

ORDINANCE NO. 20-55

AN ORDINANCE AMENDING ORDINANCE NO. 19-71 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT, AND SEASONAL EMPLOYEES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY.

WHEREAS, the City hires various part-time, intermittent/seasonal employees that can be divided into two classifications, to wit: permanent part-time and intermittent seasonal, and

WHEREAS, Section 155.09, Appointment Status, of the Codified Ordinances of the City of Delaware defines part-time employment, and Ordinance No. 18-111 established pay and benefits for various part-time employees of the City, and

WHEREAS, it is necessary to clarify the wages and benefits for each classification of part-time and intermittent/seasonal employees.

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

SECTION 1. Ordinance No. 19-71 is hereby amended to read as follows:

A. Effective December 25, 2019 permanent part-time employees shall receive the following wages and benefits:

1. Wages. Permanent part-time employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
PT 1	9.52	9.87	10.28	10.50	10.70
PT 2	14.36	14.91	15.53	16.16	16.78
PT 3	15.10	15.70	16.28	16.98	17.66
PT 4	17.39	18.09	18.82	19.57	20.35
PT 5	20.15	20.78	21.41	22.08	22.73
PT 6	23.01	23.69	24.32	25.06	25.80

PAY GRADE

POSITION

PT 1..... Facility Maintenance Technician I, File Clerk

PT 2..... Support Services Aide, Parking Control Officer

PT 3..... Facility Maintenance Technician II
Clerical Specialist, Records Clerk,
Records Analyst, Front Counter Clerk, Help-Desk Technician

PT 4.....	Paralegal, Laborer
PT 5.....	Investigator/Diversion Manager
PT 6.....	Human Resource Coordinator

FOR PERMANENT PART-TIME POSITIONS NOT LISTED ABOVE, THE WAGES SHALL BE THE ENTRY-LEVEL PAY RATE REFLECTED IN THE APPLICABLE PAY PLAN FOR THE EQUIVALENT PERMANENT FULL-TIME POSITION OR A PAY RATE ESTABLISHED BY THE CITY MANAGER.

2. Benefits. Benefits for permanent part-time are as follows:
 - (a) Employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
 - (b) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday Pay is defined as one- and one-half times the employee's regular hourly rate.
 - (c) Overtime shall 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 shall be compensated for a rate of time and one half.
 - (d) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.
 - (e) Upon termination of employment with the City employees will not receive pay-out for any leave accumulated.
 - (f) If an employee becomes full time with the City, any accumulated Universal Leave will be added to the employee's sick leave balance.
 - (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

- B. Effective December 25, 2019 permanent part-time firefighters shall be paid on an hourly basis in accordance with the following table:

PAY GRADE	POSITION	WAGE
PTFF1	Firefighter/EMT	13.66/hour
PTFF2	Firefighter/Paramedic	15.76/hour

1. Benefits. Benefits for permanent part-time firefighters are as follows:

- (a) The City will provide \$10,000 of life insurance.
- (b) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 212 hours in any 28 day pay cycle shall be compensated for a rate of time and one half.
- (c) The employee will be responsible for payment of the employee contribution to their pension system.
- (d) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday pay is defined as one and one half times the employee's regular hourly rate.
- (e) Permanent part-time firefighters may not exceed 1500 hours worked in a calendar year.
- (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

C. Effective December 25, 2019 intermittent part-time/seasonal employees shall receive the following wages and benefits:

- 1. Wages. Intermittent part-time/seasonal employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	Position	Step 1	Step 2	Step 3
SL1	Cashier	\$ 10.30	\$ 10.82	\$ 11.33
SL2	Laborer	\$ 11.85	\$ 12.88	\$ 13.91
SL3	Intern	\$ 11.85	\$ 13.91	\$ 15.97
SL4	Clubhouse Manager	\$ 14.42	\$ 15.45	\$ 16.48

For intermittent/seasonal positions not listed above, the wages shall be the entry-level pay rate reflected in the applicable pay plan for the equivalent permanent full-time position or a pay rate established by the City Manager.

