



Legislation Details (With Text)

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Title: Amending Toledo Municipal Code Chapter 2101 to change the salary structure for executive exempt positions; and declaring an emergency.

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| 4/10/2024 | 1 | City Council | Emergency | Pass |
| 4/10/2024 | 1 | City Council | Passage | Pass |
| 3/27/2024 | 1 | City Council | First Reading | Pass |

Salary Classification Changes
 Human Resources
 Michael Niedzielski (2384)
 Revised

Amending Toledo Municipal Code Chapter 2101 to change the salary structure for executive exempt positions; and declaring an emergency.

SUMMARY & BACKGROUND:

Toledo Municipal Code Chapter 2101 governs the terms and conditions of employment for the City’s Classified Exempt and Executive Exempt employees. This Ordinance repeals and replaces relevant sections of that chapter that references the E-5 salary group.

This Ordinance streamlines and simplifies the compensation structure for all Executive Exempt positions by eliminating the E-5 salary group, and expanding the pay range for the E-4 group to include the former E-5 salary range. This change will provide greater flexibility in assigning a pay rate to a particular executive-level employee. Additionally, this change will reflect current market considerations for these critical positions. Moreover, this change will further assist in the effort to recruit and retain exceptional executive candidates.

NOW THEREFORE Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 2101.01 which states as follows:

2101.01 Classifications.

The employees working in classifications listed in this section comprise the Exempt Service and are

management level, supervisory and confidential staff of the Mayor's Office, City Council, and all City Departments and Divisions.

Employees working in these classifications are excluded from representation by any bargaining agent.

The management level, supervisory and confidential classifications presently included in the exempt group are as follows:

(a) Administrative Salary Groups 1 through 15 (A-1 through A-15)

| CLASSIFICATION | SALARY GROUP |
|---|--------------|
| Administrative Analyst 1 | 10 |
| Administrative Analyst 2 | 11 |
| Administrative Analyst 3 | 12 |
| Administrative Analyst 4 | 13 |
| Administrative Assistant | 9 |
| Administrative Assistant to the Mayor | 14 |
| Administrative Services Officer 1 | 11 |
| Administrative Services Officer 2 | 14 |
| Administrative Specialist 1 | 8 |
| Administrative Specialist 2 | 9 |
| Administrative Specialist 3 | 10 |
| Administrative Technician 1 | 6 |
| Administrative Technician 2 | 8 |
| Administrator-Administrative Services 1 | 13 |
| Administrator-Administrative Services 2 | 14 |
| Administrator-Administrative Services 3 | 15 |
| Administrator-Public Services 1 | 13 |
| Administrator-Public Services 2 | 15 |
| Chief, Bargaining and Representation | 14 |
| Clerk 3 | 5 |
| Clerk 4 | 6 |
| Mayor's Assistant 1 | 4 |
| Mayor's Assistant 2 | 7 |
| Mayor's Assistant 3 | 9 |
| Public Services Officer 1 | 11 |
| Public Services Officer 2 | 12 |
| Public Services Officer 3 | 13 |
| Divisional Assistant 1 | 4 |
| Divisional Assistant 2 | 6 |

(b) Salary Groups E-1 through E-5

| CLASSIFICATION | SALARY GROUP |
|-----------------------------------|--------------|
| Assistant Chief Operating Officer | E-5 |
| Assistant City Auditor | E-1 |
| Assistant Clerk of Council | E-2 |

| | |
|---|-----|
| Chief of Staff | E-5 |
| Chief Operating Officer/Director of Public Safety | E-5 |
| City Auditor | E-2 |
| City Council Chief of Staff | E-3 |
| Clerk of Council | E-4 |
| Commissioner-Administrative Services | E-2 |
| Commissioner-Engineering | E-3 |
| Commissioner-Public Services | E-2 |
| Deputy Director | E-3 |
| Director-Administrative Services | E-4 |
| Director-Public Services | E-4 |
| Director-Toledo Fire and Rescue Department | E-5 |
| Director - Toledo Police Department | E-5 |
| Director-Toledo-Lucas County Plan Commissions | E-4 |
| Director- Diversity, Equity and Inclusion | E-4 |
| Manager-Administrative Services | E-1 |
| Manager-Legislative Operations | E-1 |
| Manager-Public Services | E-1 |
| Mayor's Executive Assistant | E-4 |
| Public Information Coordinator | E-1 |

(c) Police Deputy Chiefs Group

CLASSIFICATIONSALARY GROUP

| | |
|-----------------------------|----|
| Police Deputy Chief-Pro Tem | 94 |
|-----------------------------|----|

(d) Salary Groups L-1 through L-4

CLASSIFICATIONSALARY GROUP

| | |
|-------------------------|-----|
| Attorney | L-1 |
| Chief-Legal Section | L-3 |
| Deputy Chief Prosecutor | L-2 |
| General Counsel | L-4 |
| Senior Attorney | L-2 |

(e) The classifications listed in this chapter are assigned to the salary group shown opposite the classification. Employees in classifications listed herein shall be paid in the salary group to which the classification is assigned in accordance with the annual salary as set forth in Sections [2101.58](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115876, [2101.70](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115981, and 2101.74 (Base Annual Salaries).

