ORDINANCE NO. 19-70

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies shall be amended to reflect the noted changes (attached hereto).

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTON 3. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 25, 2019. Therefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE: YEAS 7 NAYS 0 ABSTAIN 0

PASSED: December 19, 2019 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Elaine M. Cleskey
CITY CLERK

Carolyn Kay Riggle
MAYOR

AMENDED SALARY RANGE HIGHLIGHTED

SALARY RANGES - MUNICIPAL COURT:

JOB TITLE	HOURLY WAGE		ANNUAL SALARY	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
OFFICE ASSISTANT	$12.37	$20	$25,730	$41,600
ADMINISTRATIVE ASSISTANT	$14.53	$20	$30,222	$41,600
BAILIFF/SECURITY OFFICER	$16.28	$27	$33,662	$56,160
COMMUNITY CONTROL OFFICER	$16.35	$28	$34,000	$58,240
OVI DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER	$16.35	$28	$34,000	$58,240
MISSION DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER*	$16.35	$28	$34,000	$58,240
VETERAN MENTOR COORDINATOR	$16	$24	$33,280	$49,920
* ASSIGNMENT ADMINISTRATOR	$18.81	$32	$39,125	$66,560
ASSIGNMENT COMMISSIONER/JURY COMMISSIONER	$18.81	$28	$39,125	$58,240
ADMIN. ASSISTANT/JURY COMMISSIONER	$18.81	$28	$39,125	$58,240
CHIEF COMMUNITY CONTROL OFFICER	$20.74	$32	$43,139	$66,560
DEPUTY CHIEF COMMUNITY CONTROL OFFICER	$20.74	$32	$43,139	$66,560
* MAGISTRATE	$34.67	$56	$72,114	$116,480

* Revised Nov. 2019

SALARY RANGES - CLERK OF COURT:

1901.31(H) Deputy Clerks of a municipal court other than the Carroll County Municipal Court may be appointed by the Clerk and shall receive the compensation, payable in either biweekly instalments or semi-monthly instalments, as determined by the payroll administrator, out of the City Treasury, that the Clerk may prescribe, except that the compensation of any Deputy Clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the Court is located. The Judge of the Carroll County Municipal Court may appoint Deputy Clerks for the Court, and the Deputy Clerks shall receive the compensation, payable in biweekly instalments out of the county treasury, that the Judge may prescribe. Each Deputy Clerk shall take an oath of office before entering upon the duties of the Deputy Clerk's office and, when so qualified, may perform the duties appertaining to the office of the Clerk. The Clerk may require any of the Deputy Clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the Deputy Clerk's duties.

Policy 35. Permanent Part-Time Employees

Permanent part-time employees will receive the following wages and benefits:

Delaware Municipal Court
and
Clerk of Court

Employee Benefits
And Leave Policies

Effective December 25, 2019

Delaware Municipal Court
and
Clerk of Court
70 North Union Street
Delaware, Ohio 43015

SECTION IV. EMPLOYEE BENEFITS AND LEAVE

Policy 23. Holiday Pay and Personal Leave

Section 1. The following are designated as paid holidays for the Municipal Court and the Clerk of Court employees:

New Year's Day, January 1
Martin Luther King Day, 3rd Monday in January
Memorial Day, last Monday in May
Independence Day, July 4th
Labor Day, 1st Monday in September
Little Brown Jug Day, 1/2 day - 3rd Thursday after Labor Day
Thanksgiving Day, 4th Thursday in November
Day after Thanksgiving
Day before Christmas, December 24, 1/2 day
Christmas Day, December 25
Day before New Year's, December 31, 1/2 day

Holidays that fall on Saturday will be observed on Friday, and holidays that fall on Sunday will be observed on the following Monday.

Section 2. If one of the holidays set forth above occurs while an employee is on vacation leave, that day will not be charged against his/her vacation.

Section 3. Employees will be credited with 32 hours of personal leave a year. Use of personal days will be at the employee's discretion with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

Section 4. Employees are permitted to accumulate two years' worth of personal days.

Section 5. At the time of separation, an employee will be compensated for all accrued but unused personal days.

Policy 24. Vacation Leave

Section 1. The vacation year for employees will end at the close of business on the last pay period that ends in the month of December.

