

Sponsor: Mayor Richard Headen

First Reading: March 28, 2016
Second Reading: Suspend, 2016
Third Reading: Suspend, 2016
Adopted: March 28, 2016

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2016-O-04**

**ORDINANCE AMENDING THE DEFINITION OF FULL-TIME EMPLOYEE CONTAINED IN
TITLE III, PART ONE, CHAPTER 37 OF THE CODE OF ORDINANCES TO REMOVE THE
CLERK OF COURT**

WHEREAS, Title III, Chapter 37, Section 37.01 of the Code of Ordinances for the Village of Lincoln Heights provides that full-time employment for employees means a person engaged in employment for approximately 37.50 hours per week on a permanent or regular basis, as well as the Clerk of Court irrespective of the number of hours worked per week ("Ordinance"); and

WHEREAS, Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to remove from its definition of a full-time employee the Clerk of Court.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio, that:

SECTION I A copy of Title III, Chapter 37, Section 37.01 is attached hereto as **Exhibit A**. The definition of full-time employee therein shall be amended to read as follows:

§ 37.01 DEFINITIONS.

EMPLOYEE.

(1) FULL-TIME EMPLOYEE. A person engaged in employment for 37.50 hours or more per week on a permanent or regular basis.

SECTION II Upon passage, the language contained in Section I shall be codified in Title III, Chapter 37, Section 37.01 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III This Resolution is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of

Lincoln Heights. The reason for said emergency is the need to eliminate full-time benefits from the Clerk of Council when the Clerk of Court resigns.

Passed this 28 day of March, 2016.



Mayor, Village of Lincoln Heights

Attested:



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Phyllis Baber	✓	—	—	—
Linda Childs-Jeter	✓	—	—	—
Kathy A. Goodwin-Williams	✓	—	—	—
Richard Headen	✓	—	—	—
Ruby Kinsey-Mumphrey	✓	—	—	—
Deborah Seay	✓	—	—	—
Jeannie Stinson	✓	—	—	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on March ____, 2016 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.

Rita Watson

Clerk of Council

EXHIBIT A

§ 37.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLOCATION. The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work actually performed in the position.

APPOINTING AUTHORITY. The official having power to make appointments.

CLASS. A group of positions, or one position, that has similar duties and responsibilities, requires like qualifications, and can be equitably compensated by the same salary range.

CLASS SPECIFICATION. The written description of a class containing such of the typical duties, of the class, and the qualifications that are necessary or desirable for the satisfactory performance of the duties of the class.

CLASS TITLE. The official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

DEMOTION. The change of an employee from a position in one class to a position in another class, having a lower maximum salary rate.

DISCHARGE. An involuntary permanent separation from employment for violation of specific provision of the personnel policies, or other departmental rules and regulations, or any other proper cause.

ELIGIBLE. A person whose name is on an employment list.

EMPLOYEE.

(1) **FULL-TIME EMPLOYEE.** A person engaged in employment for 37.50 hours or more per week on a permanent or regular basis, provided that the Clerk of Council and the Clerk of Court shall be deemed a full-time employee irrespective of the number of hours worked per week.

(2) **PART-TIME EMPLOYEE.** A person engaged in employment for substantially less than 40 hours per week on a permanent or regular basis. Fire Department personnel, among others, are **PART-TIME EMPLOYEES.**

(3) **REGULAR EMPLOYEE or PERMANENT EMPLOYEE.** An employee who has been permanently appointed to a full-time or part-time position by the Village Manager. Seasonal employees are not included in this category.

(4) **TEMPORARY EMPLOYEE.** A person engaged in employment of a nonpermanent and nonrecurring nature, the duration of which does not exceed 90 calendar days in the calendar

year. Temporary employment does not entitle one to vacation, holiday, pension, insurance (except workmen's compensation), or sick leave benefits.

IMMEDIATE FAMILY. Spouse or children, which includes a son or daughter who is the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stands in *loco parentis*.

LAYOFF. The separation of an employee for the purpose of reducing the work force due to reasons not related to fault, delinquency or misconduct on the part of the employee.

PERSONNEL DIRECTOR. The Village Manager or such person as the Village Manager may designate.

POSITION. A group of currently assigned duties and responsibilities requiring the full- or part-time employment of one person. A position may be occupied or vacant.

PROBATIONARY PERIOD. A working test period during which an employee is required to demonstrate his or her fitness for the duties of the position to which he or she is appointed by actual performance of the duties of the position.

PROMOTION. A change in the position of an employee from one class to a position in another class having a higher maximum salary rate.

REALLOCATION. The reassignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work actually performed in the position.

RESIGNATION. Voluntary separation from employment on written notification to the Village Manager specifying the date and reason for separation.

RESIDENT. A person who has resided in the village for at least one year immediately preceding the date of application.

SUSPENSION. An involuntary separation from employment for a specified temporary period of time, without pay, for violation of a specific provision of the personnel policies, other departmental rules and regulations, or any other proper cause.

TRANSFER. A change of an employee from one position to another position in the same class or another class having the same maximum salary rate.

(1995 Code, § 37.01) (Ord. 75-53, passed 6-9-1975; Am. Ord. 2003-O-11, passed 2-10-2003; Am. Ord. 2010-O-2, passed 4-26-2010; Am. Ord. 2012-O-13, passed 10-22-2012; Am. Ord. 2016-O-1, passed 1-8-2016)