

**Beachwood Special City Council Meeting Agenda**  
**Monday, July 18, 2022,**  
**Immediately following Economic Development Committee Meeting**  
**at Beachwood City Hall, Council Chambers,**  
**25325 Fairmount Boulevard, Beachwood, Ohio 44122**

-Pledge of Allegiance to the Flag of the United States of America-

**Agenda Items**

1. Roll Call
2. Reports
  - a. Mayor
3. Legal & Personnel Committee    An Ordinance Amending the 2021 Administrative Salary Ordinance for the City  
**Ordinance No. 2022-95**                      of Beachwood, Ohio; and declaring this to be an urgent measure
4. Recreation/Community Services Committee    A Resolution authorizing the Mayor to file an Application for a Grant through  
Committee                                      the Ohio Department of Natural Resources NatureWorks Grant Program; and  
**Resolution No. 2022-4**                      declaring this to be an urgent measure

**Any other matters coming before City Council**

**Adjournment**

INTRODUCED BY:

ORDINANCE NO. 2022-95

AN ORDINANCE AMENDING THE 2021 ADMINISTRATIVE SALARY ORDINANCE FOR THE CITY OF BEACHWOOD, OHIO; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, Council has previously adopted an Administrative Salary Ordinance by Ordinance No. 2021-83; and

WHEREAS, based upon the recommendation of the Mayor, Council now desires to amend the 2021 Administrative Salary Ordinance to include changes to Section 1.1.4 titled "Interim Employees".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga and State of Ohio, that:

Section 1: Council hereby amends the 2021 Administrative Salary Ordinance as set forth in the attached Exhibit "A" to include changes to section 1.1.4 titled "Interim Employees".

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 Codified Ordinances of the City.

Section 3: This Ordinance is hereby declared to be an urgent measure which is immediately necessary for the public peace, health or safety or the efficient operation of the City, and for the further reason of the immediate necessity of providing appropriate terms and conditions of the Administrative Salary Ordinance, wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 18th day of July, 2022, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 19th day of July, 2022.

\_\_\_\_\_  
Clerk

Approval: I have approved this legislation this 19th day of July, 2022, and filed it with the Clerk.

\_\_\_\_\_  
Mayor

# SALARY ORDINANCE FOR ADMINISTRATIVE STAFF AND ELECTED OFFICIALS

The definitions, terms, and conditions contained in the sections listed below and the attached salary schedules shall apply to all administrative personnel and elected officials of the City of Beachwood who are not members of a collective bargaining unit. Section 1.1.4 titled “Interim Employees” shall apply to all employees whether or not they are members of a Collective Bargaining Unit Administrative personnel and elected officials employed as of December 31, 1996, shall retain the level of service time and benefits recorded as of that date.

## **1.0            DEFINITIONS**

### **1.1            EMPLOYMENT STATUS**

#### **1.1.1        FULL-TIME EMPLOYMENT**

Employees shall be classified as full-time if their appointment is based on a workweek of 40 hours or more including any excused absences.

#### **1.1.2        PART-TIME EMPLOYMENT**

Employees shall be classified as part-time if their appointment is based on a regularly scheduled, continuous work week of 30 hours or less and the expected duration of their employment is one year or greater. Part-time employees should not work more than 30 hours per week except under unusual circumstances and only on a limited basis.

#### **1.1.3        TEMPORARY EMPLOYEES**

Employees hired for duration of one year or less to support administrative operations of the City will be classified as Temporary employees. Temporary employees are those individuals hired by the City directly, and who are included in the regular payroll of the City. Employees of temporary personnel agencies or consulting firms are not considered Temporary employees of the City. Employment beyond any initially stated period does not imply a change in employment status.

#### **1.1.4        INTERIM EMPLOYEES**

An employee hired to fill a prospective vacancy expected due to retirement, resignation, or termination may be classified as an Interim employee for a period not to exceed 60 days. Interim appointments are authorized to promote an efficient transition in positions where significant training or expertise is required. The decision to classify or hire someone as an Interim Employee(s) is within the sole discretion of the Mayor. If such positions are limited by Ordinance a temporary exception shall be allowed for the interim employee(s) transition.

**1.1.5 INTERMITTENT/SEASONAL EMPLOYEES**

Employees assigned to work on an intermittent or seasonal basis to support or supervise activities and operations within various City Departments shall be classified as Intermittent/Seasonal employees. Intermittent/Seasonal employees meeting the definition of “Seasonal” as defined by the Fair Labor Standards Act (FLSA), are not eligible for overtime compensation, however, they are subject to the State of Ohio minimum wage requirements. Employees not meeting that definition would be entitled to overtime compensation.

**1.1.6 TEMPORARY WORKING LEVEL**

Full-time employees approved by the Mayor to assume the responsibilities of another full-time position temporarily vacated for a period of two weeks or more due to resignation, illness, disability, or other excused absence shall be classified as being assigned to a Temporary Working Level. Employees classified as being in a Temporary Working Level shall be entitled to receive compensation within the base pay grade and associated benefits normally paid or accrued to the benefit of the individual to whom the excused absence was granted, with the exception of longevity adjustments. The rate of TWL compensation must be approved by the Mayor and can be made retroactive. The authority for assignment to a Temporary Working Level shall end upon the date of the return to work on a full-time basis of the original employee or such time as the vacant position is filled.

**1.2 WORKWEEK**

The workweek for employees is to begin with the designated arrival time on Monday morning according to the specific needs of each Department. The workweek shall run through the following Sunday at 12 midnight. The regular workweek for all full-time employees shall be no less than 40 hours per week, with the exception of exempt personnel covered under the provisions of Section 1.7.4 of this ordinance. Unless otherwise approved by supervisory personnel, all administrative staff shall be entitled to a minimum lunch break of one-half hour at a time to be established by the appropriate supervisor. Administrative staff shall also be entitled to two (2) fifteen-minute breaks, to be taken before and after their scheduled lunch period at times to be established by the appropriate supervisor.

**1.3 PAYROLL**

The Finance Department is authorized to generate payroll payments every two (2) weeks throughout the year, based on a compilation of hours worked in each of the individual weeks comprising the payroll. Employees are not permitted to carry hours worked forward into the subsequent payroll. Unless otherwise accepted for holidays, payroll direct deposit shall be made payable

to eligible employees on alternating Fridays throughout the year or, in the event of holidays, on the business day closest to the regular pay day.

