Number: 26-11-068 Committee: Finance

**AN ORDINANCE PROVIDING FOR THE SALARIES AND COMPENSATION OF EMPLOYEES IN THE MUNICIPAL COURT SYSTEM FOR THE VAN WERT MUNICIPAL COURT, ESTABLISHING JOB CLASSIFICATIONS, SALARY RANGES AND LIMITATIONS, AUTHORIZING SPECIFIC NUMBER OF EMPLOYEES, PROVIDING FOR SICK LEAVE, VACATION SCHEDULE, ALLOWANCES, IMMUNIZATION AGAINST COMMUNICABLE DISEASES, OTHER BENEFITS AND DECLARING AN EMERGENCY**

Be it **ORDAINED** by the Council of the City of Van Wert, County of Van Wert, State of Ohio, to wit:

**Section 1. Scope**

That this Ordinance is intended to cover the following:

A. Regular job classifications, salary ranges, and hourly pay for all full-time, non-elective employees of the Van Wert Municipal Court.

B. Methods of placing individuals within their regular pay ranges for their jobs.

C. Maximum number of employees authorized for each job classification.

D. Work day, week and overtime compensation.

E. Accrual of sick leave.

F. Establishment of a Holiday Schedule.

G. Establishment of a Vacation Schedule.

H. Special allowances for specific classifications.

I. Administration of the job classification and pay schedule.

J. Hospitalization insurance with prescription coverage and life insurance benefits.

**Section 2. Authorized Personnel, Job Classification and Pay**

That a maximum number of employees, their titles, job classifications and pay ranges shall be provided in:

A. Exhibit I, which specifies the maximum number of employees in each job classification.

B. Exhibit II, which establishes the pay ranges for each authorized classification.

**Section 3. Placement**

Placement within each pay range is recommended by the Chief of the Department, based upon the employee's experience, length of service, qualifications and job performance, subject to the approval(s) outlined below:

| DEPARTMENT | APPROVALS |
|---|---|
| A. Municipal Court Clerk | Judge |
| B. Clerk's Office | Municipal Court Clerk<br>Judge |
| C. Probation Department | Municipal Court Clerk<br>Judge |
| D. Security and Maintenance | Municipal Court Clerk<br>Judge |

**Section 4. Holidays**

All employees in the MUNICIPAL COURT, who are classified and considered full-time employees, shall receive THEIR REGULAR RATE OF COMPENSATION FOR THE FOLLOWING DAYS AS HOLIDAY PAY:

1. NEW YEAR'S DAY
2. MARTIN LUTHER KING DAY
3. PRESIDENT'S DAY
4. GOOD FRIDAY (4 HOURS)
5. MEMORIAL DAY
6. JUNETEENTH DAY
7. INDEPENDENCE DAY
8. LABOR DAY
9. COLUMBUS DAY
10. VETERAN'S DAY
11. THANKSGIVING DAY
12. DAY AFTER THANKSGIVING
13. CHRISTMAS EVE (4 HOURS)
14. CHRISTMAS DAY
15. NEW YEAR'S EVE (4 HOURS)
16. TWO (2) PERSONAL DAYS

Any holiday leave time not used by December 31 of each year shall be forfeited.

**PERSONAL DAYS MAY BE USED AT THE DISCRETION OF THE EMPLOYEE AFTER RECEIVING PRIOR APPROVAL FROM THE CLERK, COURT ADMINISTRATOR, OR JUDGE.**

**THE HOLIDAY SHALL BE CONSIDERED THE DAY UPON WICH SAID HOLIDAY IS CELEBRATED, IF NOT CELEBRATED ON THE CALENDAR DAY UPON WHICH IT FALLS. SHOULD THE PAID HOLIDAY FALL ON A SATURDAY OR SUNDAY, THE PRECEDING FRIDAY OR THE FOLLOWING MONDAY SHALL BE GIVEN OFF UNLESS ANOTHER DATE IS DESIGNATED BY THE JUDGE.**

**Section 5. Standard Work Day, Week and Overtime**

The standard work hours per day and/or week for the Court and all its employees shall be Eight (8) hours per day, Forty (40) hours per week.

The hourly rate shall be calculated as follows for eligible employees:

Annual salary divided by total number of annual work hours.

Overtime for eligible employees shall be one and one-half (1 ½) times the employee's hourly rate.

**Section 6. Authorizing New Job Classifications**

This Ordinance authorizes the number of employees in their respective job categories. In the event a new job classification for which no vacancy exists, due to the promotion of an employee to a higher-ranked job, the Chief of the Department shall prepare a detailed job description and submit it along with the request for creating the new job classification through the Municipal Court Clerk and the Judge.

**Section 7. New Appointees**

As a rule, a new employee shall be paid the minimum rate of pay for the employee's grade. Exceptions may be granted only with the written approval of the person(s) as set forth in Section 3, "Placement".

**Section 8. Promotions**

When an employee is promoted to a position in a higher grade, the employee's salary shall fall within the range for the higher grade. Promotional increases may be delayed for a period not to exceed ninety (90) days pending proven ability to perform the job to which promoted.

