

AN ORDINANCE  
AMENDING SUBSECTIONS (A) AND (D) OF SECTION 149.06  
OF THE CODIFIED ORDINANCES OF THE VILLAGE OF  
CHAGRIN FALLS RELATING TO OVERTIME, AND  
DECLARING AN EMERGENCY.

WHEREAS, Section 149.06 of the Codified Ordinances provides for overtime pay; and

WHEREAS, subsection (a) of Section 149.06 provides for different overtime pay calculations for the Finance Department and the Public Service Department; and

WHEREAS, the Village's practice is to calculate overtime pay for employees of the Public Service Department in the same manner as overtime pay for employees of the Finance Department; and

WHEREAS, this Council desires to amend subsection (a) of Section 149.06 to provide for an overtime pay calculation for employees of the Public Service Department that is consistent with practice; and

WHEREAS, the schedule of Police Radio Dispatchers may change to a twelve (12) hour day schedule; and

WHEREAS, this Council desires to amend subsection (a) of Section 149.06 to provide for overtime pay for Police Radio Dispatchers who work more than forty hours in any work week; and

WHEREAS, this Council desires to amend subsection (d) to define hours worked for purposes of calculating overtime for Village employees.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That existing subsection (a) and existing subsection (d) of Section 149.06, Overtime, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

**"149.06 OVERTIME.**  
**(a) Full-Time Employees.**

(1) Finance Department and Public Service Department. Every regular full-time employee in the Finance Department and every regular full-time employee in the Public Service Department shall be entitled to receive additional compensation at the rate of time-and-one-half for hours worked either:

- A. In excess of eight hours in any single work day; or
- B. In excess of forty hours in any given work week; or
- C. On the employee's Saturday; or

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- D. In excess of eight hours in any continuous twenty-four hours beginning at the starting time of the employee's shift.

An employee who works on the employee's regularly scheduled day off shall receive time-and-one-half for hours worked, and the minimum payment under this provision shall be not less than four hours of pay at the employee's straight time rate. A Service Department employee who works on the employee's holiday as authorized by the department head shall receive double time.

(2) Police Radio Dispatchers. Every police radio dispatcher shall be entitled to receive additional compensation for all time worked in excess of forty hours in any one week period at the rate of one and a half times their regular hourly rate.

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(d) Work Day/Hours Worked for Overtime Calculation.

(1) Work Day. A work day consists of the twenty-four consecutive hours beginning at the same time each calendar day. Changes in an employee's starting time or work shift may be made at any time to meet the needs of the Village. Generally, however, when such changes are made for a short period of time (generally less than two days) with the expectation that the employee will return to his original starting time of his work shift, his regular starting time of his work shift should not be changed.

(2) Hours Worked for Overtime Calculation. For purposes of calculating all employee overtime in this section 149.06, paid holiday time, paid vacation time, and paid sick leave shall be counted as hours worked. Other paid and unpaid time-off shall not be counted as hours worked.

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SECTION 2. That existing subsection (a) and existing subsection (d) of Section 149.06, Overtime, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the

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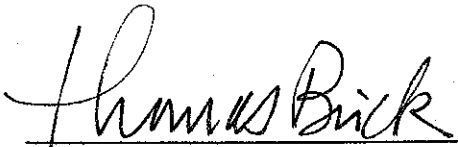
further reason that this Ordinance must be immediately effective so that the Village may provide overtime compensation to Police Radio Dispatchers in a manner that reflects the new twelve hour Police Radio Dispatcher schedule; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: April 25, 2011

  
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Council President

Submitted to the Mayor for  
his approval on this  
26 day of April, 2011

Approved by the Mayor  
April 26, 2011

  
\_\_\_\_\_  
Mayor

I hereby certify that Ordinance No. 2011-22 was duly enacted on the 25 day of April, 2011, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

  
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Clerk of Council