**1.4 BIWEEKLY AND HOURLY RATES**

Unless otherwise specified in the attached schedule of salaries, hourly rates for fulltime employees are to be determined by dividing the annual salary amount by 2,080 hours. Biweekly rates for fulltime exempt employees are to be determined by dividing the annual salary amount by 26 pay periods. For part-time, temporary, interim or other full-time positions where an annual salary amount is not authorized, the hourly rate shall not exceed the hourly rate designated for that position. The Finance Director is authorized to round hourly rates to accommodate uneven distributions.

**1.5 PROBATIONARY PERIODS**

All new and rehired City employees shall be employed on a probationary basis for a period of one (1) year from the date of hire or rehire. Employees promoted or transferred within the Administration must also complete a one (1) year probationary period in the new position. The Mayor or authorized designee shall ensure that the probationary period has been successfully completed by the probationary employee and that Human Resources has been provided with documentation of a performance evaluation completed in accordance with the City's Performance Evaluation System. Employees are ineligible for any step increase during their initial probationary period; however, this provision does not apply to employees who are promoted or transferred. Employees successfully completing their probationary period are eligible for a step increase based upon their evaluation. However, any such step increases are not guaranteed.

**1.6 SERVICE TIME**

As of January 1, 1997, service time with the City of Beachwood shall commence with the first date of employment in a full-time, part-time, temporary (as defined in Section 1.1.3), seasonal or interim status. Eligibility for various benefits may be affected by the amount of service time credited to an employee. Service time shall not be credited for periods of employment interrupted by disciplinary actions resulting in suspension, or during periods where an employee is not in an active pay status for more than one pay period, unless the absence is covered by the Family and Medical Leave Act. Individuals who terminate employment and are subsequently rehired may receive up to 100% credit for time worked with the City of Beachwood. Actual credit for work with the City of Beachwood will be determined by the Mayor.

**1.6.1 CREDIT FOR PRIOR SERVICE**

As of January 1, 2017, new employees who possess prior full-time work experience with an agency or division of the State of Ohio, other political subdivisions of the State of Ohio, or municipalities within the State of Ohio may, with the express authorization of the Mayor, receive credit for up to 65% of such prior service. The Mayor is not required to accept any of a prospective employee's request for credit for prior service time if the Mayor views such acceptance to be detrimental to the administration of City business. The percentage of prior service credit to be granted must be established within 90 days of the date of hire.

**1.6.2 VERIFICATION OF PRIOR SERVICE TIME**

As of January 1, 1997, after authorizing any credit for prior full-time service, the Mayor shall direct Human Resources to verify the dates and past employment history for the respective candidate. Such verification must be obtained from an individual with fiduciary responsibility in the agency, subdivision or municipality that the candidate has disclosed on his/her employment application. The employee may present a copy of their most recent Annual OPERS Statement in cases where prior employers are unresponsive to requests for service verification.

If verification cannot be obtained within 90 days of date of hire, no credit will be awarded for prior service. Eligibility for longevity will not be credited until verification is received.

**1.6.3 Repealed**

**1.6.4 Repealed**

**1.6.5 SERVICE TIME FOR STAFF EMPLOYED AS OF DECEMBER 31, 1996**

All administrative staff employed as of December 31, 1996, shall be credited with service time earned or credited prior to the effective date of this Ordinance as detailed in their personnel files. Service time and the related eligibility for benefits shall not be revised for staff employed as of December 31, 1996.

**1.7 ELIGIBILITY DETERMINATIONS**

Eligibility for various employee benefit provisions may be based on certain criteria defined in this Ordinance.

**1.7.1 IMMEDIATE FAMILY**

For purposes of this Ordinance, "immediate family" is defined as the employee's spouse, parent, child, grandchild, sibling, grandparents, in-laws, or

any other relative designated under provision of the Family Medical Leave Act.

### **1.7.2 ACTIVE PAY STATUS**

Leave accruals for sick and vacation hours will be posted if an employee is in an active pay status for the 80-hour period comprising an individual payroll period. Employees are considered to be in an active pay status if, during the 80-hour pay period, they have worked one or more days or have requested use of approved leave hours supported by sufficient balances for one or more days in the pay period. If an employee works or uses approved leave accounting for less than 80 hours during the pay period, he or she will receive a pro-rated amount of the accrual based upon the number of hours reported. In instances where there have been no hours recorded for an employee during the 80-hour pay period, the employee is not considered to be in an active pay status. An inactive pay status may result from absences arising from claims allowed for Workers Compensation, FMLA, and approved unpaid Administrative Leave or Leave without Pay.

### **1.7.3 OVERTIME**

For eligible employees, overtime will be paid when the total for all time worked and approved leave is in excess of 40 hours per week with advance approval from the appropriate supervisor. Overtime will be paid at a rate equal to one and one half of the employee's total rate of pay.

Employees may, with the approval of their immediate supervisor, accept a reduction in the number of hours charged for approved leave within a pay period in lieu of requesting overtime payment. This will be an hour for hour exchange and will not be subject to time and a half conversion. Employees on paid leave are prohibited from working during their normal schedule to receive overtime compensation.

### **1.7.4 OVERTIME EXEMPT EMPLOYEES**

Department Directors and certain other administrative supervisory positions are exempt from earning overtime under provisions of the Fair Labor Standards Act. Working hours and pay for all salaried, professional and supervisory positions for job classifications exempted from the provisions of the Fair Labor Standards Act are not based on a fixed number of hours per week and shall not be adjusted with variations in work schedules. Eligibility for overtime is defined by position in the schedules supporting this Ordinance. Exempt positions within the Administration, unless otherwise provided for by assignment to an additional classification, shall not receive payment for attendance at any regular or special meetings scheduled by the Mayor or Council. Accounting for time and use of available leave for exempt employees shall be governed by the City's policy for same.

**1.7.5 COMPENSATORY TIME**

Administrative staff is prohibited from accruing or using compensatory time of any kind. Compensatory time will not be awarded in lieu of, or in place of overtime payments. All overtime payment obligations are to be satisfied in the next scheduled payroll generated by the Finance Department. No benefit afforded any exempt employee with regards to Section 1.7.4, or any other section of this Ordinance is meant to, nor shall it imply the existence of compensatory time.

**1.7.6 VARIABLE WORK SCHEDULES**

The Mayor is authorized, in the interests of financial and operational efficiency, to permit adjustments to the daily work schedules of administrative employees. Such variations from the regular work schedule must be approved and documented in advance of the proposed change and cannot be affected without the express written consent of the Mayor or his/her designee.

**1.7.7 ADHERENCE TO FAIR LABOR STANDARDS ACT**

All personnel and payroll policies and procedures shall be created and executed in accordance with provisions of the Fair Labor Standards Act (FLSA) where and when applicable.

