

**Attachment to Ordinance #0138-2022
Amending Management Compensation Plan (MCP) #2713-2013,
as amended**

Section 1. To amend Ordinance No. 2713-2013, as amended, by amending Section 3 to read as follows:

“COBRA” (Consolidated Omnibus Budget Recovery Act) – Requires group health continuation coverage to be offered to qualifying covered employees, their spouses, former spouses, and dependent children when group health coverage would otherwise be lost due to certain specific qualifying events as defined under COBRA. The premium and allowable administrative costs of COBRA continuation of group health coverage is at the expense of the employee or family member who elects such coverage.

Section 2. To amend Ordinance No. 2713-2013, as amended, by amending Section 5(C) to read as follows:

- (C) Part-time, Seasonal, Temporary and Confidential Employees. Any part-time (averaging less than twenty hours per week), temporary, seasonal, or confidential employees in classifications listed in Appendix A of the collective bargaining ~~contract~~ **agreement** between the City of Columbus and the American Federation of State, County and Municipal Employees (AFSCME), Local 1632, or in Appendix B of the collective bargaining ~~contract~~ **agreement** between the City of Columbus and the Communications Workers of America (CWA), Local 4502, will be covered by this Management Compensation Plan. Further, the classifications listed in Appendix A of the AFSCME collective bargaining ~~contract~~ **agreement** and Appendix B of the CWA collective bargaining ~~contract~~ **agreement** may be used for employees who do not meet the definition of a public employee pursuant to Section 4117.01 of the Ohio Revised Code, or who are (1) employees of the Human Resources Department; (2) employees of the Civil Service Commission; (3) confidential secretaries of the Appointing Authorities; (4) employees working less than 1040 hours per calendar year; or (5) employees in temporary status as defined by the Civil Service Commission.

Section 3. To amend Ordinance No. 2713-2013, as amended, by amending Section 7(A) to read as follows:

- (A) Service Credit. A service credit payment shall be paid during December of each year to full-time employees, excluding elected officials, who are in paid status or authorized leave without pay as of November 30 of each calendar year in accordance with the schedules below. The computation shall be based on total years of full-time City service as set forth in the following schedule and shall be based upon paid status as a full-time employee as of November 30 of the appropriate calendar year. For the sole purpose of determining service credit in this Subsection (A), years of full-time service shall include military leave without pay, leave without pay due to a City injury when the employee is receiving payments in lieu of wages from the Ohio Bureau of Workers' Compensation, and other administrative leave without pay as authorized by the Appointing Authority. No service credit shall be allowed or paid to any employee for time lost for any other leave without pay or time lost as a result of disciplinary action.

~~The following service credit schedule shall be used for employees whose classifications are listed in Sections 5(C), (D) and (E) of this Ordinance.~~

More than 5 years of total full-time City service	\$600
More than 8 years of total full-time City service	\$700
More than 14 years of total full-time City service	\$800
More than 20 years of total full-time City service	\$900
More than 25 years of total full-time City service	\$1000

Effective with the December ~~2015~~**2021** service credit payment, the following service credit schedule shall be used for employees whose classifications are listed in Sections 5(C), (D) and (E).

More than 5 years of total full-time City service	\$600 <u>700</u>
More than 8 years of total full-time City service	\$700 <u>800</u>
More than 14 years of total full-time City service	\$800 <u>900</u>
More than 20 years of total full-time City service	\$1000 <u>1100</u>
More than 25 years of total full-time City service	\$1500 <u>1600</u>

Section 4. To amend Ordinance No. 2713-2013, as amended, by amending Section 7(B) to read as follows:

- (B) Shift Differential Pay. The Appointing Authority shall designate or assign the applicable shift for each employee whose classification is listed in Section 5 of this Ordinance. The shift designation shall determine the shift differential for the entire shift. Both full-time and part-time employees may be eligible for shift differential pay. Employees whose job classifications are listed in Section (F) of this Ordinance are not eligible for shift differential pay.
- (2) As soon as practicable following passage of Council, A differential pay of ~~fifty-two~~ **sixty-seven** cents (~~\$.52~~**67**) per hour over the regular hourly rate shall be paid to employees who are assigned to work eight (8) hours on the Second Shift; a differential pay of ~~sixty~~ **eighty** cents (~~\$.60~~**80**) per hour over the regular hourly rate shall be paid to full-time, non-seasonal employees who are assigned to work eight (8) hours on the Third Shift.
- (3) As soon as practicable following passage of Council, Those employees whose regularly assigned shift is a rotating shift shall be paid a shift differential of ~~sixty~~ **eighty** cents (~~\$.60~~**80**) per hour over the regular hourly rate for all hours worked regardless of shift. For purposes of this provision, a rotating shift is a permanent shift that is comprised of a regularly scheduled assignment on First, Second and Third Shifts.