Section 2. Each full-time employee will accrue vacation leave by pay period at the annual rate of work hours based on years of full-time total service which is established in the schedules contained in Section 3 of this article. Years of total full-time service is defined to be the total of all periods of full-time employment for the Delaware Municipal Court or Clerk of Court or as defined in Section 6. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will

not be included in the computation of total service. Time not in paid status, excepting military leave, will also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.

If an employee of the Court or of the Clerk's office has received or is receiving retirement benefits from any of the state retirement funds – the Ohio Public Employees Retirement System, the Police and Fire Pension Fund, the State Teachers Retirement System, the Public School Employees Retirement System, or the Highway Patrol Retirement System – the years of public service for which the employee has received or is receiving those retirement benefits will not be included in any computation of service time for vacation-leave accrual while the employee is working for the Court or for the Clerk.

Notwithstanding the above provisions, the position of Chief Bailiff may accrue vacation time based on years of service with an Ohio public agency, as defined by State law.

Section 3. For employees hired before December 31, 2013, vacation leave will accrue as follows:

Years of Total Service	**Vacation Hours/Year**	**Vacation Hours/Pay**
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.2	6.2
16 or more years	200.2	7.7

For employees hired after December 31, 2013, vacation leave will accrue as follows:

Years of Total Service	**Vacation Hours/Year**	**Vacation Hours/Pay**
Start through 5 years	80.6	3.1
6 through 15 years	119.6	4.6
16 or more years	161.2	6.2

Section 4. Any vacation balance in excess of the maximum number of work hours established in the following paragraph will become void as of the close of

business on the last day of the last pay period that ends in the month of December.

Years of Total Service	Maximum Accrual of Vacation Hours
Start through 5 years	161.2
6 through 10 years	239.2
11 through 15 years	322.4
16 or more years	400.4

The only exception to that chart will apply to any employee who – on the last day of the last pay period in December 2013 – has a vacation-leave balance of more than 500 hours. The vacation-leave-accrual cap for any such employee will be 600.6 hours, and any vacation-leave hours that such an employee has accrued but not used in excess of 600.6 hours on the last day of the last pay period of 2013 – and on that same last-pay-period day in each succeeding year – will be void.

Section 5.

A. To be eligible for bi-weekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that 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 will not be construed as unpaid work status.

B. An employee in full-time status who is to be separated from the Delaware Municipal Court or Clerk of Court service through discharge, resignation, retirement or layoff, and who has unused vacation leave to his/her credit, will be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his/her last day of active service with the Delaware Municipal Court or Clerk of Court. That payment will be paid at the employee's hourly rate of pay at the time of separation.

C. When an employee dies while in paid status in the Delaware Municipal Court or Clerk of Court, any unused vacation leave to his/her credit will be paid in a lump sum to the surviving spouse, or other person the employee may have designated in writing.

Section 6. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware (Delaware Municipal Court or Clerk of Court) from prior employment inside the State of Ohio:

A. Employees are eligible to transfer prior years of service completed as employees of this Court, the Clerk of this Court, or the City of Delaware.

B. The amount of years of service that can be transferred is unlimited.

C. Prior employment must be in full-time status.

Section 7. An employee may elect to convert up to two weeks of accrued and unused vacation time to cash during any calendar year. An employee must inform the Administrative Judge or the Clerk of Court prior to August 1 of the year preceding the calendar year in which the employee intends to convert the unused vacation leave to cash, and the employee must maintain at least 40 hours of accrued and unused vacation leave in the employee's account after that conversion takes place.

Policy 25. Funeral Leave

Section 1. Each regular full-time employee is entitled to funeral leave with pay as follows:

Leave for Death of:	Days/Hours of Leave
Immediate Family Member	1 - 3 days
Other Relative	4 - 8 hours

* One work day/shift is automatic for the day of the funeral, but additional time up to the maximum will be given only with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

** All leave time with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

Section 2. For the purposes of this section, Immediate Family Member means spouse, child, brother, sister, parents, step-child, step-brother, step-sister, step-parents, grandparents, grandchildren, sister-in-law, brother-in-law, and parents-in-law.

Section 3. Funeral Leave time does not include an employee's regularly scheduled day off to which the employee is already entitled.