2. Benefits. Intermittent /seasonal employees are not eligible for benefits, except the following:
 - (a) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.

SECTION 2. Existing Ordinance No.19-71 is hereby repealed.

SECTION 3. 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.

SECTION 4. 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 and expeditiously fill a crucial vacancy. Therefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS 7 NAYS 0
 ABSTAIN 0

VOTE ON EMERGENCY CLAUSE:

YEAS 7 NAYS 0
 ABSTAIN 0

PASSED: August 24, 2020

YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Elaine McCoskey
CITY CLERK

Andy Kaprielian
MAYOR



TO: Tom Homan, City Manager
CC: Darren Shulman, City Attorney
Lorrie Diaz, Human Resource Coordinator
Jessica Feller, Human Resource Manager
FROM: Natalia Harris, City Prosecutor
DATE: 8/18/2020
RE: Supplemental Proposal to Combine and Create a New Position in the Prosecutor's Office

I. Introduction

The part-time Investigator/Diversion Manager and part-time File Clerk positions within the City Prosecutor's Office are currently vacant due to the resignations of Steven Chase and Jeff Gossett. In consultation with the City Attorney Darren, I propose eliminating both positions in favor of creating a new part-time Assistant Prosecutor position. The responsibilities of the new position would include those currently performed by the Investigation/Diversion Manager and File Clerk positions as well as some responsibilities currently performed by prosecutors.

A cost neutral approach for the remainder of the year using the remaining funds currently allocated for the two positions is proposed. An amendment to part-time pay plan is required to for this position to be created.

II. History of Investigator/Diversion Manager Position

The Investigator/Diversion Manager position was created in the Prosecutor's Office in 2014. The idea behind creating the position was to free up resources that could be used to expand the roles of prosecutors in Civil Division of the Law Department. The envisioned role of the Investigator/Diversion Manager position was to support the Prosecutor's Office through serving witnesses, acquiring necessary evidence, providing additional clerical support, and assuming the responsibilities of managing the diversion program (which at the time was managed by the Probation Department).

III. Current Office Needs and Changed Dynamics

The needs of the Prosecutor's Office have changed since the Investigator/Diversion Manager position was created in 2014. In 2014, the Delaware Co. Sheriff's Office ("DCSO") had one victim advocate assigned to assist the Prosecutor's Office in communicating with victims and assisting in

ensuring victims' appearance in court. A second DCSO victim advocate was assigned to assist in 2017. The passionate work of the two DCSO victim advocates has minimized the need to serve victims outside of the normal court process. The current need for this function, which the Investigator was performing in the Prosecutor's office is de minimis.

But, the number of cases the prosecutors are assigned after a defendant enters a not guilty plea has increased almost 10% in 2019 compared to the number of cases in 2014. It is envisioned the newly formed position will help meet the demands associated with the increased volume.

Also, recent long-term vacancies in the Prosecutor's Office revealed a need for a strategic plan to ensure the office could continue to provide outstanding service without creating employee burnout. It is envisioned the newly created position will provide an additional human resource should the Prosecutor's Office lose attorney or administrative staff due to resignations or long-term leave and allow me, the Chief Prosecutor, to develop a strategic plan and address the development needs and workload conditions for the Assistant Prosecutors.

IV. Position Responsibilities

A proposed comprehensive job description is attached to this proposal. However, the primary responsibilities of the newly formed position would include, but not be limited to:

- (1) Assist in covering the arraignment, slated and minor misdemeanor trial dockets;
- (2) Manage the Diversion Program;
- (3) Assist in handling the appeal cases;
- (4) Respond as appropriate to record sealing motions;
- (5) Maintain OVI document database;
- (6) Cross-train on administrative responsibilities (and assist as needed).

Transferring the responsibilities of some of the arraignment, slated and minor misdemeanor trial dockets and appeals to this position would allow full-time prosecutors more time to prepare for court and manage caseloads. In this way, the position would continue to perform its intended function of shifting some tasks from full-time prosecutors and allowing the entire team to better manage the growing caseload.