Section 5. To amend Ordinance No. 2713-2013, as amended, by amending Section 7(E) to read as follows:

- (E) Tuition Reimbursement. All full-time employees with one (1) or more years of continuous active service prior to the start date of the course(s) shall be eligible for reimbursement of instructional fees and associated fees of up to ~~three thousand dollars (\$3,000) per calendar year for undergraduate studies or up to three thousand eight hundred dollars (\$3,800) per calendar year for graduate studies voluntarily undertaken by them.~~ Effective January 1, 2015, the instructional fees, **books, laboratory fees,** and associated fees **up** will be increased to four thousand five hundred dollars (\$4,500) for undergraduate studies or up to five thousand five hundred dollars (\$5,500) per calendar year for graduate studies; **or up to two thousand dollars (\$2,000) for courses for continuing education voluntarily undertaken by the employee which are directly related to the employee's job duties or may lead to career advancement within the City as**

determined by the Director of Human Resources. The tuition reimbursement program shall be subject to the following conditions:

- (1) No employee on an unpaid leave of absence, unauthorized leave of absence, disability leave, injury leave or workers' compensation may apply for tuition reimbursement.
- (2) All **undergraduate and graduate** courses must be taken at times other than scheduled working hours. **Continuing education courses may be taken during scheduled working hours with the approval of the Appointing Authority.** All scheduled hours for courses of instruction must be filed with the Appointing Authority or designee and with the Department of Human Resources. There must be a correlation between the employee's duties and responsibilities and the courses taken or the degree program pursued. All scheduled times of courses must be approved by the Appointing Authority or designee. Any situation which, in the discretion of the Appointing Authority or designee, would require an employee's presence on the job shall take complete and final precedence over any time scheduled for courses.
- (3) Institutions **and** ~~must be located~~ or courses of instruction **must be attended** ~~given~~ within Franklin County or adjoining counties. Courses must be taken at ~~accredited~~ colleges, universities, technical and business institutes or at their established extension centers, **and accredited by the U.S. Department of Education.** Courses taken via the Internet may be approved by the Human Resources Department provided the institution meets criteria similar to that for residential education programs. ~~Correspondence courses, seminars, conferences and workshops are not included.~~

Seminars, conferences and workshops will only be considered for reimbursement for continuing education.

- (4) The Department of Human Resources shall determine the approved institutions for which reimbursement for instructional fees, **books, laboratory** and associated fees (~~general and laboratory~~) may be made under this Section. Only those institutions approved by the Department of Human Resources shall establish eligibility of the employee to receive reimbursement. Additional institutions may be added by forwarding an application for reimbursement to the Department of Human Resources. Application for approval of institutions and courses must be made to the Department of Human Resources not more than thirty (30) days or less than ten (10) days prior to the first day of the scheduled course(s).

- (5) Any financial assistance from any governmental or private agency available to an employee, whether or not applied for and regardless of when such assistance may have been received, shall be deducted in the entire amount from the full tuition reimbursement the employee is eligible for under this Section. If an employee's tuition is fully covered by another governmental or private agency, then the employee is not entitled to payment from the City.
- (6) ~~Reimbursement for instructional fees and associated general and laboratory fees~~ will be made when the employee satisfactorily completes a course and presents an official certificate or its equivalent and an original receipt of payment or unpaid bill from the institution confirming completion of the approved course. **The employee must submit this documentation within four (4) weeks of the course completion, unless unable to do so through no fault of their own.**
- (7) No reimbursement will be granted for ~~books, paper, supplies of whatever nature, transportation, meals, or any other expense connected with any course except the cost of instructional fees,~~ **books, laboratory fees, and associated fees. "Distance learning" and similar fees related to enrollment in internet courses will not be reimbursed.**
- (8) Any employee participating in the tuition reimbursement program who resigns or retires or is discharged for cause must repay the tuition reimbursement paid by the City for undergraduate courses **and continuing education courses** taken less than two (2) years prior to the date of termination or discharge and for graduate courses taken less than three (3) years prior to the date of termination or discharge. If necessary, this amount will be deducted from the employee's final paycheck. Employees who are separated from the City involuntarily, e.g., laid off, or through no fault of their own, during the time periods set forth above will not be required to reimburse the City.