(f) Employees are responsible for obtaining and maintaining any license, certification, or credentials required for his or her classification. An employee shall notify his or her Department supervisor immediately if his or her license, certification, or credentials become invalid, expired, revoked, or suspended. After gaining knowledge, the supervisor shall notify the Department or Division head. If, for any reason, an employee's license, certification, or credentials become invalid, expired, revoked, or suspended, the employee is considered to have lost his or her qualifications for his or her assigned classification and shall be removed from his or her

job.

Failure to obtain, or maintain, any required license, certification, or credentials shall result in discipline up to and including termination in accordance with Sections 2101.46 “Suspension Without Hearing - Classified Employees” and 2101.47 “Disciplinary Procedure - Classified Employees.” Further, any employee found to have been working in his or her official capacity without the proper license, certification, or credentials shall be charged with the major infraction of “gross misconduct.”

If circumstances warrant, the employee may be provided a five (5) workday period to obtain the appropriate license, certification, or credentials. The employee may use vacation time, compensatory time, or unpaid leave time during the five (5) workdays; however, the use of sick time will not be permitted. If the employee is unable to obtain the license, certification, or credentials required for his or her classification after the five (5) workdays, then the employee may be demoted or terminated.

At the sole discretion of management, the employee may be demoted to a position in a lower salary group within the exempt class, so long as a vacancy exists and the employee is qualified to fill the vacancy. The process of filling the vacancy is subject to the receiving Department/Division’s final approval. If no vacancy in a lower salary group within the exempt class, for which the employee is qualified exists, then the employee shall be terminated.

is hereby repealed.

SECTION 2. That a new Toledo Municipal Code Section 2101.01 is enacted as follows:

2101.01 Classifications.

The employees working in classifications listed in this section comprise the Exempt Service and are management level, supervisory and confidential staff of the Mayor's Office, City Council, and all City Departments and Divisions.

Employees working in these classifications are excluded from representation by any bargaining agent.

The management level, supervisory and confidential classifications presently included in the exempt group are as follows:

- (a) Administrative Salary Groups 1 through 15 (A-1 through A-15)

| CLASSIFICATION | SALARY GROUP |
|---------------------------------------|--------------|
| Administrative Analyst 1 | 10 |
| Administrative Analyst 2 | 11 |
| Administrative Analyst 3 | 12 |
| Administrative Analyst 4 | 13 |
| Administrative Assistant | 9 |
| Administrative Assistant to the Mayor | 14 |
| Administrative Services Officer 1 | 11 |
| Administrative Services Officer 2 | 14 |
| Administrative Specialist 1 | 8 |
| Administrative Specialist 2 | 9 |

| | |
|---|----|
| Administrative Specialist 3 | 10 |
| Administrative Technician 1 | 6 |
| Administrative Technician 2 | 8 |
| Administrator-Administrative Services 1 | 13 |
| Administrator-Administrative Services 2 | 14 |
| Administrator-Administrative Services 3 | 15 |
| Administrator-Public Services 1 | 13 |
| Administrator-Public Services 2 | 15 |
| Chief, Bargaining and Representation | 14 |
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| Clerk 4 | 6 |
| Mayor's Assistant 1 | 4 |
| Mayor's Assistant 2 | 7 |
| Mayor's Assistant 3 | 9 |
| Public Services Officer 1 | 11 |
| Public Services Officer 2 | 12 |
| Public Services Officer 3 | 13 |
| Divisional Assistant 1 | 4 |
| Divisional Assistant 2 | 6 |

(b) Salary Groups E-1 through E-4

| CLASSIFICATION | SALARY GROUP |
|---|--------------|
| Assistant Chief Operating Officer | E-4 |
| Assistant City Auditor | E-1 |
| Assistant Clerk of Council | E-2 |
| Chief of Staff | E-4 |
| Chief Operating Officer/Director of Public Safety | E-4 |
| City Auditor | E-2 |
| City Council Chief of Staff | E-3 |
| Clerk of Council | E-4 |
| Commissioner-Administrative Services | E-2 |
| Commissioner-Engineering | E-3 |
| Commissioner-Public Services | E-2 |
| Deputy Director | E-3 |
| Director-Administrative Services | E-4 |
| Director-Public Services | E-4 |
| Director-Toledo Fire and Rescue Department | E-4 |
| Director - Toledo Police Department | E-4 |
| Director-Toledo-Lucas County Plan Commissions | E-4 |
| Director- Diversity, Equity and Inclusion | E-4 |
| Manager-Administrative Services | E-1 |
| Manager-Legislative Operations | E-1 |
| Manager-Public Services | E-1 |
| Mayor's Executive Assistant | E-4 |
| Public Information Coordinator | E-1 |

(c) Police Deputy Chiefs Group

CLASSIFICATIONSALARY GROUP

Police Deputy Chief-Pro Tem 94

(d) Salary Groups L-1 through L-4

CLASSIFICATIONSALARY GROUP

| | |
|-------------------------|-----|
| Attorney | L-1 |
| Chief-Legal Section | L-3 |
| Deputy Chief Prosecutor | L-2 |
| General Counsel | L-4 |
| Senior Attorney | L-2 |

(e) The classifications listed in this chapter are assigned to the salary group shown opposite the classification. Employees in classifications listed herein shall be paid in the salary group to which the classification is assigned in accordance with the annual salary as set forth in Sections [2101.58](#) [<https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115876>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115876), [2101.70](#) [<https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115981>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115981), and 2101.74 (Base Annual Salaries).

