



VILLAGE OF OBETZ  
RECORD OF ORDINANCES

ORDINANCE: 12-14

PASSED: March 10, 2014

**AN ORDINANCE MODIFYING OBETZ CODE SECTIONS 149.05 AND 149.10 REGARDING HOLIDAYS AND OVERTIME AND DECLARING AN EMERGENCY**

**WHEREAS**, Obetz desires to recognize all federal holidays for full-time employees; and,

**WHEREAS**, Obetz desires to give full-time employees more flexibility to use their birthday holiday to avoid losing these holiday hours; and,

**WHEREAS**, current holiday pay policies were not clear in regards to the rate of holiday pay; and,

**WHEREAS**, it is necessary to bring Obetz' overtime pay policies in line with the Fair Labor Standards Act in order to avoid paying unnecessary overtime;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO THAT:**

Section 1: Section 149.05 of the Codified Ordinances of the Village of Obetz is hereby adopted to read as follows:

**149.05 HOLIDAYS.**

(a) Days designated as authorized paid holidays for full-time employees are:

Employee's birthday	Labor Day
New Year's Day	<u>Columbus Day</u>
Martin Luther King Day	Veterans Day
Presidents Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Fourth of July	Christmas Day

<del>Personal birthday</del>	<del>Independence Day</del>
<del>New Year's Day</del>	<del>Labor Day</del>
<del>Martin Luther King Day</del>	<del>Veterans Day</del>
<del>Presidents Day</del>	<del>Thanksgiving Day, plus the</del>
<del>Memorial Day</del>	<del>following Friday</del>
	<del>Christmas Day</del>

(b) An employee, who is not on pre-approved leave of any kind, must work the full scheduled work day immediately preceding and the full scheduled work day immediately succeeding the holiday involved in order to receive ~~be entitled to~~ holiday pay.

(c) ~~An employee may receive holiday pay if he/she the employee is on authorized vacation or authorized sick leave the full scheduled work day immediately preceding or the full scheduled work day immediately succeeding the holiday involved when approved by the Mayor or an appropriate department head. (Ord. 64-82. Passed 1-3-83.)~~

(d) The employee's birthday shall be observed on a day mutually advantageous to the employee and shall be used within the calendar year. ~~and the Village and shall be used within one month of the actual date.~~

(e) A full-time employee shall received eight (8) hours of holiday pay at the employee's regular hourly wage for each holiday set forth in Section (a).

Section 2: Section 149.10 of the Codified Ordinances of the Village of Obetz is hereby adopted to read as follows:

149.10 OVERTIME.

(a) Any non-exempt employee, as defined by Fair Labor Standards Act of 1938, as amended, ~~that who works or is credited with more than forty hours work in one calendar week~~ shall be paid overtime at the rate of one and one-half times the employee's regular hourly wage pay for all hours worked ~~each hour or part thereof worked~~ in excess of forty hours in that one calendar week.

(b) Time spent away from work on vacation leave, sick leave, compensatory leave, personal leave, holiday leave, disability or injury leave, bereavement leave, and leave under the Family and Medical Leave Act shall not constitute hours worked for the purposes of calculating overtime. Only hours spent actually working shall constitute hours worked for the purposes of calculating overtime.

~~(b) Any non exempt employee that works on a Council approved holiday, as outlined in Section 149.05(a), shall be paid the normal rate of pay for that holiday, and their regular hourly rate for each hour or part thereof for work completed on that holiday, in addition to the normal holiday pay unless such hour or hours, or part thereof worked are in excess of forty hours for the calendar week; in which case the non-exempt employee shall be paid in accordance with subsection (a) hereof for work completed on a holiday.~~

Section 3: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality, such emergency arising from the need to ensure that Obetz' holiday and overtime policies are consistent with Federal polices and are fair to employees; WHEREFORE, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed this 10 day of March, 2014.

ATTESTS:

Stacey Boumis  
Stacey Boumis, Clerk of Council

D. Greg Scott  
D. Greg Scott, Mayor

Michael R. Flaherty  
Michael Flaherty, Council Pres. Pro-Tem

APPROVED AS TO FORM

Eve M. Ellinger  
Eve M. Ellinger, Esq., Law Director

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**CERTIFICATION OF PUBLICATION**

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 12-14 was duly posted at 3:00 PM (time) on the 11 day of March, 2014, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

3/11/2014  
Date