Section 6. To amend Ordinance No. 2713-2013, as amended, by amending Section 10(B) to read as follows:

(B) Jury Duty Leave.

- (1) A full-time employee serving upon a jury in any court of record of ~~Franklin County,~~ **in any** Ohio **county**, ~~or adjoining counties~~ shall be paid his/her regular salary for the period of time so served. Time so served upon a jury shall be deemed active service with the City for all purposes. The employee is required to obtain a signed record from the courts to document the time spent on jury duty. Upon receipt of payment for jury service during regular working hours, the employee shall deposit such funds with the City Treasurer.
- (2) When a full-time employee receives notice for jury duty in any court of record of ~~Franklin County, Ohio,~~ or in any adjoining **Ohio** county, he/she shall present such notice to his/her immediate supervisor. A copy will be made of the notice and filed and recorded in the employee's personnel file.

Section 7. To amend Ordinance No. 2713-2013, as amended, by amending Section 10(F) to read as follows:

(F) Personal Business Day.

- (4) **Personal Business Days may be used in increments of four (4) hours.** ~~The personal business days may not be used in increments, but must be taken in eight (8) hour increments (or four (4) hour increments for part-time employees).~~ The days must be used during the vacation year and may not be carried over from year to year. The personal business days will not be subject to buy-back or cashing in at the end of the vacation year.

Section 8. To amend Ordinance No. 2713-2013, as amended, by amending Section 10(J) to read as follows:

- (J) Paid Parental Leave (PPL). ~~Effective August 1, 2017,~~ **F**ull-time City employees in classifications listed in Sections 5(C), (D) and (E) of this Ordinance, who meet the following criteria, are eligible for up to six (6) weeks of PPL.

Section 9. To amend Ordinance No. 2713-2013, as amended, by amending Section 10(K) to read as follows:

- (K) Paid Caregiver Leave (PCL). ~~Effective August 1, 2017,~~ **F**ull-time City employees in classifications listed in Sections 5(C), (D) and (E) of this Ordinance, who meet the following criteria, are eligible for up to four (4) weeks of PCL.

Section 10. To amend Ordinance No. 2713-2013, as amended, by amending Section 10(L) to read as follows:

- (L) Bereavement Leave. ~~Effective March 26, 2018,~~ **F**ull-time employees may be granted up to five (5) days of leave of the employee's choice (i.e., compensatory time, vacation leave, or sick leave in accordance with Sections 8, 12, and 14) for the death of a member of the employee's family. Up to three (3) of the five (5) days of leave shall be paid as bereavement leave and not deducted from the employee's leave bank(s). In the event of no available leave balances, the employee may be granted leave without pay in accordance with Section 11 of this Ordinance.

Section 11. To amend Ordinance No. 2713-2013, as amended, by amending Section 12(D) to read as follows:

- (D) Eligibility. No vacation accrual shall be allowed for an employee working a forty (40) hour workweek for any pay period in which such employee is off duty and not in paid status for more than eight (8) hours of regularly scheduled work for eight (8) hour per day employees; or not in paid status for more than ten (10) hours of regularly scheduled work for employees working ten (10) hours per day. When an employee is required to report for work and does so report and is denied work because of circumstances beyond his/her control, absence from work for the balance of that day shall not be construed as non-paid work status.

While an employee is receiving temporary total benefits from the Bureau of Workers Compensation, vacation accruals will cease.

Employees on the disability insurance program as outlined in Section 15 of this Ordinance shall be deemed ineligible to earn vacation credit in the appropriate amounts listed above.

