

ATTACHMENT TO ORDINANCE NO. 2150-2017
AMENDING
FIRE MANAGEMENT COMPENSATION PLAN ORDINANCE NO. 2714-2013

SECTION 13. SPECIAL LEAVE WITH PAY.

- (A) Military Leave. City employees who are members of the Ohio National Guard, U.S. Air Force Reserve, U.S. Army Reserve, U.S. Marine Corps Reserve, U.S. Coast Guard Reserve, or the U.S. Naval Reserve shall be granted military leave of absence with pay, in addition to vacation leave, when ordered to temporary active duty, multiple unit training assemblies, or when ordered to military training exercises conducted in the field for a period of not more than twenty-two (22) days during each calendar year. Excepting and providing that when the Governor of the State of Ohio or the President of the United States declares that a state of emergency exists then, in that event, the employee is ordered to active duty for purposes of that emergency, shall be paid pursuant to this Article for a period, or periods, whether or not consecutive, not to exceed twenty-two (22) days during each calendar year.
- (B) Military Pay. An employee who is entitled to military leave, and who is called to military duty for a period in excess of twenty-two (22) days in any one (1) calendar year, for each calendar year in which military duty is performed, because of an executive order signed by the President of the United States or an act of Congress, is entitled to additional paid leave during the period designated in the order or act. Such employee shall be paid his/her regular salary for the period of time so served less one day's military base pay for each day he/she otherwise would have been scheduled to work for the City while on military leave with pay.

An employee who takes two (2) weeks of military leave with pay will be away from his/her job Monday through Friday, both weeks, for a total of ten (10) fire work days. In that situation, he/she is paid by the military for fifteen (15) or more days. The offset from his/her regular salary will be determined by multiplying the daily rate of base pay by ten (10) in recognition of the ten (10) work days missed and subtracting that sum from the regular two (2) weeks of fire pay. This offset provision does not apply to paid leaves of twenty-two (22) days or less as provided in this Section.

Reemployment of a member who leaves the employment of the City to serve in the armed forces of the United States America or any branch thereof shall be governed by the following principles:

- (1) An eligible member shall be reemployed in the position in which the member would have been employed if the continuous employment of the member had not been interrupted by the period of military service, or an equivalent position, provided that the member is qualified to perform the duties of such position.
A member whose military service involves only military training shall be reinstated to his/her former position, not an equivalent position.
- (2) Any member who has entered the service as stated above, must request restoration to the position within ninety (90) days of receiving an honorable discharge from the armed forces or the position shall be declared vacant. Nothing contained in this subsection shall obligate the City to pay a member who is on military leave of absence.
- (3) The term "armed forces of the United States," as used in this section, shall be deemed to include such services as designated by the Congress of the United States.
- (4) This subsection shall be interpreted and applied in a manner consistent with the provisions of the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §4301 et seq.

- (C) Jury Duty Leave. City employees, when called to jury duty, shall be paid regular salary for the period of such jury service.

Upon receipt of payment for jury service, the employee shall submit fees to the Administrative Bureau who will then deposit such funds with the City Treasurer.

- (D) Witness Duty. Time off with pay shall be permitted to any employee for any time required as a witness in any proceeding where the employee is called to testify as a result of his/her duties and/or position with the Division of Fire.

Upon receipt of payment for witness service, the employee shall submit fees to the Administrative Bureau who will then deposit such funds with the City Treasurer.

- (E) Paid Parental Leave (PPL). Effective August 1, 2017, full-time City employees in classifications listed in Section 6 of this Ordinance, who meet the following criteria, are eligible for up to six (6) weeks of PPL.**

(1) Employees must have:

- (a) Completed one (1) year of continuous full-time City service;**

(b) Worked for at least one thousand two hundred fifty (1,250) hours over the twelve- (12) month period preceding the leave;

(c) Not taken any PPL in the preceding rolling twelve- (12) month period measured backward from the date PPL is used.

(2) PPL qualifying events are the following:

(a) Birth of a child, provided the employee is the biological parent, or the spouse or domestic partner of the biological parent, or a legal guardian of the child.