Policy 26. Sick Leave

The Court and the Clerk of Court may from time to time supplement these sick leave policies with additional terms that apply to their employees only. For a full understanding of the use of sick leave, employees should consult not only this benefit manual but also the office policies promulgated by the particular officeholder – whether the Administrative Judge or the Clerk of Court – for whom the employee works.

Section 1. Each employee is entitled to sick leave with pay of 4.6 hours for each completed 80 hours of service.

An employee may use sick leave upon approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee for the following reasons:

A. Illness or injury of the employee or his/her immediate family.

B. Medical, dental, or optical examinations or treatment of an employee or his/her immediate family that requires the employee's attendance.

C. If a member of the immediate family is afflicted with a contagious disease, or when, through exposure to a contagious disease, the presence of the employee at his/her job will jeopardize the health of others.

D. Pregnancy and/or childbirth and other conditions related thereto inclusive of leave for male employees for the care of the employee's wife and family during postnatal period.

For purposes of this section, the definition of immediate family is: grandparents, mother, mother-in-law, father, father-in-law, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, spouse, child, stepchild, grandchild, legal guardian, or other person who stands in the place of a parent (in loco parentis).

Employees are required to report their intent to use sick leave prior to the start of each workday, unless the employee has made other reporting arrangements with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee. The employee must make this phone call unless medically detained by a physician at the time. The Administrative Judge, or his/her designee or the Clerk of Court or his/her designee, may contact the employee sometime during the day to discuss the reasons for the absence.

Section 2. Sick leave must be taken in half-hour increments.

Section 3. If an employee used zero hours of sick leave in any calendar year, that employee will be credited with an additional three vacation days the following year. If an employee uses between one and eight hours of sick leave in any one calendar year, that employee will be credited with an additional two vacation days the following year. If an employee uses between nine and 16 hours of sick leave in any one calendar year, that employee will be credited with one additional vacation day the following year. At the employee's option, any additional vacation days earned can be taken in the form of vacation leave or compensation in cash.

Section 4. Any employee who has accumulated at least 800 hours of sick leave credit may, during any calendar year, convert up to 80 hours of sick leave to vacation on the basis of two hours of sick leave for one hour vacation leave.

If an employee has earned sick leave in another public-sector job and then has transferred unused sick leave to the Court or Clerk of Court's office at the start of the employee's current period of employment with the Court or Clerk of Court that transferred sick leave cannot be converted to vacation leave under this section.

All sick leave accumulated by the employee during the employee's current period of employment with the Court or the Clerk of Court must be exhausted by the employee or converted to vacation leave before the employee may use any sick leave that has been added to the employee's sick-leave balance in accordance with Section 5 of this sick-leave policy.

Section 5. To be eligible to transfer sick leave to the City of Delaware from prior public employment in the State of Ohio:

A. Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.

B. Employment with the City of Delaware must take place within 10 years of termination from their previous employer.

C. The maximum amount of sick leave hours that can be transferred is unlimited.

Section 6. Any employee who separates from the Delaware Municipal Court or Clerk of Court employment for other than just cause will be paid for all accumulated and unused sick leave on the basis of one hour of pay for every three hours of unused sick leave. Total sick leave payout cannot exceed 12 weeks' pay.

Section 7. An employee must complete and sign a request for leave form provided by the City to justify the use of sick leave. Payment for sick leave is subject to final approval by the Administrative Judge or his/her designee or the Clerk of Court or his/her designee. The City, Delaware Municipal Court, or Clerk of Court may require the employee to furnish a statement from a licensed medical practitioner if medical attention was sought or for any absence in excess of three consecutive days whether for the employee or his/her immediate family. Such statement must include the nature of the illness or injury, the inability to perform his/her duties, the prognosis, and the estimated date when the employee can be expected to return to work. Failure of the employee to provide such statement and request for leave form when requested may result in the denial of sick leave pay.

Section 8. Falsification of a request for leave form or a medical practitioner's statement may be grounds for disciplinary action. The City, Delaware Municipal Court, or Clerk of Court maintains the right to have any employee examined by a licensed medical practitioner selected and paid by the City. Alternatively, the employee required to see a physician may see a physician of his/her own choosing, but in that event will not be reimbursed for the costs incurred.