Section 12. To amend Ordinance No. 2713-2013, as amended, by amending Section 14 to read as follows:

(A) Computation of Sick Leave Bank for Full-Time Employees in Section 5(D) and Section 5(E) **as Soon as Practicable Following Passage of Council.**

- (1) Sick leave banks for full-time employees shall consist of current annual entitlements under the terms and conditions of this Ordinance, plus any hours carried over from previous years, transfers from other political subdivisions and hours carried over from other City employment outside the terms of this Ordinance, less any appropriate reductions or deductions as outlined below.
- (2) On the first payperiod of each calendar year, each full-time employee employed on that date shall receive ~~seventy-two (72)~~ **eighty (80)** hours of sick leave with pay for the remainder of that calendar year.
- (3) Each full-time employee hired on or after the first payperiod of each year shall, on the date of hire receive his/her sick leave with pay for the remainder of that calendar year computed, as follows: six **and sixty-seven one hundredths** (6.**67**~~0~~) hours for each calendar month in the calendar year of hire, commencing with the month following the month in which the employee was hired.
- (4) If an employee is in unpaid status for forty (40) hours or more in a calendar month, six **and sixty-seven one hundredths** (6.**67**~~0~~) hours shall be deducted from the employee's paid sick leave entitlement. For purposes of this Section, hours in unpaid status do not include military leave without pay or unpaid FMLA hours. No other unpaid absences shall be counted as hours of work.

When an employee is required to report to work and does so report but is denied work because of circumstances beyond his/her control, absence from work under these circumstances shall not be considered as unpaid work status for purposes of this paragraph, except if the employee is laid off pursuant to Civil Service Commission Rules and Regulations.

- (5) If an employee changes from full-time non-seasonal status to part-time or seasonal status during a calendar year in which he/she was eligible for sick leave, six **and sixty-seven one hundredths** (6.**67**~~0~~) hours shall be deducted from his/her paid sick leave account for each full calendar month in which the employee is in part-time or seasonal status.

- (6) Employees coming under the jurisdiction of the MCP by appointment to a classification listed in Section 5(C), (D) and (E) from outside the City, who have accrued sick leave from another political subdivision of the State of Ohio may transfer that sick leave upon their employment by the City. Any hours transferred from another political subdivision of the State of Ohio, after March 31, 1987, shall not be subject to payment upon termination or separation from the City for whatever reason. Such hours will not count toward the sick leave bank with the City. These hours can be used only after exhausting an employee's current City sick leave bank. When an employee uses such hours, the value of those hours will be equivalent to the value of the hourly rate at which the employee was hired into the City.
 - (7) If an employee uses more than his/her current annual entitlement (~~72~~ **80** hours) in a payroll year, because of ineligibility for sick leave as outlined in this Paragraph, the excess sick leave used will be recovered from the next year's annual entitlement.
 - (8) Employees coming under the jurisdiction of the MCP by appointment to a classification listed in Section 5(C), (D) and (E) with Pre-1985 Sick Leave Bank, will be paid such bank at the rate he/she was earning on March 31, 1987. Such payment will be made as soon as practicable by the City Auditor.
- (C) Advances on Sick Leave by City Council. Except as provided by discretionary action of the City Council, sick leave cannot be taken before it is credited to an employee's sick leave account. In appropriate circumstances and within the discretion of City Council, employees may receive sick leave in advance upon passage of an ordinance by City Council authorizing such an advance. Any employee who has been advanced additional sick leave time by action of City Council must agree as a condition of the advance to have amounts deducted from his/her sick leave account, during the first payperiod of each year, not to exceed ~~seventy-two (72)~~ **eighty (80)** hours, until the advance is repaid. Under no circumstances shall an employee's annual sick leave entitlement be reduced by more hours than the aggregate yearly amount as set forth in the ordinance authorizing said advancement. Except as herein written, all provisions of the original ordinance advancing sick leave shall remain in effect.
- (D) Annual Sick Leave Reciprocity Payment.
- (1) During November of each year, each employee shall elect one of the following:
 - (a) To be paid, at his/her regular straight-time hourly rate in effect on the last day of the last payperiod of the year, for any unused sick leave hours awarded during the preceding payroll

year, up to a maximum of ~~seventy-two (72)~~ **eighty (80)** hours, on a one-for-one basis; or