(f) Employees are responsible for obtaining and maintaining any license, certification, or credentials required for his or her classification. An employee shall notify his or her Department supervisor immediately if his or her license, certification, or credentials become invalid, expired, revoked, or suspended. After gaining knowledge, the supervisor shall notify the Department or Division head. If, for any reason, an employee’s license, certification, or credentials become invalid, expired, revoked, or suspended, the employee is considered to have lost his or her qualifications for his or her assigned classification and shall be removed from his or her job.

Failure to obtain, or maintain, any required license, certification, or credentials shall result in discipline up to and including termination in accordance with Sections 2101.46 “Suspension Without Hearing - Classified Employees” and 2101.47 “Disciplinary Procedure - Classified Employees.” Further, any employee found to have been working in his or her official capacity without the proper license, certification, or credentials shall be charged with the major infraction of “gross misconduct.”

If circumstances warrant, the employee may be provided a five (5) workday period to obtain the appropriate license, certification, or credentials. The employee may use vacation time, compensatory time, or unpaid leave time during the five (5) workdays; however, the use of sick time will not be permitted. If the employee is unable to obtain the license, certification, or credentials required for his or her classification after the five (5) workdays, then the employee may be demoted or terminated.

At the sole discretion of management, the employee may be demoted to a position in a lower salary group within the exempt class, so long as a vacancy exists and the employee is qualified to fill the vacancy. The process of filling the vacancy is subject to the receiving Department/Division’s final approval. If no vacancy in a lower salary group within the exempt class, for which the employee is qualified exists, then the employee shall be terminated.

SECTION 3. That Toledo Municipal Code Section 2101.29 which states as follows:

2101.29 Accumulation of Sick Days.

Employees in salary groups A-1 through A-15, and 94 hired into the City on or before 12/31/92 shall have the option of maintaining their current sick leave accrual and severance pay plan as set forth in part (a) of this section or electing the sick leave conversion plan as set forth in part (b) below. This election may be made during the one hundred and twenty (120) day period following passage of this legislation. Employees opting into the plan must remain in the plan. Employees hired on or after 1/1/93 and all employees in salary groups E-1 through E-5, and L-1 through L-4, shall be covered exclusively by the Sick leave plan set forth in part (b). Employees who move to the exempt service from other units and who are already enrolled in the City's Sick Leave Conversion Plan set forth in paragraph (b) shall remain under such plan.

(a) Eligible employees who elect to maintain their current sick leave accrual and severance pay plan shall be credited with sick days in accordance with the following formula: one and one quarter (1 1/4) days shall be credited for each month of service, not to exceed fifteen (15) days per calendar year. Such days shall continue to accumulate at such rate without any maximum limitations. Provided the conditions of Section [2101.44 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805), Termination and Severance Pay, have been met, unused sick leave accumulated to the time of termination shall be paid at the rate of one-half (1/2) for all such accumulated sick time up to two hundred (200) days and full pay for accumulated sick time in excess of two hundred (200) days.

(b) (i) Employees hired on or before December 31, 1992 who elect the sick leave conversion plan set forth herein, and all employees in salary groups E-1 through E-5, L-1 through L-4, will bank accumulated sick leave through December 31, 1995. This banked sick leave accumulation will be used as the need for sick pay arises or may be converted to cash under the terms set forth in paragraph (b) (iii). Provided the conditions of Section [2101.44 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805), Termination and Severance Pay, have been met, unused sick leave from that banked effective December 31, 1995 will be paid as follows at the employee's regular rate as of the date of separation: One-half for all banked sick time up to two hundred (200) days and full pay for accumulated sick time in excess of two hundred (200) days.

(ii) On and after January 1, 1996, employees covered by this Sick Leave Conversion Plan shall be credited with sick days in accordance with the following formula: One and one-quarter days shall be credited for each month of service not to exceed a maximum of fifteen (15) days per calendar year. Such days shall continue to accumulate at such rate without any maximum limitation.

(iii) Sick time not used by the end of the year can either be turned in for payment of a percentage of salary as indicated herein or carried over until retirement or separation. The maximum number of sick days allowed for year-end payment will be five (5). Employees using two and one-half (2½) or fewer days of sick leave in the preceding calendar year shall be entitled to a conversion to pay at fifty percent (50%). Employees using more than two and one-half (2½), but five (5) or fewer days shall be entitled to a conversion at twenty five percent (25%). Employees with fewer than sixty (60) days of accrued sick time or who have used more than five (5) days in the preceding calendar year, shall not be eligible for this conversion privilege. The employee's accrued sick leave shall be reduced by the number of days converted to cash.

(iv) Provided the conditions of Section [2101.44 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805), Termination and Severance Pay, have been met, unused sick leave accrued after enrollment in this plan will be paid as follows at the employee's regular rate at the time of termination: thirty-three percent (33%) of salary for the first eighty (80)

days and fifty percent (50%) of salary for the next eighty (80) days for a maximum of one hundred sixty (160) days.

