

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-25**

**AN ORDINANCE AMENDING SECTION 5.06 [ON-CALL DUTIES] OF THE
CITY'S PERSONNEL POLICY MANUAL, AND DECLARING AN EMERGENCY**

WHEREAS, per Ordinance No. 2020-24, the then-Village Council amended, in its entirety, South Lebanon's Personnel Policy Manual (PPM); and,

WHEREAS, the City Personnel Committee met on June 21, 2023, and, upon input from City Staff, is recommending changes to the "On-Call" section of the City's PPM, as attached; and,

WHEREAS, immediate action is required to make changes effective immediately for the City's Public Works employees, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. That Section 5.06 of the City's Personnel Policy Manual is hereby amended as attached "Exhibit 1, *effective July 24, 2023.*

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

Section 3. That this Ordinance is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.


Section 4. 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.

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Adopted this 6th day of July, 2023.

Attest: 
Petrina D. Williams, Director of Finance


James D. Smith, Mayor

Rules Suspended: 7/62023 (if applicable)

Effective Date - 7/242023

Vote - 6 Yeas

____ Nays

First Reading - / /2023

Effective Date - / /2023

Second Reading - / /2023

Vote - ____ Yeas

____ Nays

Prepared by and approved as to form:

ANDREW P. MEIER
LAW DIRECTOR
CITY OF SOUTH LEBANON, OHIO

By: 

Date: 7/62023

ON-CALL DUTIES**SECTION 5.05**

From time to time, certain employees may be placed in on-call status. An employee placed in on-call status is responsible for being accessible at all times by a CITY ~~Village~~-provided "On-Call" Cell Phone. The employee must RESPOND ~~answer or return the call~~ to the Warren County Communications Center within THIRTY (30) ~~five (5)~~ minutes of the initial call and be able to be onsite within NINETY (90) ~~thirty (30)~~ minutes. DEPENDING ON THE NATURE OF THE CALL OUT, THE CITY ADMINISTRATOR OR DESIGNEE RESERVES THE RIGHT TO CALL IN ADDITIONAL PUBLIC WORKS PERSONNEL DURING THE RESPONSE WINDOW IF NECESSARY. It shall be the employee's responsibility to assure the cell phone is adequately charged and within reception range. No employee placed in an on-call status, may trade or assign his or her on-call duty with a fellow employee without prior written authorization of the Department Head. An employee placed in on-call status shall comply with all provisions of Chapter 7 [Conduct] of the CITY's ~~Village's~~ Personnel Policies and Procedures during the time waiting to respond to a call from duty, including without limitation the prohibitions for use of alcoholic beverages and drugs.

EMPLOYEES IN "ON-CALL" STATUS WILL BE PAID \$200 FOR THE WEEK THEY ARE ON-CALL. If the employees placed on-call are free to pursue their own activities, and the only stipulation is that they be available for on-call duties, they will not be compensated for time spent waiting to respond to a call to duty. However, if an employee in on-call status is directed to perform job duties, he/she will be compensated from the time he/she leaves his/her home, or other location (up to fifteen [15] minutes), to the time he/she returns to his/her home, or previous location. ANY PERSON IN "ON-CALL" STATUS WHO CALLS IN SICK WILL NOT BE ELIGIBLE TO BE CALLED OUT DURING THE CALENDAR DAY ENDS AT MIDNIGHT.

The provisions of this policy do not apply to any salaried CITY ~~Village~~ employees who have been designated as overtime exempt in accordance with the federal Fair Labor Standards Act.

Utilities department employees who test water and visit lift stations on the weekends will be provided with three (3) hours pay at the applicable regular or overtime rate, or compensatory time per test for that workweek. Employees must check/clock in and out at the garage or CITY ~~Village~~ municipal building for every weekend water test and all on-call duties. Employees who are scheduled to test water and fail to check in for the weekend test will not be paid the three (3) hours.