**1.8 EFFECTIVE DATES OF PERSONNEL ACTIONS**

In situations where service time earned during a pay period affects the determination of a wage or benefit level, the wage or benefit level shall be adjusted as of the first day of the pay period.

**1.9 RETIREMENT**

**1.9.1 RETIREMENT AFTER 20 YEARS OF CONTINUOUS SERVICE**

Employees who have recorded continuous service with the City for a period of 20 years or more shall be eligible to retire from service. Service time credited for prior service with a governmental entity other than the City of Beachwood shall not be considered for purposes of determining years of continuous service.

**1.9.2 RETIREMENT UNDER OPERS**

Employees who qualify for retirement under the criteria and conditions of the Ohio Public Employees Retirement System (OPERS) are also eligible to retire from service.

**1.9.3 CASH SETTLEMENT FOR UNUSED LEAVE AT RETIREMENT**

Any unused accrued leave will be converted into a lump-sum cash payment, subject to the conditions of each form of leave conversion as defined in this Ordinance, and shall be paid to the retiree by the Finance Director at the time the employee terminates active service with the City, subject to the retiree's compliance with the City's termination policies.



#### **1.9.4 RETIREMENT AND REHIRE**

The Mayor may, in his sole discretion, determine to rehire an employee who is eligible to and elects to retire under OPERS or the Ohio Police and Fire Pension Fund. Individuals requesting consideration to retire and be rehired pursuant to this section shall give the Mayor written notice of such request at least sixty days prior to their proposed retirement date. Individuals whom the Mayor elects to rehire under this section are eligible for cash settlements afforded under this Ordinance or any other city employment agreements. However, provisions have been made under each form of leave conversion as defined in this Ordinance, for the carryover of some leave if requested. These carryover provisions will apply to all employees rehired under this section.

### **2.0 BENEFITS FOR EMPLOYEES**

#### **2.1 SICK LEAVE**

The City provides paid sick leave benefits for periods of temporary absence due to illness or injury. Sick leave benefits will be provided to all full-time, permanent part-time and interim employees. This benefit will not be afforded to any part-time temporary or part-time seasonal employees. Sick leave shall accumulate at a rate of 4.6 hours per pay period from the date of hire for each pay period during which the employee is in an active pay status for the 80-hour pay period and shall not accrue for additional overtime hours worked. Sick leave accrual will be based on an 80-hour pay period; employees who do not record 80 hours of work, approved paid leave, or combination thereof will receive a sick leave accrual proportionate to the number of hours worked or approved paid leave hours recorded divided by 80 multiplied by 4.6 hours.

##### **2.1.1 RESTRICTIONS ON SICK LEAVE USE**

Paid sick leave may be used in minimum increments of fifteen (15) minutes. Eligible employees may use sick leave benefits for an absence due to their own illness, medical condition or injury or that of a member of their immediate family. Prior to returning to work from a paid sick leave of five (5) calendar days or more for his/her own illness or injury, an employee must provide a physician's verification that he or she may safely return to work. In cases where sick leave is used to care for a member of the employee's immediate family for five (5) calendar days or more, a physician's note will be required documenting the reason for the absence. Management is also entitled to request a physician's verification for sick leave absences if management has reasonable cause to believe that an employee has established a pattern of excessive sick leave use. In instances where medical documentation is requested, an employee shall have no fewer than three (3) business days to provide the requesting management representative with a physician's statement verifying the employee's absence for medical reasons. Failure to provide appropriate documentation within the prescribed time period shall make the employee ineligible for sick leave pay for the absence in question and may be grounds for disciplinary action. Sick leave benefits are intended to provide protection in the event of illness or injury and may not,

with the exception of an extension of Bereavement Leave, or for absences provided for in the Family Medical Leave Act, be used for any other absence.

### **2.1.2 TRANSFER OF SICK LEAVE FROM PRIOR SERVICE**

Pursuant to the provisions of Section 1.6.1 of this Ordinance, the Mayor may upon acceptance of service time earned by a new employee in prior public service as defined therein, authorize the transfer of accumulated sick leave hours from the employee's previous public employer. Such transfers may not exceed a total of 750 hours. Sick leave hours credited to the employee as a result of a transfer of hours from a former employer are not included in the total number of hours eligible for conversion, irrespective of the amount of time accrued or used during employment. This also applies to employees with a hire date after 1/1/97. No retroactive adjustment will be made for transfers of sick leave previously limited to 120 hours prior to the effective date of this Ordinance.

### **2.1.3 SICK LEAVE CONVERSION**

Upon retirement, employees with accumulated continuous service time of 20 years or more, as defined in Section 1.9.1 of this Ordinance, or employees who qualify for retirement pursuant to the criteria and conditions of the Ohio Public Employees Retirement System (OPERS) or the Ohio Police and Fire Pension Fund shall be entitled to convert fifty percent (50%) of their unused sick leave hour balance into a lump sum cash payment to be included in the final payroll check issued to the employee. The conversion of applicable sick leave will be done automatically unless a request from the employee documenting his/her election not to convert the leave is presented to the Human Resources Administrator prior to termination of employment by the prospective retiree. Employees rehired under section 1.9.4 of this Ordinance are required to convert their unused sick leave balance into a lump sum cash payment; however, they may elect to carryover a balance of not more than 120 hours. In instances of death of an employee the Finance Director is authorized to convert unused accumulated sick leave hours into a lump sum cash payment at a rate of fifty percent (50%) and include such payment in the final payroll check issued in the name of the employee. Conversion of sick leave under this Ordinance, or another City agreement, may only be done once. Individuals rehired under section 1.9.4 of this Ordinance will not receive a second conversion for any hours they elect to carryover, or which are accrued subsequent to rehire.

**Note:** The provision for conversion upon death is retroactive to January 1, 2007. Prior to January 1, 2007, employees were required to have a minimum of 20 years of service prior to death to be eligible for conversion.

### **2.1.4 ANNUAL SICK LEAVE CONVERSION**

Amended: Ordinance # ~~2022-1-83~~

Date: ~~August 2, 2021~~

Effective at the end of the 2004 payroll year and at the end of each payroll year thereafter, any employee who has in excess of one thousand five hundred (1,500) hours will receive a lump sum cash payment of thirty-three and one-third percent (33.3%) of the hours in excess of one thousand five hundred (1,500) hours. Such payment will be made in the first pay period of the subsequent year. For example, if an employee has 1,590 hours at the end of the payroll year, he/she would receive a lump sum cash payment of thirty (30) hours.

