

**ORDINANCE NO.: 24-1243**

**AN ORDINANCE REPEALING ORDINANCE NO. 24-1232: TEMPORARY AMENDMENT OF THE PERSONNEL POLICY MANUAL CONCERNING THE MARCH 14, 2024 EMERGENCY RESPONSE FOR THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, on March 14, 2024, the Village of Russells Point, along with other areas within Logan County, experienced significant impact of property, personnel, and equipment because of the severe weather event;

WHEREAS, The Village of Russells Point, Logan County, and the Governor of Ohio declared a state of emergency related to the March 14, 2024 severe weather event;

WHEREAS the Village of Russells Point authorized amended policies regarding overtime availability and pay by temporarily amending the Village's Personnel Policy Manual, Section 4.08 – OVERTIME/COMPENSATORY TIME, by Ordinance No. 24-1232 on April 1, 2024;

WHEREAS, Ordinance No. 24-1232 stated: "Section 1: This temporary amendment will expire on March 11, 2025 if not earlier repealed by official action of Council, to Section 4.08;"

WHEREAS, the Village Council of the Village of Russells Point now wish to repeal Ordinance No. 24-1232 prior to the March 11, 2025 automatic expiration date; and

WHEREAS, this Ordinance shall take effect and be in force from the earliest period allowed by law.

THEREFORE, be it ordained by the Council of the Village of Russells Point, County of Logan, State of Ohio: The following revisions are made to this Ordinance.

SECTION 1: Ordinance No. 24-1232 is hereby repealed.

SECTION 2: Section 4.08 of the of the Village's Personnel Policy shall revert to its unamended state in accordance with the provisions of Ordinance No. 24-1232, which shall be as follows:

**SECTION 4.08 - Overtime / Compensatory Time**

- A. Any employee may be required to work in excess of the normal workday or workweek schedule to fulfill the operational demands of the village. All employees who are not exempt from overtime provisions of the Fair Labor Standards Act (FLSA) shall be credited with compensatory time or paid at the rate of one and one-half (1½) times the employee's regular hourly rate of pay for all hours worked in excess of 40 hours in any workweek. Payout and crediting of compensatory time will be determined as follows:
  1. If the employee has worked ten (10) or less overtime hours in a pay period, the employee shall be paid.

2. If the employee has worked over ten (10) overtimes hours in a pay period, the employee shall be paid for ten (10) hours of overtime and credited with compensatory time for the remaining overtime hours.

The village may declare FLSA 207(K) partial exemption work periods for law enforcement personnel. If such exemption is declared, law enforcement personnel will be credited with compensatory time for overtime hours in accordance with the FLSA 207(K) schedule. Employees may accrue a maximum of 40 hours of compensatory time (i.e., 26 2/3 hours overtime at time and one-half (1½)). Once the employee has exceeded the 40 hours of accrued compensatory time, any subsequent vacation and floating holiday leave requests will be denied until such time as the compensatory time is reduced to 40 hours. The village fiscal officer shall provide a Notice of Excessive Compensatory Time (Form 21) to employees who have exceeded the 40 hour maximum compensatory leave time balance.

- B. The standard workweek for nonexempt employees will be seven (7) consecutive days, beginning Saturday 12:01 a.m. and continuing through Friday 12:00 midnight. Eligibility for overtime shall be based upon all hours worked during the standard workweek.
- C. Eligibility for overtime will be based upon all hours actually worked in a workweek.
- D. Normally, any additional work hours must be authorized by the department head or designee in advance of the overtime being worked. However, unusual or emergency circumstances (i.e., emergency call-outs) may require employees to work overtime without having prior authorization of the department head. Whenever such circumstances occur the department head shall be notified by the next scheduled workday.
- E. When a FLSA nonexempt employee is required by the employer to perform water testing on a Saturday, Sunday, or on a day observed as a holiday, the employee shall work with the employee's immediate supervisor to schedule the equivalent amount of time spent performing water testing as time off in the same workweek the weekend or holiday water testing occurs so as not to obligate the village to the overtime expense (e.g., if the employee is scheduled to perform water testing for two (2) hours on Saturday, the supervisor schedules the employee to quit working two (2) hours earlier than normally scheduled on Friday; if the employee performs water testing on Sunday, the supervisor schedules the employee to commence work two (2) hours later than normally scheduled the following Monday; etc.). The employee shall accurately record the time actually spent performing weekend and holiday water testing on the employee's time card.
- F. Scheduled overtime which is subsequently cancelled for any reason shall not entitle the employee to compensatory time.
- G. Compensatory time for overtime hours shall normally be credited to the employee on the same date the employee is paid for the regular hours worked in the same

pay period. If the calculation of the overtime hours cannot reasonably be calculated within this time frame, such compensatory time shall be credited with the next regular pay.

- H. Employee requests for compensatory time off shall be scheduled at a time mutually convenient for the employee and the employer. The appointing authority may require employees to use their compensatory time.
- I. Employees shall request compensatory time off in writing on a Request for Leave of Absence form (Form 19). Requests for compensatory time off should be made by the employee as far in advance as possible and must be approved by the mayor or the employee's immediate supervisor.
- J. Earned compensatory time shall be recorded as straight time hours after computing the number of overtime hours worked at time and one-half (1½).
- K. Upon any separation of employment, employees shall be paid for their accrued but unused compensatory time at their current straight-time hourly rate.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Russells Point which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Russells Point, specifically to provide for its community response to March 14, 2024 severe weather emergency recovery efforts and to maintain its financial well-being to allow the Village to serve and protect the health, safety, and welfare of Russells Point, and goes into effect at the soonest possible time allowable by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Robin Reames, Mayor

Attest: \_\_\_\_\_  
Vanessa Stidam, Fiscal Officer

Approved as to form this \_\_\_\_ day of \_\_\_\_\_, 2024

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Daniel L. Bey, Esq.  
Village Solicitor