



Legislation Details (With Text)

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Title: Amending the Toledo Municipal Code by repealing Sections 2101.01 & 2101.74 and enacting a new Toledo Municipal Code Section 2101.01 & 2101.74; and declaring an emergency.

Sponsors:

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Attachments: 1. Audio: Agenda Review 8/27/2019, 2. Audio: City Council Meeting 9/3/2019

Date	Ver.	Action By	Action	Result
9/3/2019	1	City Council		
9/3/2019	1	City Council		
9/3/2019	1	City Council		

DEPARTMENT OF HUMAN RESOURCES
T. ALEXANDER (x1031)

Amending the Toledo Municipal Code by repealing Sections 2101.01 & 2101.74 and enacting a new Toledo Municipal Code Section 2101.01 & 2101.74; and declaring an emergency.

SUMMARY & BACKGROUND:

Toledo Municipal Code Chapter 2101 governs the terms and conditions of employment for the City of Toledo's Classified Exempt and Executive Exempt employees. This Ordinance repeals Municipal Code Section 2101.01, Classifications, and 2101.74, Base Annual Salaries - Executive Group, and enacts a new Section 2101.01 and 2101.74.

In an effort to assist in the recruitment and succession plan for executive level positions, this ordinance would create the new classification of "Deputy Director" at a salary group E-3, expand the range for those classifications within the E-4 salary group, and create a new salary group, E-5, for senior level executive group positions. In addition, this ordinance would amend the Toledo Municipal Code to be consistent with the Charter of the City of Toledo, which anticipates a Deputy Director to perform the duties of the head of the department during the absence or disability of the department head.

These changes are needed to assist in filling critical or key positions with the best and most prepared candidate, resulting in minimal disruption to the operations. Moreover, these changes will assist in the creation and implementation of a succession plan that includes recruitment and retention of successful leaders, sustaining current initiatives of the department or division, and increased employee morale.

The current Toledo Municipal Code Sections 2101.01 and 2101.74 are hereby repealed and replaced with new Code Sections 2101.01 and 2101.74, as indicated below.

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:

The employees working in classifications listed in this section comprise the Exempt Service and are the management level, supervisory and confidential staff of the Mayor's Office, the Department of Law, the Clerk of Council Office, the Department of Human Resources, the Department of Finance, and other 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
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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 Secretary	7
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 1	3
Clerk 2	4
Clerk 3	5
Clerk 4	6
Mayor's Assistant 1	4
Mayor's Assistant 2	9
Public Services Officer 1	11
Public Services Officer 2	12
Public Services Officer 3	13
Registrar-Vital Statistics	9
Secretary 1	4
Secretary 2	6
Supervisor-Public Health Nursing	12

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

CLASSIFICATION	SALARY GROUP
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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
Chief-Public Health Dentistry	E-2
City Auditor	E-2
Clerk of Council	E-4
Commissioner-Administrative Services	E-2
Commissioner-Public Services	E-2
Director-Administrative Services	E-4
Director-Public Services	E-4
Director-Toledo-Lucas County Plan Commissions	E-4
Director-Office of Diversity and Inclusion	E-4
Executive Fire Officer/Assistant Chief	E-3
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 and Fire Deputy Chiefs Group

CLASSIFICATION	SALARY GROUP
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Fire Deputy Chief-Pro Tem	84
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Police Deputy Chief-Pro Tem	94
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(d) Salary Groups L-1 through L-4

CLASSIFICATION	SALARY GROUP
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Attorney	L-1
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Chief-Legal Section	L-3
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Deputy Chief Prosecutor	L-2
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General Counsel	L-4
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Senior Attorney	L-2
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(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](#), [2101.70](#) and [2101.74](#) (Base Annual Salaries).

is hereby repealed.

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

The employees working in classifications listed in this section comprise the Exempt Service and are the management level, supervisory and confidential staff of the Mayor's Office, the Department of Law, the Clerk of Council Office, the Department of Human Resources, the Department of Finance, and other 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)

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Administrative Assistant to the Mayor	14
Administrative Secretary	7
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 1	3
Clerk 2	4
Clerk 3	5
Clerk 4	6
Mayor's Assistant 1	4
Mayor's Assistant 2	9
Public Services Officer 1	11
Public Services Officer 2	12
Public Services Officer 3	13
Registrar-Vital Statistics	9
Secretary 1	4
Secretary 2	6
Supervisor-Public Health Nursing	12

(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
Chief-Public Health Dentistry	E-2
City Auditor	E-2
Clerk of Council	E-4
Commissioner-Administrative Services	E-2
Commissioner-Public Services	E-2
Deputy Director	E-3
Director-Administrative Services	E-4
Director-Public Services	E-4

Director-Toledo-Lucas County Plan Commissions E-4
 Director-Office of Diversity and Inclusion E-4
 Executive Fire Officer/Assistant Chief E-3
 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 and Fire Deputy Chiefs Group

CLASSIFICATION SALARY GROUP

Fire Deputy Chief-Pro Tem 84

Police Deputy Chief-Pro Tem 94

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

CLASSIFICATION SALARY 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](#), [2101.70](#) and [2101.74](#) (Base Annual Salaries).

