

**ORDINANCE # O-18-2022**

**AN ORDINANCE TO EDIT THE POLICIES AND PROCEDURES MANUAL FOR THE VILLAGE OF BOLIVAR**

**WHEREAS**, the Village Council for the Village of Bolivar wishes to amend the policies and procedures for the Village regarding current legislation;

**WHEREAS**, the Village Council of the Village of Bolivar, Ohio, wishes to edit the following sections of the Policies and Procedures Manual:

- Edit Section 4.5 Flex Time (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.01(A)(3) Standards for Employment Type (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.01(B) Reasons for Reduction of Pay or Position, Suspension, and Removal (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.01(M) Pre-Disciplinary Meeting (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.02(G) Standards for Discipline (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.06(N) Investigation of Employee Conduct (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.07 (H) Determination of Appropriate Discipline (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 9.3 Authorized Leave
- Edit Section 10.2 Holiday Leave (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 10.2.2 Holiday During Leave (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 10.1.4 Paid Time Off Day (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 10.7 Funeral Leave (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 10.8.6 Payment of Unused Sick Leave Upon Retirement or Termination (\_\_\_\_\_) passed \_\_\_\_\_

**NOW, THEREFORE BE IT ORDAINED** by the Village Council the Village of Bolivar, Ohio, as follows:

**Section 1.** The Village Council for the Village of Bolivar hereby amends the Policies and Procedures of the Village of Bolivar as follows:

- Edit Section 4.5 Flex Time (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.01(A)(3) Standards for Employment Type (\_\_\_\_\_) passed \_\_\_\_\_
- Edit Section 7.01(B) Reasons for Reduction of Pay or Position, Suspension, and Removal (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 7.01(M) Pre-Disciplinary Meeting (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 7.02(G) Standards for Discipline (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 7.06(N) Investigation of Employee Conduct (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 7.07 (H) Determination of Appropriate Discipline (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 9.3 Authorized Leave

Edit Section 10.2 Holiday Leave (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 10.2.2 Holiday During Leave (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 10.1.4 Paid Time Off Day (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 10.7 Funeral Leave (\_\_\_\_\_) passed \_\_\_\_\_

Edit Section 10.8.6 Payment of Unused Sick Leave Upon Retirement or Termination (\_\_\_\_\_) passed \_\_\_\_\_

**Section 2.** This ordinance shall take full force and effect thirty (30) days after its passage.

**Section 3:** All Ordinances or Resolutions or parts thereof inconsistent with the terms of this Ordinance are hereby repealed.

1st Reading: March, 2022

2nd Reading: April 4, 2022

3rd Reading and PASSED: May 2, 2022

ATTEST:

\_\_\_\_\_  
**Tim Lang, Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Fiscal Officer  
Krystal Christensen**

\_\_\_\_\_  
**Attorney Tara Wright-Timberlake  
Legal Counsel, Village of Bolivar**

#### 4.5 Flex Time

A standard work week for the Village will be forty hours (40) per week. Hours worked in excess of eight (8) hours in one work day shall be flexed thru the remainder of the work week, For example if an employee works twelve (12) hours on a Monday the employee would only have to work twenty eight (28) for the remainder of the week. If the employee is unable to flex the time the employee will be paid in overtime.

The Police Chief, patrolmen, and other Village officials as the Mayor may authorize in writing with the approval of Council may take any hours worked over forty (40) hours per week in the form of flex time as opposed to compensatory time or overtime. The pump house hours may also be approved for flex time per the Mayor's discretion.

Flex time may be taken in increments of up to four (4) hours without prior approval. The Mayor must sign off on the flex time usage in increments of more than four (4) hours prior to the flex time being used. Any flex time accrued must be used within thirty (30) days of its accrual.

Employees may attend any meeting of Council, but will not get paid or allowed to utilize flex time in attending the meeting, unless said meeting pertains to their department or the employee is attending the meeting by specific request of the Mayor of Council. If a supervisor is unable to attend a meeting, they may direct another employee to attend in their stead only if absolutely necessary. Supervisors may flex their time for regular Council meetings, but not for special sessions or work sessions, unless such flex time has been approved in advance.

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#### **Applicability Police Department Section 7.01(A)(3); 7.02(G); 7.06(N); 7.07(H)**

The Village's Police Department will be governed by the policy(s) set forth in Lexipol for matters pertaining to police procedures only. All other matters regarding discipline shall be governed by the Village's Policy and Procedures Manual.

3. POLICE DEPARTMENT. This policy does not apply to the Bolivar Police Department, who will be governed by the policy(s) set forth in Lexipol. The Village's Police Department will be governed by the policy(s) set forth in Lexipol for matters pertaining to police procedures only. All other matters regarding discipline shall be governed by the Village's Policy and Procedures Manual.

#### G. Applicability - Police Department

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procedures only. All other matters regarding discipline shall be governed by the Village's Policy and Procedures Manual.

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H. Applicability - Police Department

This policy does not apply to the Bolivar Police Department, who will be governed by the policy(s) set forth in Lexipol. The Village's Police Department will be governed by the policy(s) set forth in Lexipol for matters pertaining to police procedures only. All other matters regarding discipline shall be governed by the Village's Policy and Procedures Manual.