(c) An employee granted a leave of absence without pay for thirty (30) calendar days or more shall not accumulate sick pay during the period the employee is on such leave.

(d) An employee hired from another political jurisdiction within Ohio may transfer his or her unused sick time to his sick leave bank with the City. Such time may be used and may be paid in accordance with the terms of this Chapter. However, for employees hired after September 30, 1995, such time shall not be counted toward the sixty (60) day minimum necessary for sick leave to be converted.

is hereby repealed.

SECTION 4. That a new Toledo Municipal Code Section 2101.29 is enacted as follows:

2101.29 Accumulation of Sick Days.

Employees in salary groups A-1 through A-15, and 94 hired into the City on or before 12/31/92 shall have the option of maintaining their current sick leave accrual and severance pay plan as set forth in part (a) of this section or electing the sick leave conversion plan as set forth in part (b) below. This election may be made during the one hundred and twenty (120) day period following passage of this legislation. Employees opting into the plan must remain in the plan. Employees hired on or after 1/1/93 and all employees in salary groups E-1 through E-4, and L-1 through L-4, shall be covered exclusively by the Sick leave plan set forth in part (b). Employees who move to the exempt service from other units and who are already enrolled in the City's Sick Leave Conversion Plan set forth in paragraph (b) shall remain under such plan.

(a) Eligible employees who elect to maintain their current sick leave accrual and severance pay plan shall be credited with sick days in accordance with the following formula: one and one quarter (1 1/4) days shall be credited for each month of service, not to exceed fifteen (15) days per calendar year. Such days shall continue to accumulate at such rate without any maximum limitations. Provided the conditions of Section [2101.44 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805), Termination and Severance Pay, have been met, unused sick leave accumulated to the time of termination shall be paid at the rate of one-half (1/2) for all such accumulated sick time up to two hundred (200) days and full pay for accumulated sick time in excess of two hundred (200) days.

(b) (i) Employees hired on or before December 31, 1992 who elect the sick leave conversion plan set forth herein, and all employees in salary groups E-1 through E-4, L-1 through L-4, will bank accumulated sick leave through December 31, 1995. This banked sick leave accumulation will be used as the need for sick pay arises or may be converted to cash under the terms set forth in paragraph (b) (iii). Provided the conditions of Section [2101.44 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805), Termination and Severance Pay, have been met, unused sick leave from that banked effective December 31, 1995 will be paid as follows at the employee's regular rate as of the date of separation: One-half for all banked sick time up to two hundred (200) days and full pay for accumulated sick time in excess of two hundred (200) days.

(ii) On and after January 1, 1996, employees covered by this Sick Leave Conversion Plan shall be credited with sick days in accordance with the following formula: One and one-quarter days shall be credited for each month of service not to exceed a maximum of fifteen (15) days per calendar year. Such days shall continue to accumulate at such rate without any maximum limitation.

(iii) Sick time not used by the end of the year can either be turned in for payment of a percentage of salary as indicated herein or carried over until retirement or separation. The maximum number of sick days allowed for year-end payment will be five (5). Employees using two and one-half (2½) or fewer days of sick leave in the preceding calendar year shall be entitled to a conversion to pay at fifty percent (50%). Employees using more than two and one-half (2½), but five (5) or fewer days shall be entitled to a conversion at twenty five percent (25%). Employees with fewer than sixty (60) days of accrued sick time or who have used more than five (5) days in the preceding calendar year, shall not be eligible for this conversion privilege. The employee's accrued sick leave shall be reduced by the number of days converted to cash.

(iv) Provided the conditions of Section [2101.44](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-115805, Termination and Severance Pay, have been met, unused sick leave accrued after enrollment in this plan will be paid as follows at the employee's regular rate at the time of termination: thirty-three percent (33%) of salary for the first eighty (80) days and fifty percent (50%) of salary for the next eighty (80) days for a maximum of one hundred sixty (160) days.

(c) An employee granted a leave of absence without pay for thirty (30) calendar days or more shall not accumulate sick pay during the period the employee is on such leave.

(d) An employee hired from another political jurisdiction within Ohio may transfer his or her unused sick time to his sick leave bank with the City. Such time may be used and may be paid in accordance with the terms of this Chapter. However, for employees hired after September 30, 1995, such time shall not be counted toward the sixty (60) day minimum necessary for sick leave to be converted.

SECTION 5. That Toledo Municipal Code Section 2101.36 which states as follows:

2101.36 Vacations.

Effective January 1, 2024, the accumulation of vacation time shall be as follows.

