

ORDINANCE NO. 04-05  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks A. Compton ON THE  
20<sup>th</sup> DAY OF June, 2005.

AN EMERGENCY ORDINANCE AMENDING THE PERSONNEL  
MANUALS OF THE CITY OF CENTERVILLE.

WHEREAS, the City of Centerville previously adopted personnel manuals for its  
employees at the Golf Club at Yankee Trace and for all other City employees; and

WHEREAS, experience has dictated that certain changes should be made to said manuals.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
ORDAINS:

Section 1. That the Regular City Manual is hereby amended with the bracketed portions  
deleted, and the italicized portions added.

**Section 4.09 E relating to the Family Medical Leave Act:**

[E. Utilization of Accumulated Paid Leave: Employees may take any accumulated paid leave  
prior to requesting their twelve (12) week unpaid FML leave. Once an employee has  
exhausted paid leave, or opts to go into unpaid status, he or she must apply for FML leave  
in accordance with C. above if he or she wishes to avail themselves of FML leave.]

E. Utilization of Accumulated Paid Leave: *The FMLA requires that the City allow an  
employee unpaid leave when he or she is eligible, as described above. The law permits the City  
to require the employee to use accrued paid leave, which may be counted concurrently with  
family medical leave. Accordingly, family medical leave will be counted concurrently with other  
paid leaves (e.g., sick leave, vacation, personal days). Therefore, an employee will have his or  
her paid leave counted toward the 12-week FMLA allowance, until such paid leave has been  
exhausted. After all applicable paid leaves are exhausted, any remaining FML will be unpaid.  
Eligible employees may, but are not required, to use accrued compensatory time during family  
medical leave. If compensatory time is used, it will not count against the 12-week leave  
entitlement.*

**Section 4.17 Tuition Reimbursement:**

[A. Subject to budgetary constraints, any full-time employee who has passed his or her  
probationary period is eligible for participation in the Tuition Reimbursement Program.

Police Cadets and Officers will be eligible for tuition reimbursement after six (6) months of employment.

B. The course of study must be reasonably related to the employee's job, and the employee must seek approval for participation in the reimbursement program from the City Manager prior to the start of actual course work. Reimbursement will be made at the conclusion of the course work, and after submission by the employee of documents showing completion and passing grades. Reimbursement will be based on the following schedule:

1. Final Grade:

"A" 80% reimbursement  
"B" 60% reimbursement  
"C" 45% reimbursement  
"D" No reimbursement

2. Pass/Fail Grading Systems:

Pass 50% reimbursement  
Fail No reimbursement

C. Employees who work for the City less than one (1) year after being reimbursed for college course work, must repay a portion of the money he or she received for the course(s). Repayment will be based on the following schedule:

<u>Date of Termination</u>	<u>Percent to Pay After Reimbursement</u>
0-6 months following course	100%
7-9 months following course	75%
10-12 months following course	50%

Full months only will be counted in calculating the number of months worked.

D. The maximum amount an employee can be reimbursed in any calendar year will be set annually.

E. Repayment due for college level course work may be withheld from the employee's last paycheck.]

*It is the policy of the City of Centerville to encourage its employees to further their education in fields related to their job requirements through a tuition assistance program, subject to budget constraints in each fiscal year.*

*A. Eligibility*

*The City of Centerville will assist full-time, year-round employees who have successfully completed his or her probationary period. Police cadets and officers will be eligible for tuition assistance after six (6) months of employment.*

*Assistance for academic programs beyond a bachelor's degree is available for police department employees with a rank of sergeant or above and city employees at the level of assistant department/division head or above, contingent upon funding availability.*

*Eligible employees may become ineligible for tuition reimbursement under this program if the employee has received a formal written reprimand within 6 months prior to his or her request for pre-approval. Eligibility of employees with a formal written reprimand shall be addressed on an individual basis.*

*B. Limits and General Provisions*

*The City of Centerville will reimburse for tuition expenses, not including fees, books, or supplies. Employees will not be reimbursed for college/university credit obtained for life experience, even if offered through an approved school. No assistance will be paid under this program that would be greater than the total tuition cost of the course(s) less any scholarship, grant, or other assistance that does not have to be repaid.*

*Failure to disclose, or falsification of, information regarding other sources of assistance may disqualify the employee from participation in the tuition assistance program.*