The City, Delaware Municipal Court, or Clerk of Court may deny the payment of sick leave if the investigation indicates that the absence was not within the provisions of this article. Denial of sick-leave payment will not preclude the Delaware Municipal Court or Clerk of Court from implementing any disciplinary action.

Section 9. Sick Leave Abuse

It is the mutual interest of the employee and the Delaware Municipal Court or Clerk of Court to prevent the abuse or misuse of sick leave. The acceptable usage of sick leave is explained in this policy.

Employees must not abuse or demonstrate a pattern of sick-leave and/or leave-without-pay usage. The abuse of sick leave or the patterned use of sick leave will be just and sufficient cause for discipline. A request of sick leave will be denied if the employee fails to comply with the procedures for proper sick leave usage, fails to present a required physician's statement, or if an investigation of a request for sick leave discloses facts inconsistent with the proper use of sick leave. Falsification of applications for sick leave or the filing of sick leave applications and documentation with intent to defraud may result in the disapproval of sick leave and may be grounds for disciplinary action, up to and including discharge.

Any employee who is hospitalized will not have such period of leave considered in determining whether the employee is abusing sick-leave benefits.

The implementation of this section does not preclude the right of the Delaware Municipal Court or Clerk of Court to discipline an employee for the abuse of sick leave, to require a statement from the employee's physician, or to have the employee examined by a physician. Any employee who has been disciplined for abuse of sick leave may be required to furnish a statement from the employee's physician for each use of sick leave up to six months in duration. The City, Delaware Municipal Court, or Clerk of Court may, with mutual agreement of both parties, extend the need for sick leave verification for an additional six month period. The City, Delaware Municipal Court, or Clerk of Court also maintains the right to investigate all absences.

Policy 27. Injury Leave

Section 1. All regular full-time employees are entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits that they may be awarded by the Industrial Commission of Ohio (ICO), for a period not to exceed 120 consecutive working days for employees working a 40 hour work week for each injury incurred in the performance of employment duties with the Delaware Municipal Court or Clerk of Court, provided that the following procedures are followed:

A. In all cases of personal injury to any full-time Delaware Municipal Court or Clerk of Court employee as a result of the performance of employment duties, the employee must immediately complete an accident/injury investigation form and report the accident/injury to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, who must immediately report said accident/injury to the Department of Administrative Services and ensure that a claim is filed with ICO.

B. In the event that time off from work is required by the injured employee, he/she will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary ICO forms and other documents as may be required by the City. In the event that the ICO determines that the injury is NOT employment related, any time the employee is, or has been, absent from work will be deducted first, from any accrued sick leave, then accrued vacation, or accrued compensation time off, other than compensatory time for overtime worked.

C. During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time employees will remain in force with no deductions to earned sick leave and/or vacation time.

D. In all cases where an injury leave of more than 120 consecutive working days is requested by an employee working a 40 hour work week, the Administrative Judge or his/her designee or Clerk of Court or his/her designee may extend such leave by an additional 120 consecutive working days if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

Policy 28. Insurance

Section 1. Hospitalization, Surgical, and Major Medical. The City will continue to provide comprehensive hospitalization, surgical, and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	NETWORK PROVIDERS	**NON-NETWORK PROVIDERS**
Annual Deductible Single Family	 None None	 $ 500.00 $1,000.00
Office Visit Co-Pay	$10.00	N/A
ER Visit *Co-Pay*	$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible.	N/A
Co-Insurance Single Family	 90/10% of first $1,000 80/20% of next $3,000 90/10% of first $2,000 80/20% of next $5,000	 50/50% of first $5,000 50/50% of first $10,000

Contributions will be deducted from the member's gross income prior to taxes, subject to compliance with all applicable tax regulations.

Employees will contribute to the cost of the health benefit plan in an amount determined annually by the City of Delaware. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in a paid status based on twelve months times the monthly rate, divided by the number of pay periods per year. An example would be $56.95/mo. x 12 = $683.40, $683.40/26 pay periods = $26.28 per pay period. In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member's tax burden.

The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of $100.00 per month. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. Likewise, these employees will not be subject to monthly payroll contributions. The employee will provide proof that they do in fact have other

coverage before the City will drop that employee's current coverage. The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give thirty days notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

Employees who opt out of the health insurance program will be compensated as follows:

No Coverage	$100 per month
Maintain Prescription Only	$ 60 per month
Maintain Dental Only	$ 65 per month
Maintain Prescription and Dental	$ 55 per month

* An employee may not elect to have medical coverage only.