There shall be no immediate change in the salary rate of an employee who is transferred unless the employee's salary is below the approved minimum of the position in a grade having a higher salary range than the grade from which the employee was transferred, such change shall be deemed a promotion, and the provision governing promotions shall apply.

**Section 9. Demotions**

When an employee is demoted to a lower-grade position, the employee shall be paid at a rate that is within the approved range for the lower-grade position. The rate of pay shall be set by the Municipal Court Clerk and the Judge.

**Section 10. Reallocations Downward**

When an employee's job classification is reallocated to a lower classification, the employee shall be permitted to continue at the employee's present rate of pay during the period of incumbency (except in the event of general service-wide reductions) but shall not be entitled to a salary increase.

**Section 11. Reinstated Employees**

A reinstated employee shall be paid at a salary rate within the approved salary range for the job classification in which the employee is reinstated and may be reinstated at the minimum pay of the appropriate grade and may be treated as a new employee.

**Section 12. Merit Adjustment**

Each employee's salary shall be reviewed prior to January 1 of each year by the employee's respective Chief for the purposes of determining which employees shall receive salary increases. All personnel records, tardiness, performance and length of service shall be considered in making recommendations. After the analysis by the Municipal Court Clerk and the Judge, an employee may be eligible for an increase up to the maximum authorized as set forth in Exhibit II. As a general rule, no employee shall be entitled to more than one (1) merit increase each year.

**Section 13. Longevity Pay**

Employees shall receive compensation based upon their years of service according to the following schedule:

The employee shall be entitled to receive Fifty Dollars ($50.00) for each year of service over five (5) years. This amount shall be paid in a lump sum the first payday after the first full pay period after January 1. The maximum amount paid under this Section shall not exceed Twelve Hundred and Fifty Dollars ($1250.00).

The longevity amount shall be due any employee who has obtained five and one-half (5 ½) years of service by January 1st. Years of service shall be based upon the years credited in the employee's respective retirement plan.

**Section 14. Bonds**

Each employee of the City of Van Wert, Ohio shall be covered by a bond of at least five thousand dollars ($5,000) to be obtained by and paid for by said City under a blanket bond policy.

**Section 15. Temporary Employees**

The employment of as many additional temporary employees as necessary for the Administration of the Van Wert Municipal Court, be and hereby is authorized.

Employees classified as temporary employees shall receive a wage determined by the Municipal Court Clerk; unless filling the duties of a job classification on Exhibit I, then the wage shall be determined by Exhibit II.

Said duly authorized job classification of temporary employees shall not qualify the person so employed for said job classification for any fringe benefits to which full-time employees are entitled, excluding sick leave.

**Section 16. Vacation Leave**

Each employee of the Court shall be entitled to vacation leave beginning January 1 of each year as follows:

| | |
|---|---|
| Less than 1 year | Pro-rated |
| Over 1 but less than 8 years | 2 weeks |
| Over 8 but less than 15 years | 3 weeks |
| Over 15 but less than 22 years | 4 weeks |
| Over 22 years | 5 weeks |

A maximum of one week of unused vacation can be carried over to the following year, provided that no employee shall have available more than the current year's accrual of vacation plus one week.

VACATION POLICIES ARE GOVERNED BY THE VAN WERT MUNICIPAL COURT PERSONNEL POLICY AND PROCEDURE MANUAL.

**Section 17. Sick Leave**

THE COURT'S PERSONNEL POLICY AND PROCEDURE MANUAL GOVERNS THE SICK LEAVE POLICY.

For employees hired before July 1, 2014 and who retires after ten (10) or more years of service with the City of Van Wert and gives not less than one (1) year nor more than (15) months written notice of the sixty (60) day window during which he/she intends to retire, shall be paid 35% of accrued but unused sick leave, up to a maximum of 750 hours.

For employees hired on or after July 1, 2014 and who retires after ten (10) or more years of service with the City of Van Wert and gives not less than one year nor more than fifteen (15) months written notice of the sixty (60) day window during which he/she intends to retire, shall be paid 35% of hours accrued but unused sick leave, up to a maximum of 360 hours.

If the employee fails to retire during the specified window period, the time limits for notification stated above shall start over.

If less than one (1) year of notice of retirement is provided by the employee or the employee does not have 1000 or more hours accrued but unused sick leave as of his/her date of retirement, the employee shall be paid for twenty-five percent (25%) of the employee's accumulated but unused sick leave balance, not to exceed a maximum payment of two hundred forty (240) hours, except in cases where the employee retires due to disability. This payment shall be based on the employee's hourly rate of pay at the time of retirement.

Upon accepting either payment as described above, all sick leave credit accrued up to that time will be eliminated. Sick leave conversion does not apply to any termination or separation other than a disability of service retirement under the Ohio Police and Fire Pension Fund at the time of separation from employment with the City of Van Wert.

**All payments for qualifying payout settlement items (vacation, sick leave upon retirement, personal days, comp time, holidays earned, etc.) shall be based on the employee's base pay at the time of resignation, termination or retirement.**

**Section 18. Insurance Provisions**

Any full-time employee covered by this Ordinance shall receive hospitalization and medical insurance. Family coverage shall be provided where appropriate.