**2.2 BEREAVEMENT LEAVE**

Bereavement leave shall be granted to all: (a) full-time, (b) interim, and (c) part-time employees who are regularly scheduled to work the day(s) for which they are requesting Bereavement Leave. Bereavement Leave shall be granted for a period not to exceed three (3) days for the death of a member of the employee's immediate family or one (1) day for any other family member. Immediate family is defined as the employee's spouse, parent, child, grandchild, sibling, grandparents, in-laws, or any other relative designated under provision of the Family Medical Leave Act. Employees may, with supervisory approval, use any available paid leave, including sick leave, for additional time off as necessary. Part-time employees will be compensated during Bereavement Leave at a level equal to what they would normally earn for regularly scheduled hours during the bereavement period. No amount of unused Bereavement Leave will be paid at year-end or upon termination.

**2.3 HOLIDAYS**

The City will recognize the following days as official holidays on which the City will not conduct regularly scheduled business:

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth Day	June 19 (effective 2022)
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day Immediately Following Thanksgiving
Christmas Day	December 25

The City will grant paid holiday time off to all full-time and interim employees immediately upon assignment to either of these employment classifications. An officially recognized holiday that falls on a Saturday will be observed on the preceding Friday. An officially recognized holiday that falls on a Sunday will be observed on the following Monday. If a recognized holiday falls during an eligible employee's paid absence, holiday pay will be provided instead of the paid time off benefit that would have otherwise applied. Eligible employees must be in an active pay status on the last scheduled day immediately preceding the holiday and the first scheduled day immediately following the holiday in order to be eligible for holiday pay. If

eligible nonexempt employees work on a recognized holiday, they shall receive holiday pay plus wages at one and one-half their regular hourly rate for the hours worked on the holiday. Part-time employees shall not be eligible for holiday pay.

**2.3.1 PERSONAL LEAVE**

All full-time and interim employees shall be granted 24 hours of Personal Leave time. Such leave time shall be posted to the employee payroll records in the first pay period of each year. Employees entering an eligible employment classification at a point subsequent to the posting of the first pay period of the year shall receive credit for a prorated amount of personal leave for the payroll year as follows:

Hired between January 1 and April 30	=	24 hours
Hired between May 1 and August 31	=	16 hours
Hired between September 1 and December 31	=	8 hours

Supervisors shall not unreasonably deny employee requests for Personal Leave; however, employees should attempt to submit requests for leave a minimum of 24 hours in advance of the leave period desired. Any unused personal leave at the end of the payroll year, or which is earned but not used at the time of termination, shall be converted into cash and included in the employee’s first paycheck of the following year.

**2.4 VACATION LEAVE BENEFITS**

After one full year of continuous service with the City, all full-time employees of the City shall be entitled to earn Vacation Leave at rates based on service time earned through employment with the City, or any such time credited to an employee by the Mayor pursuant to the authority granted in Section 1.6.1 of this Ordinance. All vacation is earned/accrued on a bi-weekly basis according to the chart below. Vacation hours will accrue for any 27<sup>th</sup> pay period that occurs. The amount of paid vacation time employees shall receive each year increases with the length of their service time as detailed below:

<b>SERVICE TIME</b>	<b>ANNUAL</b>	<b>BIWEEKLY</b>
<b>TIME</b>	<b>VACATION</b>	<b>ACCRUAL</b>
1 year to less than 6 years:	80 hours	3.08 hour/pay
6 years to less than 10 years:	120 hours	4.62 hours/pay
10years to less than 17 years:	160 hours	6.16 hours/pay
17 years or greater:	200 hours	7.70 hours/pay

Vacation Leave must be used in minimum increments of fifteen (15) minutes and is subject to the approval of the employee's supervisor. Requests for Vacation Leave must be submitted reasonably in advance. Employees are prohibited from using vacation leave until such time as they have completed

one (1) year of continuous service with the City. Employees must comply with the provisions of Section 1.7.2 of this Ordinance to earn accrued vacation leave hours. Biweekly vacation accrual postings will be adjusted to account for periods where employees are not in an active pay status.

**2.4(a) VACATION LEAVE BENEFITS – DIRECTOR/ASSISTANT DIRECTOR LEVEL POSITIONS**

Due to the nature of these positions, the Mayor is authorized to establish an alternative vacation accrual for Department Directors (including the Economic Development Director) and Assistant Directors (including the Deputy Police Chief) who are hired after December 26, 2005, not to exceed 200 hours. Irrespective of Section 2.4, the Mayor may also provide and allow the use of vacation at the date of hire, any such time provided shall be considered earned at the time it is granted. Effective December 26, 2005, the Mayor may adjust any current Department Directors/Assistant Department Directors (including the Deputy Police Chief) accrual and/or provide additional time, not to exceed 200 hours. Any time provided in this section will be considered earned as of December 26, 2005. Council may also establish an alternative vacation accrual for Department Directors/Assistant Directors who report directly to City Council and may also provide and allow the use of vacation at the date of hire; any such time shall be considered earned at the time it is granted for those Directors/Assistant Directors who report directly to City Council.

**2.4.1 CASH PAYMENT AT YEAR END FOR UNUSED VACATION HOURS**

Employees may elect to receive a cash payment of unused vacation hours once each year. Such request for cash payment must be received by the 2<sup>nd</sup> week of December. as soon as is practical. In lieu of a cash payment, employees may elect to carry-over hours into the subsequent payroll year, however such carry-over cannot result in a balance at the beginning of the year in excess of 300 hours. In the event an employee has hours in excess of 300 the excess will be converted to cash. All requested vacation payouts and automatic payouts for hours in excess of 300 will be converted to cash in January at the rate of pay in effect at the end of the previous year. It is the responsibility of the employee to ensure that they leave themselves an adequate number of vacation hours for the next year.

**2.4.2 POSTING OF VACATION LEAVE HOURS**

In instances where an employee has recorded cumulative service time which results in eligibility for additional vacation, the Human Resources Administrator will post such additional time in the pay period during which

the employee reaches the service time level which qualifies the employee for increased vacation benefits.

### **2.4.3 Repealed**

### **2.4.4 TERMINATION PAYMENTS FOR UNUSED VACATION LEAVE HOURS**

Upon voluntary or involuntary termination of employment, the Finance Director is authorized to convert all unused vacation hours credited to the terminated employee into a cash payment equal to the employee's total rate of pay at the date of termination, multiplied by the verified unused vacation hours retained by the employee as of the date of termination. Employees rehired under section 1.9.4 of this Ordinance may elect to carryover some or all of their accrued and unused vacation. Any hours carried over will be subject to the terms of section 2.4.1 at year-end. The cash value of any hours carried over will be based upon the employee's rate of pay when converted, not when carried over. No adjustment will be made for any differences. Employees must have completed one year of continuous service in order to be eligible for a cash payout of unused vacation hours at termination. Any employee not completing the required one-year of continuous service shall not receive compensation for unused vacation hours if their termination date precedes the date at which they will have served continuously for one year. Any such unpaid and unused vacation time will be considered forfeited to the City at termination.