Payments will begin on the first pay period of the month following 30 days notice of an employee's desire to drop coverage. A form will be provided which will contain all information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.

All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to PERS contributions but will be subject to all applicable taxes.

A. Prescription Plan

The City will provide a prescription card plan for members and their dependents.

The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

- 80/20% for generic drugs
- 50/50% name brand drugs with a $25.00 co-pay for each disbursement

The mail order benefits will be the following:

- 90/10% for generic drugs and
- 75/25% for name brand drugs with no $25.00 co-pay.

The maximum expense an employee will pay for coinsurance is $250.00 annually for single coverage and $500.00 for family annually for prescription

benefits, however, the $25.00 co-pay for retail name brand drugs will not count towards the calculation of the $250.00 or the $500.00 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

B. Dental Care Plan

The City will maintain the current dental coverage for all members. Please contact Department of Administrative Services if you have questions.

C. Vision Care Plan

The City will contribute $6 a month towards vision coverage. The employee will be responsible for the balance of the monthly cost of the selected coverage. The City may cease to make this contribution if the City no longer offers vision coverage. Please contact the Department of Administrative Services if you have questions.

Section 2. Life Insurance

The City will provide the following amount of life insurance:

Clerk of Court	$ 100,000.00
Magistrate	$ 45,000.00
Clerk's Chief Deputy	$ 30,000.00
Court IT Director	$ 30,000.00
All other full time employees	$ 20,000.00

Section 3. Certificate of Coverage

The City will provide a certificate of coverage for each Court employee. Such certificate will be for the employee's family situation.

Policy 29. Overtime Compensation

Section 1. Overtime Pay and Compensatory Time - Nonexempt Employees

Employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act are entitled to overtime pay or compensatory time as described below:

& Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.

& Employees will be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of 40 hours in any work week will be compensated at a rate of time and one-half. Payment in cash will be made for any overtime due at the time of separation from City service.

& In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off will be equal to 1.5 hours for each hour overtime compensation to which the employee is entitled. All requests for compensatory time are subject to approval of the department head. Any compensatory time that is used by an employee must be taken at a time mutually agreeable to the supervisor and the employee.

& Employees can accumulate up to 80 hours of compensatory time. When an employee has 80 hours of accumulated compensatory time, all further overtime will be paid in cash.

& Compensatory time will be submitted on the regular payroll sheet detailing the time earned and taken.

Section 2. Overtime Pay and Compensatory Time - Exempt Employees

Employees exempt under the Fair Labor Standard Act are not entitled to overtime pay but are entitled to compensatory time as described below:

& Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.

& Compensatory time will be earned for approved work that exceeds the 40 hour work week and such employees may receive said compensatory time at the rate of one hour for each hour worked in excess of 40 hours per week.

& The maximum accrual of compensatory time is 80 hours.

& Compensatory time must be used in minimum increments of one hour and maximum increments of 16 hours.

& At no time will compensatory time be converted to any other form of leave or compensation.

& Compensatory time must be listed on the regular payroll sheet detailing the time earned and taken.

Policy 30. Special Leave

The Administrative Judge or his/her designee or the Clerk of Court or his/her designee, may authorize special leave of absence, with or without pay, for purposes beneficial to the employee and/or the Court or Clerk of Court.

A. Jury Service Leave

An employee, while serving on a jury in any court of record in Delaware County, the State of Ohio, or any adjoining county, will be paid his/her regular salary for each

workday during the period of time so served. Time so served will be deemed active and continued service for all purposes. All jury fees received from the court where the jury was seated will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

B. Court Leave

Time off with pay will be allowed for work-related incidents where an employee is subpoenaed as a witness in civil matters in any court of record in Delaware County, State of Ohio, or any adjoining county. All witness fees will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

Policy 31. Family and Medical Leave Act

The Family and Medical Leave Act policies in the City of Delaware's Employment Handbook apply to the employees of both the Court and the Clerk of Court.