*All courses must be part of an Associate's, Bachelor's, or Master's degree program and must be related to an employee's work or lead to a business-related or job-related degree, as determined by the employee's manager or department head. Additionally, all courses must be taken through a school, college, or university accredited by one of the six nationally recognized accrediting associations. The six accreditation associations are: MSA—Middle States Association; NASC—Northwest Association of Schools & Colleges; NCA—North Central Association of Colleges & Schools; NEASC—New England Association of Schools & Colleges; SACS—Southern Association of Colleges & Schools; WASC—Western Association of Schools & Colleges.*

*On-line or distance learning courses may be eligible for reimbursement, provided the course is taken through a school, college, or university accredited by one of the six nationally recognized accreditation associations listed above.*

*At the conclusion of a successfully completed course, the city will reimburse employees pursuant to the following schedule:*

1. Final Grade

"A" 100% reimbursement  
"B" 80% reimbursement  
"C" 65% reimbursement

*There will be no reimbursement to an employee for courses in which the employee receives a grade lower than a "C".*

2. Pass/Fail Grading Systems:

Pass 50% reimbursement  
Fail No reimbursement

*Reimbursement rates are not affected by grades that are accompanied by a plus sign (+) or minus sign (-). For example, an eligible employee who receives a B+ will be reimbursed at 80%. Likewise, an eligible employee who receives a B- will be reimbursed at 80%.*

*Tuition assistance for eligible employees will be provided up to a maximum of \$3500 per year.*

C. Procedure for reimbursement

*Under this tuition assistance program, an employee must obtain approval from his or her department/division head, the finance director, and the city manager prior to the start of the actual course work. To do so, an employee should complete the form entitled, "City of Centerville Application for Tuition Assistance Program," which may be obtained from the human resources department.*

*After completion of the course, the employee must submit proof of payment and an official grade report to the human resources department. Proof of payment can be established by a bursar's receipt, a copy of a canceled check, or a copy of the tuition bill.*

*The provisions of this tuition assistance program shall not affect employees actively enrolled under the former tuition reimbursement program. Employees enrolled under the former program shall continue to seek approval prior to the start of course work by completing the "City of Centerville Application for Tuition Assistance Program." The city manager shall continue to consider each employee's application on a case-by-case basis, subject to budgetary constraints.*

D. Repayment upon separation from the City of Centerville

*If an employee receiving tuition reimbursement assistance voluntarily leaves the city*

within 24 months of completing a course(s), he or she must repay a portion of the money received for the course(s). Only full months will be counted in calculating the number of months worked. Repayment may be withheld from the employee's last paycheck and will be based on the following schedule:

<u>Date of termination</u>	<u>Percent to pay after reimbursement</u>
0-12 months following course	100%
13-24 months following course	50%
25+ months	0%

Section 2. That the Yankee Trace Manual is hereby amended with the bracketed portions deleted, and the italicized portions added.

**Section 4.08 E Family and Medical Leave Act:**

[E. Utilization of Accumulated Paid Leave: Employees may take any accumulated paid leave prior to requesting their twelve (12) week unpaid FML leave. Once an employee has exhausted paid leave, or opts to go into unpaid status, he or she must apply for FMLA leave in accordance with C. above if he or she wishes to avail themselves of FMLA leave.]

E. Utilization of Accumulated Paid Leave: *The FMLA requires that the City allow an employee unpaid leave when he or she is eligible, as described above. The law permits the City to require the employee to use accrued paid leave, which may be counted concurrently with family medical leave. Accordingly, family medical leave will be counted concurrently with other paid leaves (e.g., sick leave, vacation, personal days). Therefore, an employee will have his or her paid leave counted toward the 12-week FMLA allowance, until such paid leave has been exhausted. After all applicable paid leaves are exhausted, any remaining FML will be unpaid. Eligible employees may, but are not required, to use accrued compensatory time during family medical leave. If compensatory time is used, it will not count against the 12-week leave entitlement.*

Section 3. This Ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting the public welfare is declared to exist by virtue of the immediate need to reorganize the personnel manuals of the City.

PASSED this 20<sup>th</sup> day of June, 2005.

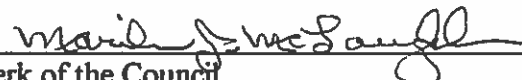
  
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Mayor of the City of Centerville, Ohio

ATTEST:

  
Clerk of Council, City of Centerville, Ohio

**CERTIFICATE**

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 04-05, passed by the Council of the City of Centerville, Ohio, on the 20<sup>th</sup> day of June, 2005.

  
Clerk of the Council

Approved as to form, with current Ordinances,  
the Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Interim Municipal Attorney