(a) Full-time salaried employees (salary groups E-1 through E-5 and L-1 through L-4) shall be entitled to annual vacation with pay in accordance with the following table:

| Length of Service | Accrual Rate per Pay Period | Yearly Accrual | Maximum Accrual Allowance |
|---------------------------|--|-------------------|---------------------------|
| Less than 19 years | 7.7 hours (0.09625 per regular compensated hour) | 200 hours/25 days | 200 hours/50 days |
| 19 but less than 24 years | 9.2 hours (0.115 per regular compensated hour) | 240 hours/30 days | 240 hours/60 days |
| 24 years or more | 10.8 hours (0.135 per regular compensated hour) | 280 hours/35 days | 280 hours/70 days |

(b) Full-time classified and unclassified hourly employees (Administrative Groups 1 through 15) shall be entitled to annual vacation with pay in accordance with the following table:

| Length of Service | Accrual Rate Per Pay Period | Yearly Accrual | Maximum Accrual Allowance |
|---------------------------|--|-------------------|---------------------------|
| Less than 4 years | 4.6 hours (0.0575 per regular compensated hour) | 120 hours/15 days | 120 hours/30 days |
| 4 but less than 9 years | 6.2 hours (0.0775 per regular compensated hour) | 160 hours/20 days | 160 hours/40 days |
| 9 but less than 19 years | 7.7 hours (0.09625 per regular compensated hour) | 200 hours/25 days | 200 hours/50 days |
| 19 but less than 24 years | 9.2 hours (0.115 per regular compensated hour) | 240 hours/30 days | 240 hours/60 days |
| 24 years or more | 10.8 hours (0.135 per regular compensated hour) | 280 hours/35 days | 280 hours/70 days |

(c) In addition to the above, after one full calendar year of service, the employee shall be entitled to one (1) full additional discretionary vacation day. Police Deputy Chiefs shall be entitled to two (2) full additional discretionary vacation days. The additional discretionary vacation day(s) will be added to the employee’s vacation leave balance on January 1st of each calendar year.

(d) Vacation Accrual

1. Vacation time is accrued during the time the employee is in active pay status, which includes holiday time, sick time, vacation time, and compensatory time, but is not accrued when working overtime or while on unpaid leave.
2. Vacation time earned while on regular pay is credited to the employee’s vacation bank upon the completion of the pay period and is not usable until credited.
3. Once an employee’s vacation time balance reaches the maximum accrual allowance, no further vacation leave will accrue until the balance drops below the maximum amount.
4. Part time employees shall earn vacation time on a pro-rated basis in accordance with the provisions herein and pursuant to any applicable administrative policy and procedure.

(e) Pursuant to the above subsections, vacation time will now accrue based on employment status, years of service, and hours worked in the pay period. However, the employee’s vacation time that the employee earned in 2023 under the previous vacation accrual method will be put into the employee’s vacation bank on January 1, 2024.

(f) Employees shall be allowed to schedule and take vacations as provided herein and in accordance with existing departmental procedures.

(g) During the first calendar year of employment, newly hired employees shall be allowed to advance vacation days from their vacation bank. Those who begin employment on or between January 1 and June 30 shall be allowed to advance up to ten (10) vacation days. Those who begin employment on or between July 1 and December 1 shall be allowed to advance up to five (5) vacation days. Employees electing to advance vacation days will have their accrual rate per pay period reduced by the same number of days/hours which were advanced.

The following provisions apply to this advancement:

1. This subsection shall only apply to employees in the calendar year (January 1 through December 31) in which they were hired. It shall not apply to employees who were hired in previous years.
2. Eligible employees must inform their supervisor and Division/Department head in writing that they are electing to utilize this benefit and how many days/hours they are advancing. Employees may make multiple written requests, if necessary, to advance vacation days; however, they may not advance more days than they are entitled to according to the above provision.
3. Vacation time advanced under this subsection must be scheduled and taken in accordance with existing Divisional/Departmental procedures.
4. Employees shall not be allowed to be paid in cash for advanced vacation time.
5. In instances where a newly hired employee requests to advance vacation days and their employment is severed, any days/hours that were taken but not earned in accordance with 2101.36(a) or (b) above, shall be deducted from the employee's severance or final paycheck.

(h) For purposes of determining years of service, employment with any State of Ohio agency, political subdivision of the State of Ohio, or municipality in the State of Ohio is to be counted after receipt of verifiable documentation.

1. The following situations are not eligible for prior service credit for vacation:
 - a. Any student employment, unless the employment resulted in credit from an Ohio Retirement System;
 - b. Employment with other states; and,
 - c. Pursuant to Ohio Revised Code section 9.44(c), retirement in accordance with the provisions of any retirement plan offered by the state, shall not have their prior service counted for determining eligibility for vacation.
2. It is the responsibility of the new employee to obtain documentation verifying prior service.
 - a. To request credit for prior service, employees must provide the Department of Human Resources with a written request and supporting documentation.
 - b. Current employees of the City of Toledo have until June 30, 2024 to provide proof of prior service credit for vacation eligibility. Failure to provide verifiable documentation by the deadline shall result in denial of prior service credit.
 - c. New employees shall have six (6) months from their hire date to provide proof of prior service credit for vacation eligibility. Failure to provide verifiable documentation by the deadline shall result in denial of prior service credit.
 - d. Any granted credit for prior service shall take effect during the first pay period that begins immediately following the date the Director of the Department of Human Resources approves granting credit for that prior service. At no time will retroactive accruals be credited.
 - e. Unused vacation time from other jurisdictions will not be recognized by the City.

All requests for prior service credit will be verified by the Department of Human Resources. Any submission of fraudulent documentation will result in discipline up to and including termination.

is hereby repealed.

