

VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 29 – 18

PASSED: June 25, 2018

AN ORDINANCE ADOPTING A MILITARY LEAVE POLICY, AND DECLARING AN EMERGENCY

WHEREAS, Council of the Village of Obetz desires to support employees called up to active military duty; and

WHEREAS, in addition to re-employment rights under USSERA, the Village of Obetz is authorized to adopt a military leave policy, including a right to continuation of salary to the extent necessary to make up any shortfall in pay between the employee's gross monthly pay and his or her gross uniformed service pay; and

WHEREAS, an emergency exists for the health, safety and general welfare of the community in that an employee is currently being called up to active duty.

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

Section 1. The following Military Leave Policy is hereby adopted:

Military Leave: Ohio law under certain circumstance allows public employees to take military leave with pay. R.C. 5923.05 requires that Ohio National Guard, Ohio organized militia, and all U.S. Armed Forces reserve component members be authorized up to twenty-two (22) eight (8) hour working days or one hundred seventy-six (176) hours of leave without loss of pay per calendar year for such time as they are performing service in the uniformed services as defined in Section 5903.01 of the Ohio Revised Code.

Any employee called to military duty for a period in excess of the twenty-two (22) working days because of an executive order issued by the President of the United States, an act of Congress, or because of an order to perform duty issued by the Governor pursuant to Section 5919.29 or 5923.21 of the Revised Code may receive, during this period:

1. The difference between the employee's gross monthly wage or salary from the Village and his gross uniformed service pay and allowances received in a particular month.
2. The employee shall continue to accrue vacation and sick time.

No employee will receive payment under this Section, if the sum of the employee's gross military pay and allowances receive in the period exceeds the employee's gross wage or salary.

Along with requests for such leave, employees are required to submit the published orders authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete the necessary leave papers.

Section 2. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the need to adopt and implement the military leave policy prior to deployment of an employee eligible for military leave; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

Passed this 25 day of June, 2018.

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

[Signature]
Stephen J. Smith, Esq., Law Director

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 29-18 was duly posted at 3:00 PM (time) on the 26 day of June, 2018, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center, as well as on the Obetz website.

Stacey Boumis
Stacey Boumis, Clerk

6/26/18
Date