## **2.5 OTHER AUTHORIZED ADMINISTRATIVE LEAVES**

### **2.5.1 COURT RELATED LEAVES**

To encourage employees to fulfill their civic responsibilities, the City will compensate eligible administrative employees at their regular rate of pay when it is required that employees serve on a jury for a Court of a governmental subdivision. Employees will be compensated for absences resulting from service on a jury at their regular rate of pay for the length of time that they are required to serve. Paid jury duty leave is restricted to employees in a full-time, permanent part-time or interim salary classification. Employees requesting a paid jury duty leave must present evidence of their service upon return to work. Eligible employees will be compensated at their regular rate of pay for any absence due to witness duty that is related to City business. Employees must present evidence of their appearance in Court as a witness to be eligible for witness duty leave. During paid absences for Jury Duty Leave or Witness Duty Leave all benefit accruals will continue. Miscellaneous expenses incurred by employees for jury duty are not reimbursable by the City. Employees requesting Jury Duty Leave or Witness Duty Leave must do so in advance, and provide to their supervisor appropriate documentation supporting their request. Compensation received for jury duty is not repaid to the City. Witness fees are required to be remitted to the City.

### 2.5.2 ADMINISTRATIVE LEAVE

The Mayor is authorized to grant paid or unpaid Administrative Leave to employees if, in the judgement of the Mayor, such leave is in the best interest of the security and/or operation of the City government, or if weather or other emergencies pose a threat to the health, safety, or welfare of City employees.

### 2.5.3 PAID PARENTAL LEAVE

1. **Purpose.** Under the Family Medical Leave Act (FMLA), employees are entitled to twelve (12) weeks of parental leave for the birth or adoption of a child. However, often times the leave under FMLA is unpaid, which can result in a new parent taking an inadequate amount of leave to care for the newborn or newly adopted child. Paid Parental Leave is intended to provide an opportunity for City of Beachwood employees to take up to a maximum of four (4) calendar weeks of continuous paid leave to provide necessary parental care following the birth or adoption of a minor child.
2. **Eligibility.** To be eligible for benefits under Paid Parental Leave, an employee shall:
  - a. Have been employed by the City of Beachwood for at least twelve (12) months;
  - b. Have worked at least 1,250 hours over the previous twelve (12) months period immediately preceding the date when the requested leave would begin;
  - c. Be the biological parent of a newly born child or legal guardian of a newly adopted child;
  - d. Be required to provide documentation of the date of birth or adoption, as well as documentation of the parentage or adoption of the child;
  - e. Submit the request to Human Resources in the appropriate form at least thirty (30) days prior to the requested time off for foreseeable leave or as much notice as is practicable under the circumstances for unforeseeable leave; and
  - f. Any employee who provides false or misleading information on the appropriate form under subsection (e), above, or who fails to submit the appropriate form under subsection (e), above, or who otherwise provides false or misleading information as to subsections (c), or (d), above, shall be subject to discipline, up to and including termination.

3. **Duration of Leave.** An employee who is eligible for Paid Parental Leave pursuant to subsection (2), above, may take Paid Parental Leave for all hours of work during the four (4) calendar weeks commencing with, and immediately following, the effective date and triggering event, as set forth in subsection (4), below. Under no circumstances shall Paid Parental Leave be taken beyond six (6) calendar months from the exact date of birth or placement of a child for adoption. The employee may elect to utilize intermittent Paid Parental Leave, provided, that the minimum amount of any portion of intermittent leave shall be one (1) full work day, and, in the event an employee elects to take intermittent Paid Parental Leave, the leave shall not extend beyond six (6) calendar months from the exact date of birth or placement of a child for adoption. Additionally, any employee utilizing intermittent Paid Parental Leave must submit the request for leave to the employee's supervisor prior to any work day where the leave will be utilized.
4. **Effective Date and Triggering Event.** Eligibility for taking Paid Parental Leave shall begin on the exact date of birth of an employee's child or on the exact day on which custody is taken by the employee for an adoption placement. If an employee adopts multiple children, the Paid Parental Leave triggering event shall be considered a single qualifying event, and will not serve to increase the length of leave for the employee, so long as the children are adopted within six (6) weeks of each other. If an employee is the parent of more than one child born at the same time, the Paid Parental Leave triggering event shall be considered a single qualifying event and will not serve to increase the length of leave for the employee.
5. **Other Employee Benefits.** Employees will remain eligible to receive all employee provided paid benefits and continue to accrue all other forms of paid leave. The employee will receive all forms of paid leave, regardless of the pay status during the period of Paid Parental Leave.
6. **Overtime/Holiday Pay/Outside Employment.** Employees are ineligible for overtime pay during the period of time they are receiving Paid Parental Leave, and, in the event of intermittent use of Paid Parental Leave, during any week where Paid Parental Leave is utilized by the employee. An employee shall continue to receive their holiday pay, if they are receiving their full pay during the Paid Parental Leave period, and if they comply with all other policy or contractual provisions to receive holiday pay.



Employees are ineligible to hold outside employment during the period of Paid Parental Leave. Any employee found to be holding outside employment during Paid Parental Leave shall be subject to discipline up to and including termination. Any holiday pay received by an employee for any work day during the four (4) week period of Paid Parental Leave shall constitute the sole pay for the employee for those hours worked and shall not be in addition to the employee's Paid Parental Leave. Additionally, the occurrence of any holiday during the four (4) calendar weeks of Paid Parental Leave shall not extend the time period for Paid Parental Leave.

7. **FMLA/Paid Time Off.** Paid Parental Leave shall run concurrently with Family Medical Leave Act (FMLA) Leave, and employees using Paid Parental Leave who meet eligibility requirements of the FMLA shall have the entire non-working period of Paid Parental Leave counted towards the employee's FMLA entitlement. Upon the exhaustion of the Paid Parental Leave Benefit, Section 4.9(D)(2)(a) (see the portion of the City's FMLA Policy as set forth in the Personnel Policy Manual that discusses use of paid time off) will take effect requiring accrued leave time be used. Paid Parental Leave does not supersede or replace an employee's rights under FMLA.
  
