDARD WORK PERIOD/YEAR.

(a) The standard work period for full-time personnel shall consist of Ninety-Six (96) hours of work in a two (2) week pay period. Work hours scheduled for each employee shall be as directed by the Chief. The standard work year will consist of two thousand, four hundred ninety-six (2,496) hours of work.

(b) All full-time, non-exempt Fire Department employees shall be compensated at a rate of one and one-half (1 ½) times the employee's regular hourly rate for all hours in excess of ninety-six

(96) hours in a two (2) week pay period, in accordance with a prescribed forty-eight (48) hour work week. Any time worked in excess of their regular schedule must be approved by their supervisor.

(c) The regular work week for full-time shift personnel shall be forty-eight (48) hours per week in a standard fire department schedule of twenty-four (24) hours on duty followed by forty-eight (48) hours off duty.

141.31 LEGAL HOLIDAYS.

(a) There shall be at least 12 paid holidays per year, such dates to be determined by the Mayor prior to January 1, for holidays in the coming year. For purposes of this section, holidays shall be observed by the Fire Department on the dates determined by the Fire Chief.

(b) When a full-time employee's regular work schedule requires the employee to work on a holiday, the employee shall be paid two (2) times their regular rate of pay. Four (4) shift days will be provided annually in lieu of additional holiday time.

(c) When a part-time employee's work schedule requires the employee to work on a holiday, the employee shall be paid two (2) times their regular rate of pay.

141.32 UNPAID PERSONAL LEAVE OF ABSENCE.

(a) Unpaid personal leaves of absence for a period of up to six (6) months may be requested by employees; generally, only employees who have completed five (5) years or more of continuous service will be granted unpaid personal leave. Employees must request personal leave in writing to the Fire Chief at least two (2) weeks prior to the time you wish such leave to commence. If the personal leave request is necessitated by an emergency, the employee or a member of the employee's immediate family must notify the Fire Chief as soon as practicable; this should be followed up with a written explanation of the nature of the leave and the expected length of absence. In such emergency situations, the written explanation must normally be submitted within three (3) days of the beginning of your leave.

(b) Personal leave may be granted for justifiable reasons (e.g., childcare or to care for an ill family member) at the Fire Chief's discretion, provided the leave does not seriously disrupt Department operations. Full-time personal leave is generally not granted until all accrued unused vacation and sick days have been exhausted.

(c) Seniority does not continue to grow and vacation and sick leave accrual stops during an unpaid personal leave of absence. All City group health benefits (e.g., hospitalization and major medical insurance) will cease ten (10) working days after the commencement of the personal leave of absence. At the end of this ten (10) day period, you may elect (under the provisions of COBRA) to continue your medical coverage for an additional period by paying one hundred percent (100%) of the City's group rate premium yourself.

(d) Reinstatement cannot be guaranteed to employees returning from personal leave. However, the City endeavors to place employees returning from personal leave in their former positions or positions comparable in status and pay, subject to budgetary restrictions, the City's need to fill vacancies, and the ability of the City to find qualified temporary replacements.

(e) If an employee does not return to work by the expiration date of leave or does not obtain permission in advance through the Fire Chief to extend the leave, the City will consider him/her to have resigned.

141.33 STANDARD HOURLY RATE, FULL-TIME PERSONNEL.

(a) The standard hourly rate of pay for full-time personnel for purposes of Holidays, Overtime and annual pay increases shall be based on a forty-hour (40) workweek. When approved by the Fire Chief or officer in charge, this overtime shall be paid for hours worked in excess of ninety-six (96) hours in a two (2) week pay period. Hours worked shall include vacation days, FLSA days, compensatory time-off, holidays, and sick days.

(b) The standard hourly rate of pay for a full-time firefighter/paramedic off probation shall be equal to the rate of a full-time police officer off probation.

(c) The standard hourly rate of pay for a full-time firefighter/EMT shall be ten percent (10%) percent less than a full-time firefighter/paramedic.

(d) There shall be ten percent (10%) pay differential between the ranks of Firefighter, Fire Lieutenant, and Fire Captain.

141.34 STANDARD OVERTIME RATE.

(a) The standard overtime rate for part-time personnel shall be one hundred fifty percent (150%) of the normal hourly rate.

(b) Employees who are called out for emergency duty shall be paid a minimum of four (4) hours pay, regardless of the duration of the work assigned which may be extended to include work unrelated to the emergency.

(c) Upon the completion of any overtime work performed by full-time personnel and in lieu of overtime compensation, the employee may elect to receive compensatory time off at a rate not less than one and one-half (1 ½) hours for each hour of employment for which overtime compensation is required by subsection (a) above, provided that:

(1) Compensatory time off, when selected, shall be taken within the same calendar year and at a time mutually convenient to the employee and the Fire Chief; at a minimum of four (4) hours.

(2) The employee may accumulate not more than ninety-six (96) hours of compensatory time.

(3) If due to extraordinary circumstances the employee is unable to use accumulated compensatory time within the same calendar year, the employee may, with the Mayor's approval, carryover up to forty-eight (48) hours of compensatory time into the next calendar year.

(4) Before January 31 of each calendar year, any unused compensatory time will be paid to the employee at the rate at which it was earned; and

(5) If an employee leaves City employment for any reason, accumulated unused compensatory time will be converted to overtime pay at the rate at which it was earned and be paid to the employee.

141.35 EXPENSE REIMBURSEMENT UPON TERMINATION.

(a) All Municipal employees, in consideration of their full or part-time employment with the Fire Department, shall, upon acceptance of such employment, enter into agreements providing for reimbursement to the City of various expenses incurred by the City as to such individuals within certain specified time periods prior to voluntary termination by the employees of their employment. Such reimbursements shall be in accordance with the following schedule:

(1) If employee separates within one year of the date of hire, the employee shall reimburse the City seventy-five percent (75%) of the cost of testing and equipment.

(2) If employee separates within two years of the date of hire, the employee shall reimburse the City fifty percent (50%) of the cost of testing and equipment.

141.36 POLICIES AND PROCEDURES MANUAL.

The Fire Chief shall have the authority to establish a manual of various departmental policies and procedures to ensure the safety, integrity and consistency in the handling and reporting of various situations, incidents, and occurrences provided the policies and procedures are in furtherance of and not in conflict with the ordinances and resolutions of the City, the Civil Service Rules and Regulations, or the laws of the State. A copy of the Policies and Procedures Manual shall be filed with the City Finance Director.

SECTION 2. The Council finds and determines that all formal action by this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, comfort, convenience, and general welfare of the inhabitants of the City of Reminderville, to wit: said amendment is for the benefit of the residents of the City of Reminderville, and if this Ordinance receives the necessary number of votes, it shall take effect and be in force after its passage; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed:

Sam Alonso, Mayor

Attestation:

Stacey Task
Clerk of Council

I, Stacey Task, Clerk of Council of the City of Reminderville, Summit County, Ohio do hereby certify that the foregoing **ORDINANCE 12-2023** was duly and regularly passed by the Council of the City of Reminderville at a regular meeting of Council on the _____ day of _____, 2023.

Stacey Task
Clerk of Council