



City of Columbus

Legislation Report

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

File Number: 2612-2016

Emergency

File ID: ~~2612-2016~~

Type: Ordinance

Status: Passed

Version: 1

***Committee:** Veterans' Affairs Committee

File Name: Military Leave Extension ~~2016-2017~~

File Created: 10/11/2016

Final Action: 11/23/2016

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: ~~Greg Beaverson, 645-6994~~

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title: To authorize and extend a continuation of military leave with pay to City employees eligible for such leave who have and/or will be members of the uniformed services who are called to perform service in the uniformed services ~~in connection with ongoing Homeland Security efforts and in connection with international and domestic response events for the ensuing year in which they are performing service in the uniformed services~~; to allow for the continuation of City-provided group health and life insurance, under the same terms and conditions currently in effect for City employees and their beneficiaries; and to declare an emergency.

Sponsors:

Attachments: ~~Military Leave Ord #2304-2015 Changes for Ord #2612-2016~~

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	11/21/2016	Approved				Pass
1	COUNCIL PRESIDENT	11/21/2016	Signed				
1	MAYOR	11/23/2016	Signed				
1	ACTING CITY CLERK	11/23/2016	Attest				

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation

City Council has authorized an extension of military leave benefits for employees who are called to perform service in the uniformed services ~~in connection with ongoing Homeland Security efforts since 2001~~. This legislation continues that benefit for the ensuing year.

Title

To authorize and extend a continuation of military leave with pay to City employees eligible for such leave who have and/or will be members of the uniformed services who are called to perform service in the uniformed services ~~in connection with ongoing Homeland Security efforts and in connection with international and domestic response events~~ for the ensuing year ~~in which they are performing service in the uniformed services~~; to allow for the continuation of City-provided group health and life insurance, under the same terms and conditions currently in effect for City employees and their beneficiaries; and to declare an emergency.

Body

WHEREAS, City Council passed Ordinance ~~2304-2015~~ on ~~September 23, 2015~~ to continue military leave with pay for City employees who have been, or may be called to perform service in the uniformed services pursuant to an order by the President of the United States ~~in connection with Homeland Security~~, because of an act of Congress, or because of an order to perform duty issued by the governor pursuant to Ohio Revised Code §5919.29; and

WHEREAS, City Council desires to extend that benefit through this ordinance for the ensuing year effective September 11, ~~2016~~; and

WHEREAS, City Council desires to maintain health and life insurance benefits for affected employees and their beneficiaries for the ensuing year effective September 11, ~~2016~~; and

WHEREAS, the City is desirous of supporting and assisting those City employees and their families who have been or will be financially burdened by the employee being called to perform service in the uniformed services by continuing affected employees in military-leave-with-pay status for the period designated in the order or act under competent authority, and for the duration of service in the uniformed services; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to continue such financial assistance to affected employees and beneficiaries to avoid a lapse in benefits, thereby preserving the public health, peace, property, safety and welfare; Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That salaries and wages be paid to affected employees in accordance with federal and state law, management compensation plans, and/or the respective collective bargaining agreements in order to keep employees in paid status beyond the initial period of military leave with pay for the ensuing year effective September 11, 2016 and for the duration of the employee's service in the uniformed services ~~in connection with international and domestic response events including, but not limited to, Homeland Security events,~~ less whatever amount such employee may receive as military base pay.

Section 2. That the health and life insurance provided to City employees, pursuant to federal and state law, the various management compensation plans, and/or collective bargaining agreements between the City of Columbus and the Fraternal Order of Police, Capital City Lodge No. 9; International Association of Fire Fighters, Local 67; American Federation of State, County and Municipal Employees Local 1632 and Local 2191; Communications Workers of America Local 4502; the Fraternal Order of Police/Ohio Labor Council, Inc. be continued in full force and effect subject to the same definitions, limitations, and exclusions as are found in the above-referenced federal and state law, collective bargaining agreements, and/or management compensation plans as well as those contracts and agreements between the Department of Human Resources and the various insurance providers, for those City employees who have been or may be called to perform service in the uniformed services for the ensuing year effective September 11, 2016.

Section 3. That affected City employees remain liable for their regular monthly premium payments, which can be paid as due or held in abeyance and paid in total upon return to City service. If such funds are not paid as herein provided, the amount of unpaid monthly premium payments may be withheld from an employee's final pay check.

Section 4. That the City shall provide City employees no fewer rights and benefits than may be conferred under federal or state law if such a conflict should exist between this ordinance and any applicable federal or state law. No collective bargaining agreement administered by the City may afford fewer rights and benefits than are conferred under this ordinance.

Section 5. As used in this Ordinance:

(A) "Uniformed Services" means all armed forces of the United States of America, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

(B) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923 of the Ohio Revised Code. "Service in the uniformed services" includes also the period of time for which a person is absent for the purpose of an examination to

determine the fitness of the person to perform any duty described in this division.

Section 6. That for the reasons stated in the preamble hereto, which is incorporated herein, this ordinance is 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.