SECTION 6. That a new Toledo Municipal Code Section 2101.36 is enacted as follows:

2101.36 Vacations.

Effective January 1, 2024, the accumulation of vacation time shall be as follows.

(a) Full-time salaried employees in the Executive Group (salary groups E-1 through E-4 and L-1 through L-4) shall be entitled to annual vacation with pay in accordance with the following table:

| Length of Service | Accrual Rate per Pay Period | Yearly Accrual | Maximum Accrual Allowance |
|---------------------------|--|-------------------|---------------------------|
| Less than 19 years | 7.7 hours (0.09625 per regular compensated hour) | 200 hours/25 days | 400 hours/50 days |
| 19 but less than 24 years | 9.2 hours (0.115 per regular compensated hour) | 240 hours/30 days | 480 hours/60 days |
| 24 years or more | 10.8 hours (0.135 per regular compensated hour) | 280 hours/35 days | 560 hours/70 days |

(b) Full-time classified and unclassified hourly employees (Administrative Groups 1 through 15) shall be entitled to annual vacation with pay in accordance with the following table:

| Length of Service | Accrual Rate Per Pay Period | Yearly Accrual | Maximum Accrual Allowance |
|---------------------------|--|-------------------|---------------------------|
| Less than 4 years | 4.6 hours (0.0575 per regular compensated hour) | 120 hours/15 days | 240 hours/30 days |
| 4 but less than 9 years | 6.2 hours (0.0775 per regular compensated hour) | 160 hours/20 days | 320 hours/40 days |
| 9 but less than 19 years | 7.7 hours (0.09625 per regular compensated hour) | 200 hours/25 days | 400 hours/50 days |
| 19 but less than 24 years | 9.2 hours (0.115 per regular compensated hour) | 240 hours/30 days | 480 hours/60 days |
| 24 years or more | 10.8 hours (0.135 per regular compensated hour) | 280 hours/35 days | 560 hours/70 days |

(c) In addition to the above, after one full calendar year of service, the employee shall be entitled to one (1) full additional discretionary vacation day. Police Deputy Chiefs shall be entitled to two (2) full additional discretionary vacation days. The additional discretionary vacation day(s) will be added to the employee’s vacation leave balance on January 1st of each calendar year.

(d) Vacation Accrual

1. Vacation time is accrued during the time the employee is in active pay status, which includes holiday time, sick time, vacation time, and compensatory time, but is not accrued when working overtime or while on unpaid leave.
2. Vacation time earned while on regular pay is credited to the employee’s vacation bank upon the

completion of the pay period and is not usable until credited.

3. Once an employee's vacation time balance reaches the maximum accrual allowance, no further vacation leave will accrue until the balance drops below the maximum amount.
4. Part time employees shall earn vacation time on a pro-rated basis in accordance with the provisions herein and pursuant to any applicable administrative policy and procedure.

(e) Pursuant to the above subsections, vacation time will now accrue based on employment status, years of service, and hours worked in the pay period. However, the employee's vacation time that the employee earned in 2023 under the previous vacation accrual method will be put into the employee's vacation bank on January 1, 2024.

(f) Employees shall be allowed to schedule and take vacations as provided herein and in accordance with existing departmental procedures.

(g) During the first calendar year of employment, newly hired employees shall be allowed to advance vacation days from their vacation bank. Those who begin employment on or between January 1 and June 30 shall be allowed to advance up to ten (10) vacation days. Those who begin employment on or between July 1 and December 1 shall be allowed to advance up to five (5) vacation days. Employees electing to advance vacation days will have their accrual rate per pay period reduced by the same number of days/hours which were advanced.

The following provisions apply to this advancement:

1. This subsection shall only apply to employees in the calendar year (January 1 through December 31) in which they were hired. It shall not apply to employees who were hired in previous years.
2. Eligible employees must inform their supervisor and Division/Department head in writing that they are electing to utilize this benefit and how many days/hours they are advancing. Employees may make multiple written requests, if necessary, to advance vacation days; however, they may not advance more days than they are entitled to according to the above provision.
3. Vacation time advanced under this subsection must be scheduled and taken in accordance with existing Divisional/Departmental procedures.
4. Employees shall not be allowed to be paid in cash for advanced vacation time.
5. In instances where a newly hired employee requests to advance vacation days and their employment is severed, any days/hours that were taken but not earned in accordance with 2101.36(a) or (b) above, shall be deducted from the employee's severance or final paycheck.

(h) For purposes of determining years of service, employment with any State of Ohio agency, political subdivision of the State of Ohio, or municipality in the State of Ohio is to be counted after receipt of verifiable documentation.

3. The following situations are not eligible for prior service credit for vacation:
 - a. Any student employment, unless the employment resulted in credit from an Ohio Retirement System;
 - b. Employment with other states; and,
 - c. Pursuant to Ohio Revised Code section 9.44(c), retirement in accordance with the provisions of any retirement plan offered by the state, shall not have their prior service counted for determining eligibility for vacation.
4. It is the responsibility of the new employee to obtain documentation verifying prior service.
 - a. To request credit for prior service, employees must provide the Department of Human Resources with a written request and supporting documentation.