Policy 32. Parks and Recreation Credit

The City will provide each employee with a credit to be applied to a City Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit is $60.00. This membership is defined and regulated by the Recreation Services Department and employees must abide by the stipulations set forth by the department both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

Policy 33. On-Call Compensation

Both exempt and non-exempt employees of the Clerk of Court will be eligible for on-call compensation for weekly periods when assigned the responsibility of responding to law-enforcement requests during non-scheduled work periods. Employees assigned to this on-call status will serve in this posture for weekly time periods as authorized by the Clerk or by the Clerk's designee. Employees assigned to on-call status will be compensated at a weekly rate of between $25 and $50 as determined by the Clerk of Court. On-call compensation will be added to regular and overtime wages earned during the pay period and will be paid as taxable income through the bi-weekly payroll process.

Policy 34. Salary Ranges

Each employee is required to pay all required employee contributions to the Ohio Public Employees Retirement System (OPERS).

SALARY RANGES - MUNICIPAL COURT:

JOB TITLE	HOURLY WAGE		ANNUAL SALARY	
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* Revised Nov. 2019

SALARY RANGES - CLERK OF COURT:

1901.31(H) Deputy Clerks of a municipal court other than the Carroll County Municipal Court may be appointed by the Clerk and shall receive the compensation, payable in either biweekly instalments or semi-monthly instalments, as determined by the payroll administrator, out of the City Treasury, that the Clerk may prescribe, except that the compensation of any Deputy Clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the Court is located. The Judge of the Carroll County Municipal Court may appoint Deputy Clerks for the Court, and the Deputy Clerks shall receive the compensation, payable in biweekly instalments out of the county treasury, that the Judge may prescribe. Each Deputy Clerk shall take an oath of office before entering upon the duties of the Deputy Clerk's office and, when so qualified, may perform the duties appertaining to the office of the Clerk. The Clerk may require any of the Deputy Clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the Deputy Clerk's duties.

Policy 35. Permanent Part-Time Employees

Permanent part-time employees will receive the following wages and benefits:

Section 1. Wages

Permanent part-time employees will be paid on an hourly basis in accordance with the table in Policy 34 above.

Section 2. Benefits

A. Permanent part-time employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.

B. Permanent part-time employees are eligible for holiday pay if they work a major holiday, which includes the following: Memorial Day, July 4, Labor Day, Thanksgiving, Christmas, and New Year's Day. Holiday Pay is defined as one and one-half times the permanent part-time employee's regular hourly rate.

C. Overtime will be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 40 hours in any work week will be compensated for a rate of time and one-half.

D. The permanent part-time employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.

E. Upon termination of employment with the Court or Clerk of Court, permanent part-time employees will not receive pay-out for any leave accumulated.

F. If a permanent part-time employee becomes full time with the Court or Clerk of Court, any accumulated Universal Leave will be added to the permanent part-time employee's sick leave balance.

Policy 37. Intermittent Part-Time/Seasonal Employees

Intermittent part-time and seasonal employees will receive the following wages and benefits:

Section 1. Wages

Intermittent part-time and seasonal employees will be paid on an hourly basis in accordance with the table in Policy 35 above.

Section 2. Benefits

Intermittent part-time and seasonal employees are not eligible for benefits, but the intermittent part-time, and/or seasonal employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.

Receipt and Acknowledgment Form

The employee policy manual and employee benefits manual include important information about employment at the Delaware Municipal Court and the Clerk of Court's office, and I understand that I should consult my immediate supervisor regarding any questions that are not answered in those documents. If my supervisor cannot answer my question, I should consult with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

I have entered into my employment relationship with the Delaware Municipal Court or the Clerk of Court voluntarily and I acknowledge that there is no specified length of employment. Accordingly, the Delaware Municipal Court, the Clerk of Court, or I may terminate the relationship at will, with or without cause, at any time.

Because the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the administrative policy manual and the employee-benefits manual may occur, though I also understand that my position is and will remain an employment-at-will position. Any changes in the manuals will be communicated through official notices, and I understand that that revised information may supersede, modify, or eliminate existing policies. Only the Administrative Judge or Clerk of Court of the Delaware Municipal Court has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the administrative policy manual and the employee-benefits manual, and I understand that it is my responsibility to read and to comply with the policies contained in these documents as well as any revisions made to them later.

_____ _____

Employee's Signature Date

_____

Employee's Name (Please Print)