SECTION 3. That Toledo Municipal Code Section 2101.74 which states as follows:

2101.74 Base Annual Salaries - Executive Group.

(a) The following base annual salaries for groups E-1 through E-4 are effective on and after January 1, 1998:

<i>SALARY GROUP</i>	<i>ANNUAL MINIMUM RATE</i>	<i>MAXIMUM RATE</i>
E-1	\$48,500	\$68,500
E-2	\$52,000	\$77,500
E-3	\$54,000	\$80,000
E-4	\$60,500	\$92,500

(b) The following base annual salaries for groups E-1 through E-4 are effective following the passage of Ord. 279-14 [passed 9-9-14]:

<i>SALARY GROUP</i>	<i>ANNUAL MINIMUM RATE</i>	<i>MAXIMUM RATE</i>
E-1	\$60,625	\$85,625
E-2	\$65,000	\$96,875
E-3	\$67,500	\$100,000
E-4	\$75,625	\$115,625

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, effective the same date of the applicable AFSCME Local 2058 wage increase.

(c) Effective on and after January 1, 1998, the salary range for groups L-1 through L-4 shall be as follows:

<i>SALARY GROUP ANNUAL MINIMUM RATE MAXIMUM RATE</i>		
L-1	\$28,500	\$55,000
L-2	\$46,000	\$79,500
L-3	\$55,000	\$80,000
L-4	\$57,000	\$84,000

(d) Effective following the passage of Ord. 279-14 [passed 9-9-14], the salary range for groups L-1 through L-4 shall be as follows:

<i>SALARY GROUP ANNUAL MINIMUM RATE MAXIMUM RATE</i>		
L-1	\$35,625	\$68,750
L-2	\$57,500	\$99,375
L-3	\$68,750	\$100,000
L-4	\$71,250	\$105,000

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.

(e) 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.

(f) 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.

(g) Longevity Pay:

Effective the first full pay period in September of 1995, any employee in salary groups E-1 through E-4, and L-1 through L-4, 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	
SALARY GROUP	ANNUAL RATE

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	
CALENDAR YEARS OF CONTINUOUS SERVICE	PERCENT OF LONGEVITY BASE WAGE
AFTER 5 YEARS	2%
AFTER 10 YEARS	4%
AFTER 15 YEARS	6%
AFTER 20 YEARS	8%

(Ord. 279-14. Passed 9-9-14.)

is hereby repealed.

SECTION 4. That a new Toledo Municipal Code Section 2101.74 is enacted as follows:

2101.74 Base Annual Salaries - Executive Group.

(a) The following base annual salaries for groups E-1 through E-4 are effective on and after January 1, 1998:

<i>SALARY GROUP</i>	<i>ANNUAL MINIMUM RATE</i>	<i>MAXIMUM RATE</i>
E-1	\$48,500	\$68,500
E-2	\$52,000	\$77,500
E-3	\$54,000	\$80,000
E-4	\$60,500	\$92,500

(b) The following base annual salaries for groups E-1 through E-4 are effective following the passage of Ord. 279-14 [passed 9-9-14]:

<i>SALARY GROUP</i>	<i>ANNUAL MINIMUM RATE</i>	<i>MAXIMUM RATE</i>
E-1	\$60,625	\$85,625
E-2	\$65,000	\$96,875
E-3	\$67,500	\$100,000
E-4	\$75,625	\$115,625

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, effective the same date of the applicable AFSCME Local 2058 wage increase.

(c) The following base annual salaries for groups E-1 through E-5 are effective following the passage of this ordinance:

<i>SALARY GROUP</i>	<i>ANNUAL MINIMUM RATE</i>	<i>MAXIMUM RATE</i>
E-1	\$63,399	\$89,543
E-2	\$67,974	\$101,308
E-3	\$70,588	\$115,000
E-4	\$79,085	\$130,000
E-5	\$90,000	\$150,000

The annual minimum rate and the annual maximum rate 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.

(d) Effective on and after January 1, 1998, the salary range for groups L-1 through L-4 shall be as follows:

<i>SALARY GROUP ANNUAL MINIMUM RATE MAXIMUM RATE</i>		
L-1	\$28,500	\$55,000
L-2	\$46,000	\$79,500
L-3	\$55,000	\$80,000
L-4	\$57,000	\$84,000

(e) Effective following the passage of Ord. 279-14 [passed 9-9-14], the salary range for groups L-1 through L-4 shall be as follows:

<i>SALARY GROUP ANNUAL MINIMUM RATE MAXIMUM RATE</i>		
L-1	\$35,625	\$68,750
L-2	\$57,500	\$99,375
L-3	\$68,750	\$100,000
L-4	\$71,250	\$105,000

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.

(f) The following base annual salaries for groups L-1 through L-4 are effective following the passage of this ordinance:

<i>SALARY GROUP ANNUAL MINIMUM RATE MAXIMUM RATE</i>		
L-1	\$50,000	\$90,000
L-2	\$65,000	\$115,000
L-3	\$85,000	\$122,000
L-4	\$95,000	\$130,000

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.

(g) 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.

(h) 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.

(i) Longevity Pay:

Effective the first full pay period in September of 1995, any employee in salary groups E-1 through E-5, and L-1 through L-4, 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	
SALARY GROUP	ANNUAL RATE

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LONGEVITY FACTOR	
CALENDAR YEARS OF CONTINUOUS SERVICE	PERCENT OF LONGEVITY BASE WAGE

AFTER 5 YEARS	2%
AFTER 10 YEARS	4%
AFTER 15 YEARS	6%
AFTER 20 YEARS	8%

(Ord. 279-14. Passed 9-9-14.)

SECTION 5. 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, health safety and property, and for the further reason said changes in the City's Classification Plan are immediately needed to effectively maintain the system.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____