

ORDINANCE NO. 2015-9

AN ORDINANCE TO AMEND SECTION 179.07 (OVERTIME FOR NON-ALIGNED EMPLOYEES) OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1. That Section 179.07, OVERTIME FOR NON-ALIGNED EMPLOYEES, of the Codified Ordinances is hereby amended to read as follows:

Section 179.07 OVERTIME FOR FLSA NON-EXEMPT EMPLOYEES

Effective with the pay period commencing on February 7, 2015, the overtime policy for FLSA non-exempt employees shall be as follows:

- (a) The rate of compensation for overtime hours worked by full-time employees shall be determined by dividing the annual salary by 1,820 hours for those working a thirty-five hour week and by 2,080 hours for those working a forty-hour week; and by multiplying the quotient by the number of hours worked in the performance of overtime duties.
- (b) The method of compensation shall be determined as follows:
  - (1) employees normally working a thirty-five work week, having overtime that increase their weekly total hours worked to not more than forty:
    - A. The employee may take an equal number of hours off during a subsequent work day to compensate for the overtime hours worked.
    - B. The employee may request to be paid for such overtime hours not to exceeding forty hours per week; such payment to be made at the employees regular rate of pay.
  - (2) When employees normally working a thirty five or thirty seven and one-half hour work week have overtime hours that increase their weekly total of hours worked in excess of forty hours, or when an employee normal working a forty-hour work week has overtime hours in excess of forty hours per work week the following may occur:
    - A. The employee may, at a rate of one and one half hours for each overtime hour worked, take an equal number of hours off during a subsequent work day, if the day chosen falls within the same work week.
    - B. If the compensatory time-off cannot be scheduled within the same work week, the overtime hours in excess of forty hours:
      1. May at the employee's request be paid to the employee at one and one-half times the employees non-overtime rate of pay.
      2. The employee may convert such overtime hours to an equal amount of compensatory time-off at a rate of one and one half hours for each overtime hour worked; to be used at a later time, subject to the approval of departmental supervision. (Such bank of accumulated unused compensatory time shall not exceed 96 hours).

Section 2. Section 179.07 OVERTIME FOR NON-ALIGNED EMPLOYEES, as it heretofore existed is repealed effective immediately.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4. This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace and safety of this municipality and for the further reason that it is immediately necessary to amend Section 179.07 to provide for FLSA non-exempt employee overtime; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: 2-9-2015

[Signature]  
PRESIDENT OF COUNCIL PRO-TEM

ATTEST: Florence G. Bohdan

2-9-2015  
APPROVED

FILED WITH  
THE MAYOR: 2-9-2015

[Signature]  
ACTING MAYOR