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**7.01 Standards for Discipline**

**(B) Reason for Reduction of Pay or Position, Suspension, and Removal**

No officer or employee of the Village shall be reduced in pay or position, fined, suspended, removed, or have the officer's or employee's longevity reduced or eliminated, except for:

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**7.06 (M) Investigation of Employee Conduct  
Pre-Disciplinary Meeting**

Once the investigation is completed, the manager (or person conducting the investigation) shall conduct a Pre-Disciplinary Conference/Meeting *prior to* the determining the appropriate discipline and/or imposing discipline anytime an employee's potential discipline could be a reduction in pay or position, a fine, suspension, or removal (termination).

Managers should seek guidance from their Appointing Authority and/or the Solicitor prior to setting up and/or conducting a Pre-Disciplinary Conference/Meeting.

Prior to commencing a Pre-Disciplinary Conference/Meeting, insure that a **Pre-Disciplinary Conference/Meeting Notice** has been sent to the employee. Consult the Village Administrator or the Solicitor for the appropriate format. The Pre-Disciplinary

Conference/Meeting may be conducted by someone other than the manager, as determined by the applicable Appointing Authority.

The purpose of the Pre-Disciplinary Conference/Meeting is to permit the employee to respond to the information gathered in the *Initial Inquiry* and *Formal Investigation* phases. Ultimately, the manager can simply recite what has been found to this point and provide an opportunity to respond verbally or in writing.

Additional guidance will be provided in advance that will guide managers in the Pre-Disciplinary Conference/Meeting process.

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### 9.3 **Authorized Leave Reporting Off Work**

Employees are required to be at work during normal work week hours unless on authorized leave as determined below. Should an employee be unable to report for work, it will be incumbent upon the employee to report their inability to report for work to their supervisor(s) prior to commencement of the regular work shift. Employees shall notify the Village immediately when they will return to work.

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### 10.1.4 Paid Time Off Day

Each full time Village employee shall be entitled to one (1) paid time off day per calendar year, separate from any accrued paid leave. Additionally, each full time Village employee shall be entitled to claim Juneteenth in lieu of the Holiday as one (1) paid time off day per calendar year and Veteran's Day in lieu of the Holiday as one (1) paid time off day per calendar year.

Employees who were employed prior to January 1, of the current calendar year will be eligible to use these days anytime during the current calendar year. Anyone hired after January 1, of the current calendar year shall be entitled to a prorated portion of one (1) paid time off day per calendar year. Employees hired prior to June 19 of the current calendar year will be entitled to both the paid time off days. If the employee is hired after June 19 and before November 11, will be entitled to one (1) one additional day off. If the employee is hired after November 11 will not be entitled to any of the additional days off. Paid time off days not used will be forfeited by the employee at the end of the calendar year.

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### Holiday Leave 10.2

The following days shall be observed as holidays by full-time employees of the Village of Bolivar: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day, in lieu of Martin Luther King Day,

Christmas Eve, **in lieu of Presidents Day**, and Christmas Day. The dates for observation of the above holidays shall be those designated at the Federal level, unless otherwise provided by the Village Council. A holiday day shall be defined as one eight (8) hour day.

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### 10.2.2 Holiday During Leave

In order to be paid for a Holiday, employees must work the day before and the day after the Holiday. If an employee is off on sick leave the day before or after a Holiday they must provide a Doctor's excuse in order to receive pay for the Holiday. Employees will not be paid for the Holidays which occur during a leave of absence or disciplinary action against the employee. A holiday occurring while an employee is on vacation will be counted as a holiday and not as a vacation day.

Employees who are scheduled to work a prescribed number of hours by council. For example, the Village Administrator hours are not to exceed twenty-four (24) per week. Employees who work in excess of their prescribed hours may be paid for those hours if their supervisor approves the excess hour and reports those hours to the Finance committee. The employee will be compensated at regular pay up to forty (40) hours anything in excess of forty (40) will be paid at time and half.

~~Employees will not be paid for holidays which occur during a leave of absence or disciplinary action against the employee. If a holiday falls during an employee's sick leave, that day will be counted as a holiday and not as a sick day. A holiday occurring while an employee is on vacation will be counted as a holiday and not as a vacation day.~~

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### 10.7 ~~Funeral Leave~~ **Bereavement Leave**

A full-time employee of the Village is eligible for ~~Funeral~~ **Bereavement Leave** based upon the following schedule:

1. Five (5) days for spouses, children, or step children.
2. **Three (3) days for parents, siblings, stepparents, son-in-law's and daughter-in-law's, step-siblings.**
3. Two (2) days for mother-in-law, father-in-law, grandparents, grandchildren or grandparents-in-law.
4. One (1) day for brother-in-law, sister-in-law, aunt or uncle, niece or nephew.

A leave of absence without pay may be allowed for other funerals when approved by the Mayor.

Employees seeking to use ~~Funeral~~ **Bereavement Leave** are required to notify their supervisor. In order for leave to be paid, the employee **must attend the funeral, and** may be required to provide documentation to the appointing authority. This information may consist of either a letter from the funeral home or a newspaper obituary.

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**10.8.6 Payment of Unused Sick Leave Upon Retirement or Termination**

Any employee who retires **from their employment** ~~or terminates their employment~~ with the village voluntarily with unused sick leave credit shall be entitled to be paid in cash the value of one-fourth the value of the employee's accrued but unused sick leave credit. The aggregate value of the accrued but unused sick leave credit to be paid by the Village shall not exceed, for all payments, the value of thirty (30) days of accrued but unused sick leave. Any employee who is terminated involuntarily from the Village shall not be entitled to payment for any unused sick leave.