8. **Death of an Unborn or Newborn Child.** An employee who would otherwise be eligible for Paid Parental Leave pursuant to subsection (2), above, whose child is stillborn or dies during the third trimester of pregnancy is eligible for three (3) calendar weeks of Paid Parental Leave following the date of death of the unborn or stillborn child. In the event that a newly born or adopted child dies during the period of time that the employee is on Paid Parental Leave, the employee shall be entitled to the full extent of the Paid Parental Leave permitted under subsection (3), above, and the Paid Parental Leave shall not terminate due to the death of the child. All other provisions of Paid Parental Leave granted pursuant to this subsection (8) shall apply.

#### **2.5.4 WORKERS COMPENSATION**

All administrative staff shall be eligible for benefits as provided by State law and defined by the Ohio Bureau of Workers Compensation (BWC), and are required to comply with all reporting regulations of the BWC and City policy with respect to Workers' Compensation claim filing.

#### **2.5.5 OTHER LEAVE ISSUES**

Use of leave time is limited to increments of fifteen (15) minutes and shall not cause an overtime situation to occur.

Employees shall be charged fifteen (15) minutes of leave time to accommodate approved absences of less than fifteen (15) minutes.

#### **2.5.6 LEAVE WITHOUT PAY**

The Mayor is authorized to grant leave without pay in instances under the FMLA guidelines and for any personal leave in which an employee has exhausted his/her vacation and personal leave balances. Absences of less than a full day without pay do not require the approval of the Mayor.

#### **2.5.7 MILITARY LEAVE**

The City shall comply with Military leave requirements set forth in the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301, and other provisions of State and Federal law.

### **2.6 CITY PROVIDED INSURANCE BENEFITS**

#### **2.6.1 HEALTH CARE INSURANCE COVERAGE**

Effective January 1, 2022 employees shall be entitled to medical coverage, including vision, dental, hearing, and prescription drug coverage. Employees may select from a Health Savings Account Option, a Health Reimbursement Account Option with the current deductibles, co-insurance, and co-pays. All Employees will be required to contribute— 4% of the premium cost toward their health care. The City will maintain an IRS §125 Plan (premium only plan) to make employees contributions pre-tax. Prior to January 1, 2022, the City's current coverage and benefits remain unchanged.

Health Savings Account. Under the Health Savings Account Option, the City will contribute annually to the members Health Savings Account \$2,100.00 for Individual Coverage and \$4,200.00 for Family Coverage to help offset the current deductibles of \$2,800 per individual and \$5,600 per family. The City may increase deductible rates when such increases are identified by the Internal Revenue Service (IRS) or by other federal agency directives pertaining to Health Savings Account embedded-deductible plans. Once the money is deposited in this account the money belongs to the employee. Should an employee go from family coverage to individual coverage during the year the city cannot reclaim money already provided to the member. If an employee is hired or increases coverage during the year the City will deposit funds or additional funds at the following percentages, 100% if in the first quarter, 75% in the second quarter, 50% in the third quarter, and 25% in the fourth quarter. If an employee reduces coverage during the year or leaves the employment of the City during the year, a portion of the City's or employee's contribution may become taxable and subject to possible penalties based on IRS limitations. In addition to the amount funded by the City, the employee has the option of depositing additional funds up to the limits established by the IRS. The Health Savings Account shall at all times be subject to the

prevailing tax and pension laws. Employees must open a Health Savings Account prior to the City being able to deposit funds.

Health Reimbursement Account. The Health Reimbursement Account is only recommended if the member does not qualify for a Health Savings Account under IRS rules. Under the Health Reimbursement Account the deductibles are \$2,500.00 per individual and \$5,000.00 per family. However, the City will reimburse the member up to \$1,800.00 per individual and \$3,600.00 per family for cost incurred.

## **2.6.2 Repealed.**

### **2.6.3 GROUP TERM LIFE INSURANCE COVERAGE**

Full-time and interim employees of the City will be provided with group term life insurance coverage (which may include accidental death and dismemberment coverage) obtained from a reputable provider. This benefit will be provided at 1.5 times the base annual salary, not to exceed \$150,000. The coverage is subject to the limitations and provisions of the current carrier. The cost of procuring such plans shall be the sole responsibility of the City. The City will follow federal tax guidelines regarding reportable income when applicable.

### **2.6.4 SHORT-TERM DISABILITY INSURANCE COVERAGE**

Full-time and interim employees of the City will be provided with a short-term disability insurance coverage benefit obtained from a reputable provider. This benefit is independent of any paid or unpaid leave and is only available after the exhaustion of paid sick leave. Utilization of this short-term disability insurance coverage benefit does not guarantee that an employee will maintain employee status during the time of short-term disability coverage or that an employee will be returned to the position held when qualifying for the benefit. The City reserves the right, at the discretion of the Mayor and subject to the City's operating needs, to reassign, transfer, or terminate an employee utilizing short-term disability insurance coverage.

Terms and conditions of the plan shall be at the sole discretion of the City administration and may be subject to change or modification as deemed necessary by the City Administration. The coverage is subject to the limitations and provisions of the current carrier and the carrier determines coverage eligibility. The cost of procuring such plans shall be the sole responsibility of the City. The City will follow federal tax guidelines regarding reportable income when applicable.

## **2.7 FRINGE BENEFIT ALLOWANCES**

### **2.7.1 UNIFORM ALLOWANCES**

The Safety Director shall approve the uniforms for the Police Chief, Deputy Police Chief, Fire Chief, Assistant Fire Chief and all Fire Inspectors and approve a uniform allowance or reimbursement for uniform cost. The Police Chief and Fire Chief shall be eligible for a clothing allowance not to exceed \$1,500. The Assistant Fire Chief and Deputy Police Chief shall be eligible for a clothing allowance not to exceed \$1,200 per year, and Fire Inspector(s) shall be eligible for a clothing allowance not to exceed \$1,000 per year. The Finance Director is authorized to provide such allowance or reimbursement on a quarterly basis each year, to be paid at the beginning of each quarter throughout the year. Eligible safety personnel shall be authorized to receive an allowance or reimbursement at the beginning of each quarter in which they are in an active pay status. The Mayor shall approve an annual boot allowance not to exceed \$150.00 per year for the Service Director, Assistant Service Director, Service Superintendents and Shipping & Receiving Clerks. The Finance Director is authorized to provide such allowance at the beginning of the first quarter each year.

Eligible personnel shall be authorized to receive an allowance in the first quarter of the year if they are in an active pay status. Said allowances or reimbursements shall be included in the computation of the employee's gross wages for tax purposes at the end of each tax year. The Mayor is authorized to provide, at City expense, the first issue of any uniform for any employee entering the classification of Police Chief, Fire Chief, Deputy Police Chief, Assistant Fire Chief or Fire Inspector. In the event the City provides the new employee with an initial uniform issue, the uniform allowance or reimbursement shall not be effective for a period of one year. The Mayor is also authorized to provide uniforms at City expense for the Public Works Director, Assistant Public Works Director and Public Works Department Superintendents or other departments and/or positions as deemed necessary.

