



ORDINANCE: 05 – 22

PASSED: February 28, 2022

**AN ORDINANCE APPROVING THE CITY OF OBETZ ANNUAL CONVERSION PLAN WHICH ALLOWS EMPLOYEES TO CONVERT VACATION AND SICK TIME TO CASH IN ACCORDANCE WITH THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS) SPECIFICATIONS**

**WHEREAS**, the City of Obetz provides eligible employees the option of participating in an Annual Vacation and Sick Leave Conversion Plan (“the Plan”) permitting eligible employees to convert earned vacation and sick leave into salary in accordance with said Plan; and

**WHEREAS**, the City of Obetz administers such a Plan in accordance with all acceptable laws and regulations; and

**WHEREAS**, the City of Obetz desires to establish the terms of its Plan and the administration of the Plan to obtain said Plan's approval as required by the Ohio Public Employees Retirement System;

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

Section 1. The Council of the City of Obetz hereby adopts the following Vacation/Sick Leave Conversion Plan, which shall apply to all City employees.

Section 2. Any City employee may, at their sole discretion, convert unused vacation and sick leave to a cash payment—based on their pay rate at the time of conversion—as limited by the rules established here. Leave shall be converted on a last in, first out (LIFO) basis. Employees receive conversion payments in December of each year for converted leave. Leave eligible for conversion is that leave accrued but not used between January 1<sup>st</sup> and December 1<sup>st</sup> of the conversion year. This is an annual program and no leave accrued before the year 2022 shall be converted under the Plan.

Section 3. For OPERS purposes, the leave to be considered earnable salary is the leave accrued to date in the current calendar year, less any leave used to date in the same calendar year. For retiring employees, conversion payment must occur according to the plan and either prior to or during the month of their termination date for this earnable salary to be included in the calculation of Final Average Salary. The following payments made to employees shall not have retirement contributions withheld as the payments do not meet the definition of earnable salary for OPERS purposes: (1) leave in excess of the annual amount of leave accrued January 1 to December 31 less leave used January 1 to time of payment; (2) leave earned in previous

calendar years (other than payments made in January for leave accrued but not used during the previous calendar year); (3) conversion of leave to employees separating employment; (4) conversion of leave to retiring employees outside the regular payment schedule.

Section 4. The maximum amount of leave employees may convert in a year is: (1) Sick leave (110 Hours); (2) Vacation leave (155 Hours); and the conversion shall be limited to 155 total hours less any sick or vacation leave used during the conversion year (LIFO).

Section 5. Leave Accrual. (1) Sick leave is accrued per pay period; (2) Vacation leave is accrued per pay period after an initial grant of 40 hours upon date of hire.

Section 6. This Ordinance shall take effect at the earliest time permitted by law.

Passed this 28 day of February, 2022

**ATTESTS:**

Stacey Boumis  
Stacey Boumis, Clerk of Council

Angela M. Kirk  
Angela M. Kirk, Mayor

Michael A. Flaherty  
Michael Flaherty, Council Pres. Pro Tem

**APPROVED AS TO FORM**

Eugene L. Hollins  
Eugene L. Hollins, Esq, Law Director

**CERTIFICATION OF PUBLICATION**

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance 05-22 was duly posted at 11:00 AM (time) on the 7 day of March, 2022, at the Obetz Government Center, Obetz Community Center, and Obetz Athletic Club as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

3/7/22  
Date