(b) Permanent placement of an adoptive child, provided the employee is the adoptive parent, or the spouse or partner of the adoptive parent, and must reside in the same household as the newly adopted child.

(3) PPL benefits are as follows:

(a) The eligible leave period of six (6) weeks begins on the date of the qualifying event (i.e., birth of a child or permanent placement of an adoptive child). PPL is not intended to extend disability leave, and therefore will not be used at the end of disability leave following the same event.

(b) Eligible employees may receive a total PPL benefit of six (6) weeks. This program shall provide for payment to the employee from the fifteenth (15th) day of the qualifying event for a maximum of four (4) weeks of PPL benefits at seventy percent (70%) of the employee's current salary.

(c) Notwithstanding the provisions of **Section 18** of this Ordinance, during the waiting period only, employees may elect to use sick leave, vacation leave, compensatory time or unpaid leave time.

(d) During the six (6) weeks of PPL, the employee may, if he/she so desires, elect to use all, or part, of his/her accumulated but unused sick leave in order to make up any difference between one hundred percent (100%) of his/her gross wages and the amount which he/she

receives under the PPL program, provided that all new (current year) sick leave accruals are exhausted before an employee may use the available balance in his/her old sick leave bank. If an employee exhausts all sick leave benefits, other approved leave may be granted by the Appointing Authority.

(e) PPL must be taken as one continuous block of leave and may not be taken intermittently.

(f) Any PPL which is granted for reasons permissible under FMLA leave shall count toward the twelve- (12) week per year limitation.

(g) While an employee is paid PPL benefits, vacation accruals shall cease. Holidays shall be paid at the PPL benefit rate as set forth in **Section 13(E)(3)(b)** of this Ordinance.

(F) Paid Caregiver Leave (PCL). Effective August 1, 2017 through August 1, 2019, full-time City employees in classifications listed in **Section 6** of this Ordinance, who meet the following criteria, are eligible for up to four (4) weeks of PCL.

(1) Employees must have:

(a) Completed one (1) year of continuous full-time City service;

(b) Worked for at least one thousand two hundred fifty (1,250) hours over the twelve- (12) month period preceding the leave;

(c) Not taken any PCL in the preceding rolling twelve- (12) month period measured backward from the date PCL is used.

(2) PCL may be taken when the employee's covered family member has a serious medical condition as defined by the Family and Medical Leave Act (FMLA) requiring the employee's care.

(3) Covered family members under the FMLA are the employee's spouse, son, daughter or parent as defined in the FMLA regulations.

(4) PCL benefits are as follows:

- (a) The eligible leave period of four (4) weeks begins on the date the employee requests leave to care for an eligible family member with a serious health condition.**
- (b) Eligible employees may receive a total PCL benefit of four (4) weeks. This program shall provide for payment to the employee from the fifteenth (15th) day of the qualifying event for a maximum of two (2) weeks of PCL benefits at seventy percent (70%) of the employee's current salary.**
- (c) Notwithstanding the provisions of Section 18 of this Ordinance, during the waiting period only, employees may elect to use sick leave, vacation leave, compensatory time or unpaid leave time.**
- (d) During the four (4) weeks of PCL, the employee may, if he/she so desires, elect to use all, or part, of his/her accumulated but unused sick leave in order to make up any difference between one hundred percent (100%) of his/her gross wages and the amount which he/she receives under the PCL program, provided that all new (current year) sick leave accruals are exhausted before an employee may use the available balance in his/her old sick leave bank. If an employee exhausts all sick leave benefits, other approved leave may be granted by the Appointing Authority.**
- (e) PCL must be taken as one continuous block of leave and may not be taken intermittently.**
- (f) Any PCL which is granted for reasons permissible under FMLA leave shall count toward the twelve- (12) week per year limitation.**
- (g) While an employee is paid PCL benefits, vacation accruals shall cease. Holidays shall be paid at the PCL benefit rate as set forth in Section 13(F)(4)(b) of this Ordinance.**