



**Village of Milan
Council Work Session Meeting
February 10, 2022**

A work session for the Village of Milan Council was called to order by Mayor Pam Crosby on Thursday February 10, 2022 at 6:00 p.m. in the Council room at 11 S. Main Street, Milan, Ohio.

Roll call: McIlrath – yes, Bickley – yes, Rospert – yes, Taylor – yes, Shafer – absent, McManus – yes.

Motion by McIlrath, seconded by McManus, to excuse Nate Shafer from the work session due to his duties in the military. Roll Call: Bickley – yes, Rospert – yes, Taylor – yes, McManus – yes, McIlrath – yes.

New Business

Discussion on the proposed Village of Milan Personnel Policies.

CHAPTER 11 SEPARATION FROM EMPLOYMENT

Section 11.1 – VOLUNTARY SEPARATION – A. RESIGNATION – add the following 1. The Village expects a minimum of two (2) weeks notification. It is expected that the minimum notification for remaining in good standing will be time worked, and will not include leaves.

2. Resignation must be in writing and submitted to the Administrator for acceptance. Any employee who resigns will be encouraged to meet with his/her Superintendent as described in Section 11.4 EXIT INTERVIEW.

3. Employees that have separated their employment will always have the opportunity to resubmit an application for any open positions in the Village and go through the hiring process.

B. ABANDONMENT – add the following 1. An employee who fails to return from a leave of absence within three (3) working days of its expiration, or has three (3) days of “no call no show”, is subject to removal. The employee will be charged with “neglect of duty” and removal will be conducted in accordance with Section 10.3 Employee Notification.

2. If at any time within ten (10) days of termination due to abandonment an employee makes a satisfactory explanation of the cause of his/her absence, he/she may be re-instated.

B. ABANDONMENT – cont. 3. An employee who has abandoned his/her position is not eligible for future employment with the Village of Milan.

C. RETIREMENT – add the following. An employee should inform their immediate supervisor of his/her intention of retiring as soon as possible but no later than the time periods required for resignation. Complete information specifying retirement eligibility and applicable benefits may be obtained from OPERS and OP&F.

OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS) – add the following. The Retirement Board of OPERS is responsible for the administration and management of OPERS.

Section 11.2 – INVOLUNTARY SEPARATION – add the following B. **LAYOFF** –1. Layoff of employees may become necessary due to a change in finances or work load, elimination of position, or a reorganization of job responsibilities.

2. Employees will be notified at least fourteen (14) calendar days before the effective date of a layoff if the notification is delivered by hand. An employee will be notified at least seventeen (17) calendar days before the effective date of layoff if the notification is delivered through certified mail.

3. Whenever it becomes necessary to layoff employees in a classification, they will be placed on layoff according to appointment categories in the following order: part-time seasonal, full-time seasonal, part-time permanent, full-time permanent employees. Probationary employees will be placed on layoff before non-probationary employees in each category. Superintendents may be placed on layoff as deemed appropriate by Council to ensure the delivery of services.

4. The employee with the lowest number of time of service in an appointment category will be placed on layoff first.

5. A list containing the names of all employees who have been placed on layoff will be established and remain in effect for one (1) year.

6. Appeal of a layoff must be made no later than ten (10) calendar days after the employee receives notice of the layoff or the date the employee is displaced. (See Section 10.4 Conflict Resolution and Grievance Procedure).

Section 11.3 – TERMINATION BENEFITS – add the following. A. **TERMINATION COMPENSATION** - As of the date of separation from employment, an employee will receive payment for any accrued and unused vacation time and comp time.

Section 11.3 – TERMINATION BENEFITS – cont. – add the following **B. SICK LEAVE**

CONVERSION –1. An employee who retires under the guidelines established by OPERS and has had ten (10) or more years' service with the Village of Milan, may request in writing to be paid in cash for one-fourth (1/4) the value of his/her earned but unused sick leave credit. The maximum payment may not exceed thirty (30) days.

2. Payment is based upon the employee's rate of pay at the time of retirement.

3. Payment will eliminate all accrued, but unused sick leave to the employee's credit at the time of payment. Such payment may be made to an employee only one (1) time.

4. An eligible employee who dies is considered to have terminated his/her employment as of the date of death. Sick leave conversion will be paid to the employee's estate at the same maximum levels described above and according to Ohio Revised Code Section 2113.04.

C. OHIO PUBLIC EMPLOYEE RETIREMENT SYSTEM – OHIO POLICE AND FIRE PENSION FUND – DISABILITY AND SURVIVOR BENEFITS – See OPERS OR OP&FPF Employee Handbooks or contact either Retirement system for current benefit information.

D. UNEMPLOYMENT COMPENSATION – An employee may be eligible for unemployment compensation according to the regulations of the State of Ohio.

5.7 VOLUNTARY FIRE LEAVE – Discussion over employees who are leaving for fire call.

Administrator Rospert said it had come to light at the last meeting from a resident who inquired what is being followed, the policy or the two Ordinances that are in place. Administrator Rospert replied that they have been following the Ordinance that has been in place. That Ordinance was passed in 2019, it states that they can use vacation or comp time to attend fire calls. Since then the Village received a public records request from that same individual that was at that Council meeting stating they are now using their breaks to go to fire calls.

Administrator Rospert discussed that back prior to Covid they always took breaks between 8:30 AM – 9:00 AM at the Street Barn every morning, since Covid they stopped the gathering for breaks to prevent the spread. With that he said the guys might use their breaks to go out and grab a sandwich. Administrator Rospert stated he rarely takes a break and because of this, if a fire call runs over the half hour break time they take a half hour as break time and the remainder as vacation or comp time. Council President Rospert said with the current policy, break time of fifteen (15) minutes is given only after four (4) hours worked, meaning that they cannot take break prior to their four (4) hours worked. Administrator Rospert said it had always been done in the past years for break time to be between 8:30 AM – 9:00 AM at the Street Barn and Council President Rospert replied that they are not entitled to a half hour break time (½) it had been done wrong because they hadn't technically earned it. She went on to say the policy states in four (4) hours they get fifteen (15) minutes break. Councilperson McManus feels that the employees leaving for fire calls should not be docked and Council President Rospert agreed but Councilperson Bickley said it is a legal liability. Fiscal Officer is

5.7 VOLUNTARY FIRE LEAVE – cont.

waiting to hear back from BWC and spoke to someone not with BWC, that did say that employees that are on paid time as a Village employee and not clocking out will be a problem with BWC. How it will impact the Village they won't know until contact is made with BWC. Council President Rospert said with the policy in place at this time, the Village needs to follow it until it is changed. Discussion over the Voluntary Fire Leave section will continue at the next work session.

Section 3.6 HOURS OF WORK – C. LUNCH BREAKS add – Employees are entitled to two (2) fifteen (15) minute breaks in an eight (8) hour period.

Solicitor Barney will look in to Juneteenth as a Federal Holiday.

Unfinished Business – Logo for shirt design and costs this is also to include Cathy, Julie and Nancy.

Questions for Next Meeting – Council President Rospert has a conflict with time on the March 10th and May 12th work session. March 10th work session will be held at 7:00 PM and May 12th work session will also be held at 7:00 PM.

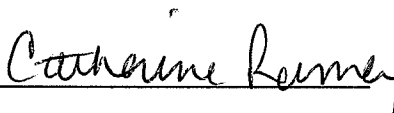
Adjournment

Motion by McIlrath, seconded by Taylor, to adjourn tonight's meeting.

Roll call: Bickley – yes, McIlrath - yes, Rospert – yes, Taylor – yes, McManus – yes.



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer