

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2022-13**

**AN ORDINANCE AMENDING ORDINANCE 2020-24 REGARDING THE CITY'S
SICK LEAVE POLICY AS DEFINED IN SECTION 6.03 OF THE CITY OF SOUTH
LEBANON'S PERSONNEL POLICY AND PROCEDURE MANUAL**

WHEREAS, with the assistance of human resources consultant Clemans Nelson & Associates, the City (formerly Village) created and the Council approved Ordinance No. 2020-24 on November 5, 2020, placing in effect the City's (formerly Village) Personnel and Policy Procedure Manual for the City's employees; and

WHEREAS, Section 6.03 of the City's Personnel and Policy Procedures Manual defines the City's Sick Leave Policy; and

WHEREAS, in accordance with Ohio Revised Code (ORC) § 124.38, the City's sick leave policy entitles full-time employees to accrue four and six-tenths (4.6) hours for each eighty (80) hours worked; and

WHEREAS, the policy defines acceptable reasons for sick leave requests; and

WHEREAS, medical or dental appointments that cannot be scheduled during off-duty hours are considered acceptable uses for sick leave; and

WHEREAS, it is the recommendation of City staff that the policy be amended to require a absence excuse from a licensed medical practitioner for any appointment that requires more than four (4) hours of sick leave usage; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Lebanon, at least a majority of all members elected thereto concurring:

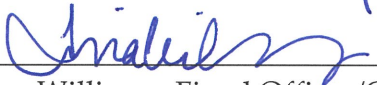
Section 1. That the Council does hereby amend Ordinance No. 2020-24 for the proposed changes to Section 6.03 of the City's Personnel Policy and Procedure Manual, a copy of which is attached hereto and incorporated herein by reference.

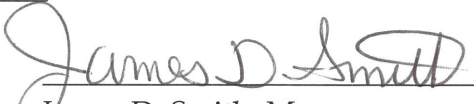
Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Ordinance 2022-13 Amended Sick Leave Policy

Section 3. That it is found and determined that all formal actions of the Council concerning and relating to passing this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 5th day of May, 2022.

Attest: 
Petrina Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: / /2022 (if applicable) Effective Date – / /2022

Vote - ____ Yeas
 ____ Nays

First Reading – 4 / 7 /2022

Effective Date – 6 / 5 /2022

Second Reading – 4 / 21 /2022

Third Reading – 5 / 5 /2022

Vote - 6 Yeas
 ____ Nays

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: 

Date: 5/5/2022

SICK LEAVE

SECTION 6.03

Sick leave for full-time employees shall accumulate at a rate of ~~4.623~~ hours for each ~~eighty~~~~forty~~ (~~8040~~) hours worked. The maximum accrued sick leave shall be one hundred eighty (180) days. An employee must be in active pay status which is defined as hours worked and hours spent on paid leave time (vacation, holidays, sick leave, funeral leave, civil leave). However, a full-time employee shall not accrue additional sick leave through the working of overtime.

An employee may request sick leave upon proper notice in writing to his/her department head or other designated individual. Sick leave may be requested for the following reasons:

- A. Illness or injury of the employee or illness or injury of a member of the employee's immediate family when personal attention on the part of the employee is necessary.
- B. Exposure of the employee or a member of his/her immediate family to a contagious disease which would have the potential of jeopardizing the health of the employee or the health of others.
- C. Leave approved in excess of Funeral Leave for death of a member of the employee's immediate family.
- D. Medical or dental appointments that cannot be scheduled during off-duty hours. Paid sick leave for such appointments shall be limited to four (4) hours, unless an absence excuse from a licensed medical practitioner states otherwise.
- E. Pregnancy, childbirth, and/or related medical conditions of the employee. ~~Male-An~~ employees may use sick leave to care for the employee's ~~spouse~~~~wife~~ and family during and following delivery; however, such paid sick leave shall be limited to five (5) consecutive days, unless there are unusual medical complications. Paid sick leave shall not be used for child care purposes.

For the purposes of this policy "immediate family" shall be defined as spouse, child, and parent.

Due to the diverse nature of ~~City~~~~Village~~ operations, each department head will establish his/her own procedures and requirements regarding an employee reporting off from work due to illness or injury.

A certificate stating the nature of the illness from a licensed medical practitioner shall be required to justify the use of sick leave if an employee is absent for more than two days for medical reasons. The ~~City~~~~Village~~ maintains the right to investigate an employee's absence, including the right to request that an employee obtain an absence excuse from a licensed medical practitioner. Altering or falsifying a written, signed excuse shall be grounds for discipline.

Vacation leave may be used for sick leave purposes, at the employee's request and with the approval of the department head, after sick leave is exhausted. Employees who have exhausted all sick leave and vacation leave credits may, at the discretion of the employer, be granted a personal leave of absence without pay for a period not to exceed thirty (30) days.

The fiscal officer's office shall keep written records of sick leave accrued or credited, sick leave taken, and the balance of sick leave for each employee. The fiscal officer will notify the department head if an employee does not have enough sick leave to cover a period of absence.

An employee who receives temporary total Workers' Compensation benefits from the state of Ohio for a work-related injury, shall, if the employee has sick leave available, receive sick leave payment from the ~~Village-City~~ of South Lebanon for the difference between his/her regular pay and the temporary total Workers' Compensation benefits. This shall continue until the temporary total Workers' Compensation benefits are terminated, or until all available and accrued sick leave is used, whichever is earlier. This provision of this policy does not apply to an employee who is eligible to receive partial or permanent disability benefits from Workers' Compensation.

Employees who retire with OPERS may receive payment for twenty-five percent (25%) of unused sick leave balance up to a maximum payment of 240 hours.