### **2.7.2 CELLULAR PHONE ALLOWANCE**

In accordance with Ordinance No. 2006-037 the Mayor and essential employees approved by the Mayor may elect to receive a monthly allowance in lieu of carrying a City issued cellular phone. Such allowance shall not exceed \$100.00 per month. This allowance covers the cost of phone service and equipment. Employees may no longer receive a separate reimbursement for equipment-related expenses

## **2.8 EDUCATION AND TRAINING**

### **2.8.1 TRAINING PROGRAMS, SEMINARS, AND CONTINUING EDUCATION**

The City of Beachwood will continue to pay the costs for license fees, applications, courses, seminars, materials, or continuing education fees in which members are required by law to attend or will enhance the qualifications for the performance in that person's employment category.

## 2.8.2

### **EDUCATIONAL PROGRAM, DEGREE, OR CERTIFICATE**

Full-time, non-probationary administrative employees shall be eligible for the reimbursement of tuition costs resulting from the employee taking courses from an accredited institution of higher learning providing that:

- a. As determined within the reasonable discretion of the Mayor, the course is directly related to the employment duties of the employee; or is a specifically required core course of a degree program related to the specific duties of the employee; or will enhance the qualifications for the performance in that person's employment category.
- b. The employee must obtain the City's approval for the course prior to the employee's enrollment and submit adequate documentation about course.
- c. The employee must be in the City's employment at the time of completing and being reimbursed for such approved course work.
- d. An employee who voluntarily resigns from the service of the City of Beachwood within one year after completing a course, for which tuition reimbursement is given, shall return the full amount of such reimbursement to the City.
- e. A grade of "C" or better must be obtained. For core courses which are taken on a pass/fail basis (and cannot be taken as a grade) a "pass" must be obtained. The schedule of reimbursement shall be at a rate of 100% for an A or B Grade or "pass" grade for a class that does not have the option of a grade, and 70% for a C or pass/fail class that had the option of a grade. Documentation of grade received must be provided to the City.
- f. Reimbursement shall be for tuition only and shall not include the costs of books or other educational materials.
- g. The maximum amount that will be reimbursed per credit hour shall be the highest credit hour cost of Cuyahoga Community College, Lakeland Community College, and Lorain Community College for an Associate Level Course, and the highest credit hour cost of Cleveland State University, Kent State University, and the University of Akron for an Undergraduate Level or Graduate/Post Graduate Level Course.

Specific information regarding the implementation of this benefit is outlined in the City's policy regarding Education and Training. All benefits provided shall be taxed in accordance with applicable Internal Revenue Service Codes.

**2.9 OTHER FRINGE BENEFITS**

The Mayor, at his discretion, may provide other fringe benefits he deems appropriate. Such benefits may include, but are not limited to, use of a city vehicle, coffee, meals, and refreshments. Such coffee, meals and refreshments can be provided to employees, elected officials or others. Such meals shall be in relation to and during the normal course of City business, and/or in conjunction with City functions. Any benefits provided shall be taxed in accordance with applicable Internal Revenue Service Codes. In the event that vehicles are provided, their usage shall be governed in accordance with the City’s policy.

**3.0 SALARY SCHEDULES AND SUPPLEMENTAL PAY**

**3.1 ORGANIZATIONAL CHART**

The Organizational Chart is outlined in Schedule A attached as an appendix to this Ordinance.

**3.2 PAY GRADE/RANGES**

Annual and hourly salaries for Administrative Personnel shall be paid in accordance with their job classification and pay grade. Pay Grades, including hourly and annual salaries are outlined in Schedule B attached as an appendix to this Ordinance. The normal bi-weekly payroll year consists of 26 pay periods. However, on occasion, there will be years in which there are 27 pay-periods. During these years the bi-weekly rate will be extended one additional pay period to include the 27<sup>th</sup> pay.

**3.2.1 ANNUAL ADJUSTMENT**

Due to benefit changes, Schedule B will be adjusted upward by \$800 one time to offset the cost shift. Increases for 2021, 2022, and 2023 will be 2.25%, 2.25% and 2.5%, respectively.

Thereafter the salary wage scale, Schedule B, will be adjusted annually based on the average wage adjustment received by all the City of Beachwood unions for that year. Employees must be currently employed with the City at the time the annual adjustment is granted in order to receive the increase including any retroactivity.

There are employees whose 2016 base rate of pay exceeds the new maximum salaries for their pay classification as set forth in Schedule B. Those employees will continue to receive their 2016 base rate of pay during their continued employment with the City or until Council changes the same. Those employees will be eligible for annual adjustments equal to the lessor of the average wage adjustment received by all of the City of Beachwood unions for that year or the Consumer Price Index for all Urban consumers (CPI-U). The CPI-U used shall be the increase for “All items, Unadjusted” as of

September 30, each year. If the CPI-U is a negative figure, employees will not receive an annual adjustment for that year.

**3.2.1 Repealed**

**3.3 SALARIES FOR ELECTED OFFICIALS**

Annual salaries for elected officials are specifically provided for under separate ordinances. . Elected officials shall be exempt from overtime provisions. Specific regulations and conditions of salaries for elected officials are more explicitly detailed under separate Ordinances.

**3.4 WAGE SCHEDULE FOR ADMINISTRATIVE PERSONNEL**

Wages for non-elected Administrative Personnel are detailed on Schedule D attached as an appendix to this Ordinance. Each position authorized in Schedule D is given a pay grade and an identification of the eligibility of each position for overtime payments are specified.

**3.4.1 SALARIES FOR NEW HIRES/RECLASSIFIED EMPLOYEES**

Newly hired and/or reclassified employees will be placed within the applicable pay grade at the Mayor’s discretion. All newly hired and/or reclassified employees who report directly to City Council will be placed within the applicable pay grade at the direction of the City Council President.

**3.4.2 ANNUAL PERFORMANCE EVALUATION/MERIT INCREASES**

Annually in November/December all administrative employees shall receive a performance evaluation in accordance with the City’s Performance Evaluation System. Based upon such evaluations, employees may be eligible to receive a step increase. Increases based upon performance are not guaranteed and are granted at the sole discretion of the Mayor. In addition to any applicable step increase, employees must receive a minimum evaluation of “Meets Expectations” to be eligible for an annual adjustment.

