

VILLAGE OF RIPLEY, OHIO

ORDINANCE NO. 1008

AN ORDINANCE ESTABLISHING SICK LEAVE AND VACATION
BENEFITS FOR EMPLOYEES OF THE VILLAGE OF RIPLEY, OHIO
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the Village of Ripley,
Brown County, Ohio, two-thirds (2/3) or more of its members
concurring, that:

SECTION 1. As used in this ordinance, the following terms
shall have the following definitions:

(a) "Full-time permanent employee" means an employee
of the Village of Ripley whose regular hours of duty total forty
hours or more per week or an employee of the Village of Ripley
who is designated as full-time and whose appointment is not for a
limited period of time.

(b) "Part-time permanent employee" means an employee
of the Village of Ripley whose regular hours of duty are less
than forty hours per week or an employee of the Village of Ripley
who is designated as part-time and whose appointment is not for a
limited period of time.

(c) "Temporary employee" means an employee of the
Village of Ripley whose appointment is for a limited period of
time or an employee of the Village of Ripley who is designated as
as temporary employee.

(d) "Immediate family" means an employee's spouse,
parents, children, grandparents, siblings, grandchildren, broth-
er-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-
law, father-in-law, or a legal guardian or other person who
stands in the place of a parent (*in loco parentis*).

SECTION 2. Each full-time permanent employee shall be
credited with sick leave of four and six-tenths (4 6/10) hours
for each completed eighty (80) hours of service, excluding
overtime hours worked.

SECTION 3. Employees may use sick leave, upon approval of
the responsible administrative officer of the Village of Ripley,
for absence due to personal illness, pregnancy, injury, exposure
to contagious disease which could be communicated to other
employees, and to illness or injury by a member of the employee's
immediate family who resides with the employee. In addition,
employee's may use sick leave (i.e., bereavement), upon approval
of the responsible administrative officer of the Village of
Ripley, for absence due to death in the employee's immediate
family.

(a) Any employee using sick leave shall be required to
furnish a written statement, signed by the employee, to justify

the use of sick leave. The statement shall be given to the employee's supervisor who shall, in turn, deliver it to the Clerk-Treasurer of the Village of Ripley prior to the end of the pay period for which such sick leave is claimed. The statement shall be in the following (or substantially similar) form:

I hereby certify that the sick leave taken by me on the date(s) set forth herein was for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, or due to the illness or injury of an immediate family member who resides with me, or due to the death of a member of my immediate family.

Date(s) missed: _____

Employee's signature

Date: _____

(b) The Clerk-Treasurer shall not be authorized to issue pay for sick leave used by any employee unless and until the foregoing written statement (or a substantially similar written statement), signed by such employee has been delivered as provided herein. In the event the employee is not physically able to sign such a statement due to illness or absence resulting from illness, a similar statement signed by the employee's supervisor, a physician or any other responsible person having knowledge of such employee's condition shall be acceptable.

(c) In the event of an absence of more than three (3) days, a certificate stating the nature of the illness from a licensed physician shall be required to justify the use of sick leave.

(d) Falsification of either a written, signed statement or a physician's certification shall be grounds for disciplinary action including dismissal.

(e) Use of sick leave on six or more occasions in a twelve-month period, except for medical appointments for which leave has been requested at least one week in advance, will subject an employee to discipline, provided however, that such discipline may be waived if the employee provides satisfactory evidence of a bona fide, unpredictable, and recurrent medical condition requiring the use of sick leave on more than six occasions in a twelve month period. As used herein, "occasion" means an individual use of sick leave, regardless of the number of hours involved.

SECTION 4. Unused sick leave shall be cumulative to a limit of 120 days. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from the previously scheduled work. Compensation for sick leave credits shall be at the employee's base hourly rate of

pay. The previously accumulated sick leave for an employee who has been separated from the public service of the Village of Ripley shall be placed to his credit upon his re-employment with the Village of Ripley provided he has not been paid for such credit in accordance with Section 5 of this Ordinance and provided that such re-employment takes place within ten years from the date on which the employee was last terminated from public service with the Village of Ripley.

SECTION 5. Village employees may elect, at the time of retirement or other separation from active service with the Village of Ripley and with ten or more years of service with the Village of Ripley, to be paid in cash for one-fourth of the value of his accrued but unused sick leave credit. Such payment shall be based on the employee's rate of pay at the time of retirement or separation from active service. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The maximum payment which shall be made under this Section shall be one-fourth of 120 days. Such payment shall be made only one time to any employee.

SECTION 6. Each full-time permanent employee shall receive one (1) week of vacation with pay after one (1) year's employment; two (2) weeks vacation with pay after two (2) years' employment; three (3) weeks vacation with pay after ten (10) years' employment; and four (4) weeks vacation with pay after fifteen (15) years' employment with the Village of Ripley.

SECTION 7. Part-time permanent employees and temporary employees of the Village of Ripley shall not be entitled to credit for sick leave nor to any paid vacation leave.

SECTION 8. Ordinance No. 550 and Ordinance No. 718 of the Ordinances of the Village of Ripley are hereby repealed as being in conflict with this Ordinance.

SECTION 9. This Ordinance is hereby declared to be an emergency ordinance necessary for the preservation of the public health, safety and welfare of the Village of Ripley and more particularly for the reason that it is necessary to clarify sick leave and vacation policy of the Village of Ripley and this Ordinance shall be in full force and effect immediately upon its adoption.

Adopted this 28th day of March, 1995.

Larry D. Fulton, Mayor

ATTEST:

Hilda Frebis, Clerk