- b. Current employees of the City of Toledo have until June 30, 2024 to provide proof of prior service credit for vacation eligibility. Failure to provide verifiable documentation by the deadline shall result in denial of prior service credit.
- c. New employees shall have six (6) months from their hire date to provide proof of prior service credit for vacation eligibility. Failure to provide verifiable documentation by the deadline shall result in denial of prior service credit.
- d. Any granted credit for prior service shall take effect during the first pay period that begins immediately following the date the Director of the Department of Human Resources approves granting credit for that prior service. At no time will retroactive accruals be credited.
- e. Unused vacation time from other jurisdictions will not be recognized by the City.

All requests for prior service credit will be verified by the Department of Human Resources. Any submission of fraudulent documentation will result in discipline up to and including termination.

SECTION 7. That Toledo Municipal Code Section 2101.71, which states as follows:

2101.71 Coverage - Executive Group Provisions.

The provisions of Sections [2101.71 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116024>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116024) through [2101.76 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116094>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116094) apply to employees in the Exempt Service in Salary Groups L-1 through L-4, and E-1 through E-5, collectively known as the Executive Group, except as limited by any of those sections.

is hereby repealed.

SECTION 8. That a new Toledo Municipal Code Section 2101.71 is enacted as follows:

2101.71 Coverage - Executive Group Provisions.

The provisions of Sections [2101.71 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116024>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116024) through [2101.76 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116094>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-116094) apply to employees in the Exempt Service in Salary Groups L-1 through L-4, and E-1 through E-4, collectively known as the Executive Group, except as limited by any of those sections.

SECTION 9. That Toledo Municipal Code Section 2101.74, which states as follows:

2101.74 Base Annual Salaries - Executive Group

(a) The annual minimum rate and the annual maximum range for salary groups E-1, E-2, E-3, E-4, and E-5 will increase by the same percentage, effective the same date of the applicable AFSCME Local 2058 wage increase.

The current base annual salary ranges for groups E-1, E-2, E-3, E-4, and E-5 are as follows:

| Salary Group | Minimum | Maximum |
|--------------|-------------|--------------|
| E-1 | \$72,392.32 | \$102,246.56 |
| E-2 | \$77,617.28 | \$115,681.28 |
| E-3 | \$80,602.08 | \$131,316.64 |

| | | |
|-----|--------------|--------------|
| E-4 | \$90,305.28 | \$148,445.44 |
| E-5 | \$102,768.64 | \$171,283.84 |

Starting the first full pay period of January 2024, the ranges which were effective in January 2023 shall be increased by four percent (4.0%).

| Salary Group | Minimum | Maximum |
|--------------|--------------|--------------|
| E-1 | \$75,288.27 | \$106,336.77 |
| E-2 | \$80,722.49 | \$120,308.70 |
| E-3 | \$83,825.99 | \$136,568.61 |
| E-4 | \$93,917.15 | \$154,383.08 |
| E-5 | \$106,880.08 | \$178,134.59 |

b) The annual minimum rate and the annual maximum range for salary groups L-1, L-2, L-3, and L-4 will increase by the same percentage, effective the same date of the applicable AFSCME Local 2058 wage increase. The current base annual salary ranges for groups L-1, L-2, L-3, and L-4 are as follows:

| Salary Group | Minimum | Maximum |
|--------------|--------------|--------------|
| L-1 | \$57,093.92 | \$102,768.64 |
| L-2 | \$74,220.64 | \$131,316.64 |
| L-3 | \$97,059.04 | \$139,310.08 |
| L-4 | \$108,478.24 | \$148,445.44 |

Starting the first full pay period of January 2024, the ranges which were effective in January 2023 shall be increased by four percent (4.0%).

| Salary Group | Minimum | Maximum |
|--------------|--------------|--------------|
| L-1 | \$59,377.07 | \$106,880.08 |
| L-2 | \$77,190.42 | \$136,568.61 |
| L-3 | \$100,941.92 | \$144,882.48 |
| L-4 | \$112,817.11 | \$154,383.08 |

(c) Salary ranges shall be reviewed periodically to determine the market average for like level positions based upon a salary survey for such comparable positions. Recommendations to adjust the ranges may be presented to City Council.

(d) Base annual salaries for Directors and Executive Group members of the Mayor's staff shall be set by the Mayor within the range of the employee's designated Salary Group. Base annual salaries for Commissioners and Managers shall be set by respective Directors within the range of the employee's designated Salary Group, subject to the approval of the Mayor. Base annual salaries for the L group shall be set by the Director of Law within the range of the L-1 through L-4 employees, subject to the approval of the Mayor. Base annual salaries for Executive Directors shall be set by their respective boards or commissions within the range of the employee's designated Salary Group, subject to the approval of their Appointing Authority. The base annual salary for the Clerk of Council, the Director of the Plan Commission and the City Auditor shall be set by City Council within the designated salary range.