Department Directors will receive an annual evaluation by the Mayor, which may or may not be conducted in accordance with the City’s Performance Evaluation System. Compensation for the Department Directors will be set within the appropriate Pay Grade, per schedule D, at the sole discretion of the Mayor. Compensation for the Department Directors reporting to City Council will be determined by City Council in accordance with Schedule D.

New hires will receive their first annual performance evaluation effective on their anniversary date. All subsequent annual reviews shall be done in November/December. At the discretion of the Mayor, an employee may receive an additional step increase based on their first November/December evaluation.

The intention of this system is to have employees initially placed in a step within their pay grade and then advance a step each year upon obtaining a successful (meeting expectations) annual review until reaching their end step.

**3.5 SALARIES FOR OTHER APPOINTMENTS**

Salaries and rates of compensation for other positions appointed by the Mayor and/or Council are detailed on Schedule E attached as an appendix to this Ordinance.

**3.6 LONGEVITY PAY**

Full-time and interim employees shall be entitled to longevity pay based on the level of service time credited to employees in accordance with Section 1.6 of this Ordinance. Longevity for service shall be converted to an hourly rate and added to the employee’s base hourly rate in accordance with the schedule below. Longevity increases will be included with the first pay of the year corresponding with the length of service achieved during that calendar year.

<b>Years of Service Longevity</b>	<b>Annual Supplement</b>
7	\$1,500.00
8	\$1,550.00
9	\$1,600.00
10	\$1,650.00
11	\$1,700.00
12	\$1,750.00
13	\$1,800.00
14	\$1,850.00
15	\$1,900.00
16	\$1,950.00
17	\$2,000.00
18	\$2,050.00
19	\$2,100.00
20	\$2,150.00
21	\$2,200.00
22	\$2,250.00
23	\$2,300.00
24	\$2,350.00
25+	\$2,400.00

**3.7 WAGES FOR SEASONAL EMPLOYEES**

Wages paid on behalf of the City to all employees classified in Seasonal positions are detailed on Schedule F. Seasonal employees are exempt from overtime provisions of the FLSA under the amusement, recreational exemption and receive no other benefits except as prescribed by law.

**4.0 LIMITS ON QUANTITY AND COMPOSITION OF ADMINISTRATIVE STAFF**



The Mayor is authorized to hire employees for administrative positions detailed on Schedules D. In addition, the Mayor is limited to filling only positions listed on the attached Schedule D, and may not exceed the total quantity of positions of administrative staff unless expressly approved by Council.

## **6.0 RECREATION PROGRAMS**

### **6.1 AQUATIC CENTER**

The wage schedule for employees working in administrative or management positions at the Aquatic Center is defined in the attached Schedule F. Lifeguards and certified Water Safety Instructors (WSI) must present evidence of such certification before being actively employed as a Lifeguard or Water Safety Instructor.

#### **6.1.1 PRIVATE SWIM LESSONS AND GROUP SWIM CLASSES**

Private lessons and group swim classes **may** be conducted by an employee or contractor with a WSI certification or a lifeguard who is approved by the Aquatic Center Manager and/or or Community Services Director or their designee. City employees used as Private Lesson Instructors will be paid per lesson as defined in Schedule F

### **6.2 DAY AND SPORTS CAMPS/CLINICS**

The wage schedule for employees working in positions at Day and Sports Camps supervised by the Recreation Division is defined in the attached Schedule F.

The Community Services Director or their designee shall ensure that all camps meet the minimum staffing requirements of the State of Ohio, and that all terms and conditions of the Americans with Disabilities Act (ADA) are satisfied in camp operations and activities.

### **6.3 TENNIS CAMPS, CLINICS, AND LESSONS**

The Tennis Director and Court Attendants are employed under the Program Director and Program Aide positions in the general programs section of the attached Schedule F.

### **6.4 GAME OFFICIALS COMPENSATION**

Compensation paid to non-certified individuals serving as referees, umpires, or other forms of officiating is detailed on the attached schedule F. Individuals employed as certified officials will be paid as independent contractors and must present evidence of their certification to the appropriate Recreation Division supervisory personnel. The Community Services Director or their designee shall appoint employees to classifications in accordance with their level of prior experience and service in a similar capacity.

### **6.5 THEATRE AND DRAMA PRODUCTIONS**

- 6.5.1 COMPENSATION FOR DRAMA PRODUCER/DIRECTOR, CHOREOGRAPHER AND MUSICAL DIRECTOR**  
Positions will be covered under Assistant Program Director position under the general program section of the attached Schedule F.
- 6.5.2 DRAMA PRODUCTION STAFF**  
Services provided by members of the Drama Production staff will be classified as independent contractor services. Services include; Set Designer, Set Builder, Musicians, Costumer, and Prop Manager. Drama Production staff shall not be classified as City employees for purposes of benefits and/or other deductions.
- 6.6 CHILD CARE PROGRAMS**  
All Before and After Camp Child Care Programs conducted by the Recreation Division shall be staffed by individuals possessing appropriate qualifications, and at levels consistent with any regulations or guidelines applicable in Federal and/or State law. Child Care Personnel are classified as a Camp Director and Camp Counselors on Schedule F.
- 6.7 PROGRAM DIRECTORS AND ASSISTANT PROGRAM DIRECTORS**  
A Program Director is responsible for the design, coordination, and operation of a specific Recreation Program. The individual conducts the program with minimum supervision from the Community Services Director or their designee. . The Program Director may supervise additional program employees such as Assistant Program Directors or Program Aides. The Program Director will recommend the employment of additional staff if needed for the operation and safety of the program.

INTRODUCED BY:

RESOLUTION NO. 2022-4

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION FOR A GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES THROUGH NATUREWORKS GRANT PROGRAM; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the State of Ohio NatureWorks Grant Program; and

WHEREAS, the City of Beachwood, Ohio desires financial assistance under the NatureWorks Grant Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Beachwood, County of Cuyahoga, and State of Ohio, that:

Section 1: The Mayor is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources NatureWorks Grant Program for possible funding assistance.

Section 2: The City of Beachwood, Ohio similarly agrees to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Grant Program

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees, relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 4: This Resolution is declared to be an urgent measure immediately necessary for the public peace, health or safety or the efficient operation of the City, and for the further reason that the grant application may be submitted immediately to meet the August 15, 2022 deadline; wherefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Resolution shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 18<sup>th</sup> day of July, 2022, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 19<sup>th</sup> day of July, 2022.

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Clerk

Approval: I have approved this legislation this 19<sup>th</sup> day of July, 2022 and filed it with the Clerk.

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Mayor