

ORDINANCE # O-33-2018

AN ORDINANCE TO EDIT SECTION 10.12 OF THE POLICIES AND PROCEDURES MANUAL CAPTIONED FAMILY AND MEDICAL LEAVE AND DECLARING IT AS AN EMERGENCY

WHEREAS, the Village recently passed the Policies and Procedures for the Village of Bolivar which includes Section 10.12 entitled Family and Medical Leave;

WHEREAS, a question has arisen regarding whether paid leave is to run concurrently with unpaid leave under the Family Medical Leave Act;

WHEREAS, the State of Ohio requires that employees exhaust all accrued sick, vacation, personal leave, and compensatory time balances, as appropriate, prior to going on unpaid leave;

WHEREAS, the Family Medical Leave Act provides and Ohio recognizes that paid leave used will count concurrently as Family Medical Leave Act.

WHEREAS, the Village Council for the Village of Bolivar wishes to amend and restate Section 10.12 to include a provision that requires the paid leave run concurrently with leave under the Family Medical Leave Act leave.

SECTION 1: The amended and restated Section 10.12 of the Policies and Procedures Manual regarding the Village's Family and Medical Leave is as follows:

10.12 Family and Medical Leave

The Village will provide eligible employees a leave of absence for specific reasons and subject to guidelines as defined by the Family and Medical Leave act (FMLA). Eligible employees shall be provided up to twelve (12) weeks of leave during any twelve (12) month prior in connection with specific qualifying events. Employees must be restored to the position occupied when the leave began or to an "equivalent position" with equivalent conditions of employment.

Employees shall exhaust all accrued sick, vacation, personal leave, compensatory time balances as appropriate, prior to going on unpaid leave. The paid leave shall count concurrently as leave under the Family Medical Leave Act.

SECTION 2: This ordinance is hereby declared to be an emergency measure necessary to the health, safety and welfare of the citizens of the Village of Bolivar, Ohio, for the reason that it is necessary to immediately clarify that Family Medical Leave Act leave

shall run concurrently with any and all paid leave available to the employee through the Village of Bolivar, and therefore this ordinance shall take effect and be in force immediately upon its passage and approval.

PASSED: December 3, 2018

Rebecca S. Hubble, Mayor

ATTEST:

Maria A. App, Fiscal Officer