Adjustments in base annual salaries beyond the minimum for the range shall be in accordance with the following principles and guidelines:

1. In setting employee salary within the executive exempt groups, consideration shall be given to any significant market disparity for different positions.
2. Merit-based increases shall only be provided upon review of information obtained via objective performance reviews or other established criteria. The amount of any increase shall be determined at the discretion of the Mayor, or in the case of the L group, by the Director of Law subject to approval by the Mayor, where it is determined that such an increase is in the best interest of the City of Toledo, based upon review of objective information presented. Criteria that should be considered includes length or frequency of outstanding performance; regularity with which outstanding performance or unique contribution is demonstrated; overall significance or importance of the employee's work product to his/her department; whether the employee has new permanent job duties and/or responsibilities of importance to his/her department; and whether the employee has acquired additional competencies, which are critical in carrying out the functions of the classification.
3. Special circumstances may justify deviating from these guidelines in specific cases. Special circumstances shall include consideration of any special education, certification, or licensure that increases the employee's value to the City.

(e) Longevity Pay:

Effective the first full pay period in September of 1995, any employee in salary groups E-1 through E-5 who became employed by the City prior to July 1, 1982 and who therefore has received longevity pay, shall no longer receive longevity as a separately itemized payment. Such employee's longevity pay shall be incorporated into the employee's base annual salary by multiplying the longevity annual base rate by the appropriate percentage and including the result in the annual salary. Longevity pay shall be added to the employee's base annual salary based upon the employee's present longevity base rate or the rate as listed below if it is greater.

An employee promoted to the executive group after the first full pay period in September of 1995 who has been receiving longevity pay, shall have that pay incorporated into his or her base annual salary using this same methodology. The employee shall only have the amount of longevity pay from their permanent position prior to the promotion added to their new base annual salary.

Once longevity pay has been incorporated into an employee's base annual salary, the employee will not receive further automatic increases once the next plateaus of years of service for longevity pay purposes are reached.

LONGEVITY BASE RATES

| <i>SALARY GROUP</i> | <i>ANNUAL RATE</i> |
|---------------------|--------------------|
| L-1 | \$18,570.24 |
| L-2 | 23,720.32 |
| L-3 | 24,639.68 |
| L-4 | 25,091.04 |
| E-1 | 23,720.32 |
| E-2 | 25,091.04 |
| E-3 | 26,530.40 |
| E-4 | 27,541.28 |

LONGEVITY FACTOR

| <i>CALENDAR YEARS OF CONTINUOUS SERVICE</i> | <i>PERCENT OF LONGEVITY BASE WAGE</i> |
|---|---------------------------------------|
| AFTER 5 YEARS | 2% |
| AFTER 10 YEARS | 4% |
| AFTER 15 YEARS | 6% |
| AFTER 20 YEARS | 8% |

is hereby repealed.

SECTION 10. That a new Toledo Municipal Code Section 2101.74 is enacted as follows:

2101.74 Base Annual Salaries - Executive Group

(a) The annual minimum rate and the annual maximum rate for salary groups E-1, E-2, E-3, and E-4 will increase by the same percentage and effective the same date of any applicable AFSCME Local 2058 wage increase.

The current base annual salary ranges for groups E-1, E-2, E-3, and E-4 are as follows:

| Salary Group | Minimum | Maximum |
|--------------|-------------|--------------|
| E-1 | \$75,288.27 | \$106,336.77 |
| E-2 | \$80,722.49 | \$120,308.70 |
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| E-4 | \$93,917.15 | \$178,134.59 |

b) The annual minimum rate and the annual maximum rate for salary groups L-1, L-2, L-3, and L-4 will increase by the same percentage, effective the same date of the applicable AFSCME Local 2058 wage increase.

The current base annual salary ranges for groups L-1, L-2, L-3, and L-4 are as follows:

| Salary Group | Minimum | Maximum |
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| L-1 | \$59,377.07 | \$106,880.08 |
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(c) Salary ranges shall be reviewed periodically to determine the market average for like level positions based upon a salary survey for such comparable positions. Recommendations to adjust the ranges may be presented to City Council.

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employee's designated Salary Group, subject to the approval of their Appointing Authority. The base annual salary for the Clerk of Council, the Director of the Plan Commission and the City Auditor shall be set by City Council within the designated salary range.

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| <i>SALARY GROUP</i> | <i>ANNUAL RATE</i> |
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| L-4 | 25,091.04 |
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| | |
|-----|-----------|
| E-3 | 26,530.40 |
| E-4 | 27,541.28 |

LONGEVITY FACTOR

| <i>CALENDAR YEARS OF CONTINUOUS SERVICE</i> | <i>PERCENT OF LONGEVITY BASE WAGE</i> |
|---|---------------------------------------|
| AFTER 5 YEARS | 2% |
| AFTER 10 YEARS | 4% |
| AFTER 15 YEARS | 6% |
| AFTER 20 YEARS | 8% |

SECTION 11. This Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lay in the fact that same is necessary for the immediate preservation of public peace, safety, and property, and for the further reason said changes in the City's Classification Plan are immediately needed to effectively maintain and improve the Plan.

Vote on emergency clause: yeas 11, nays 0.

Passed: April 10, 2024, as an emergency measure: yeas 11, nays 0.

Attest:

Julie A. Gibbons
Clerk of Council

Carrie Hartman
President of Council

Approved:

April 11, 2024
Wade Kapszukiewicz
Mayor