Any full-time employee shall receive a life insurance policy on the employee's life in the face value equivalent to the employee's annual salary, rounded off to the next higher thousand dollars with a maximum $50,000.00 face value.

**Section 19. Immunization for Communicable Diseases**

City employees shall be reimbursed for medical costs incurred for immunizations necessitated by exposure to communicable diseases while acting in the line of duty.

**Section 20. Responsibility for Administration**

The Judge and Municipal Court Clerk shall be responsible for salary administration for all job classifications as set forth in this Ordinance and shall be responsible for salary administration for all employees on an equitable basis.

**Section 21. Interpretation**

The Municipal Court Clerk and the Judge shall be responsible for interpreting the application of this Ordinance in those situations not specifically covered, using the principles expressed herein as a policy guide.

**Section 22. Review and Amendment**

Prior to the annual submission of the permanent budget to City Council, the Judge shall complete a review of this Ordinance and submit the Judge's findings together with the recommended amendments to the City Council.

**Section 23. Repeal of Inconsistent Ordinances**

All Ordinances or parts of Ordinances inconsistent with this Ordinance and passed prior to the effective date of this Ordinance are and the same hereby are repealed simultaneously with the effective date of this Ordinance.

## Section 24 – Emergency Measure

This Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and welfare, and as an emergency measure this ordinance shall take effect and be in force from and after its passage by City Council and approval by the Mayor.

**Section 25. Effective Date**

This Ordinance shall be effective January 1, 2027.

Passed this _____.

_____
Thad R. Eikenbary – Council President

Attest: _____
Stephanie R. Phillips, Clerk of Council

_____
Kenneth J. Markward, Mayor

**EXHIBIT I**

| NUMBER OF EMPLOYEES AUTHORIZED | DEPARTMENT | TITLE |
|---|---|---|
| | COURT EMPLOYEES AND PERSONNEL(*) | |
| 3 | MUNICIPAL COURT | ACTING JUDGE |
| 1 | MUNICIPAL COURT | MAGISTRATE |
| 1 | MUNICIPAL COURT | MEDIATOR |
| 1 | MUNICIPAL COURT | MUNICIPAL COURT CLERK |
| 2 | MUNICIPAL COURT | CHIEF DEPUTY CLERK |
| 8 | MUNICIPAL COURT | DEPUTY CLERK |
| 2 | MUNICIPAL COURT | COURT SECURITY OFFICER |
| 2 | MUNICIPAL COURT | BAILIFF |
| 1 | MUNICPAL COURT | FACILITIES MANAGER |
| 1 | MUNICIPAL COURT | CHIEF PROBATION OFFICER |
| 2 | MUNICIPAL COURT | PROBATION OFFICER |
| 1 | MUNICIPAL COURT | STUDENT BAILIFF |
| 3 | MUNICIPAL COURT | INTERPRETER |

(*) AN EMPLOYEE'S DESIGNATION AS SALARIED, HOURLY, FULL-TIME, PART-TIME OR TEMPORARY SHALL BE AUTHORIZED BY THE MUNICIPAL COURT JUDGE.

**EXHIBIT II**

COURT EMPLOYED AND APPOINTED PERSONNEL

| | Minimum | Maximum |
|---|---|---|
| ACTING JUDGE | SAME RATE OF P AY AS THE INCUMBENT JUDGE* | |
| MAGISTRATE | $61,565.70 | $105,000.00 |
| MEDIATOR | $100/HOUR | $175/HOUR |
| MUNICIPAL COURT CLERK | $54,600.00 | $76,440.00 |
| CHIEF DEPUTY CLERK | $37,128.00 | $70,261.80 |
| DEPUTY CLERK | $32,760.00 | $54,600.00 |
| ADMINISTRATIVE ASSISTANT | $32,760.00 | $43,555.52 |
| COURT ADMINISTRATOR | $43,555.52 | $76,440.00 |
| CHIEF PROBATION OFFICER | $43,680.00 | $69,300.00 |
| PROBATION OFFICER | $32,744.72 | $63,000.00 |
| COURT SECURITY OFFICER | $32,760.00 | $63,000.00 |
| BAILIFF | $15.00/HOUR | $28.85/HOUR |
| FACILITIES MANAGER | $15.00/HOUR | $30.00/HOUR |
| STUDENT BAILIFF | $12.00/HOUR | $18.00/HOUR |
| INTERPRETER | $25.00/HOUR | $55.00/HOUR |

(*) PER OHIO REVISED CODE SECTION 1901.121, THE ACTING JUDGE IS TO BE PAID ON PER DIEM BASIS AT THE SAME RATE AND IN THE SAME MANNER AS THE INCUMBENT JUDGE. VAN WERT COUNTY REIMBURSES THE CITY OF 40% OF THIS EXPENSE AND CURRENT OHIO LAW ALLOWS REIMBURSEMENT FROM THE STATE FOR THE REMAINING PAY.

(**) MEDIATIOR'S COMPENSATION AND FIRNGE BENEFITS ARE TO BE PAID FROM THE MUNICIPAL COURT MEDIATION FUND (213).