- (b) To carry over all unused sick leave hours to the next year as part of the employee's sick leave bank.
 - (c) To split on a 50/50 basis (rounded to the nearest 1/10 of an hour) the remaining annual entitlement with one-half (1/2) going to the employee's sick leave bank and one-half (1/2) being paid out in sick leave reciprocity.
- (2) Any hours of sick leave taken during the payroll year shall be deducted from the maximum amount of annual sick leave reciprocity (i.e., ~~72~~ **80** hours) prior to calculating the annual sick leave reciprocity payment.
 - (3) If an employee uses five (5) days or less of injury leave (regardless of the number of claims) during the year, this leave shall not be considered sick leave taken for computing sick leave reciprocity. If an employee uses more than five (5) days of injury leave, all injury leave used during the year will be considered hours of sick leave taken in computing sick leave reciprocity.
 - (4) Employees who fail to sign the payroll register making an election to carry over receive payment, or split their sick leave as outlined above shall maintain the same option as they elected the prior year.
- (E) Disposition of Sick Leave Balances upon Separation from City Employment.
- (1) Annual Sick Leave Entitlement. When an employee separates from City service through resignation, retirement or layoff on or before the last day of the last payperiod of the year, the employee shall receive payment for his/her annual sick leave entitlement as defined in Paragraph A as follows:
 - (a) The annual sick leave entitlement which that employee has to his/her credit at the time of separation shall be reduced by six **and sixty-seven one hundredths** (~~6.67~~**6.67**) hours for each calendar month remaining in the calendar year following the month of separation.

Section 13. To amend Ordinance No. 2713-2013, as amended, by amending Section 17 to read as follows:

- (A) Purpose. A time donation program has been established to assist full-time employees, eligible to earn accruals, who have exhausted all accumulated paid leave and all disability leave benefits available as a result of a catastrophic illness or injury that is not job related. This program neither supersedes nor replaces other disability programs covered by this Ordinance.
- (B) Conditions. An employee may utilize the time donation program only if all of the following conditions are met:
 - (1) Prior to requesting approval for donation of vacation leave, the employee must have exhausted all paid leave and disability leave benefits available to the employee; and
 - (2) The employee shall submit an application requesting donation of vacation leave from other employees covered by this MCP in the same ~~division~~ **department** to the **department's** ~~Director of the Department of Human Resources~~ **representative for processing** ~~or designee~~. The application shall include acceptable medical documentation of a catastrophic illness or injury that is not job related, including diagnosis and prognosis. The injury or long-term illness must require the employee to be away from work for at least one (1) full payperiod. This application shall be on a form supplied by the ~~Director~~ **Department** of Human Resources; and
 - (3) The Director of the Department of Human Resources or designee shall determine that the injury or long-term illness is catastrophic in nature and that the employee is eligible to receive vacation leave donations from other employees covered by this MCP in the same division; and
 - (4) The approved application shall be forwarded to the affected ~~department's~~ **department's** human resources representative. The human resources representative shall **may** post a notice on the department bulletin boards to other employees in the same division that the eligible employee may receive donations of vacation leave; and
 - (5) If the eligible employee is in a probationary period, the probation will be extended by the number of days the employee is off duty receiving leave donations. The Civil Service Commission must be notified of an extension of any probationary period; and

- (6) Donated leave shall be considered sick leave but shall never be converted into a cash benefit.
- (C) Employees Donating Vacation Time.
- (1) An employee desiring to donate vacation leave shall submit a completed time donation form to the ~~division~~ **department** payroll office.
 - (2) It is understood that all vacation leave donations are voluntary and once vacation leave is donated, it will not be returned to the donating employee.
 - (3) All donated vacation leave shall be paid at the regular hourly rate of the employee receiving and using the donated leave, not at the regular hourly rate of the employee donating the leave.
 - (4) Vacation leave may be donated in increments of at least four (4) hours.

This is a completely voluntary program. A decision made by the Director of Human Resources or designee regarding implementation, acceptance or rejection of an application for donations shall be final.

Section 14. That existing Sections 3, 5(C), 7(A), 7(B), 7(E), 10(B), 10(F), 10(J), 10(K), 10(L), 12(D), 14, and 17 of Ordinance No. 2713-2013, as amended, are hereby repealed.

Section 15. For reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.