

ORDINANCE NO. 13 - 24

AN ORDINANCE MOVING FULL-TIME FIREFIGHTERS FROM A NON-SALARY, NON-EXEMPT CLASSIFICATION TO A SALARY, NON-EXEMPT CLASSIFICATION, CREATING "KELLY DAYS" FOR FULL-TIME FIREFIGHTERS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Port Clinton wishes to continue operations of Port Clinton Fire Department in the most efficient mode possible, and

WHEREAS, it is necessary to provide for adequate salaries to full-time firefighters who are not covered by any collective bargaining agreement, and

WHEREAS, in order to do this, it is necessary to revise how full-time firefighters are classified by moving full-time firefighters from a non-salary, non-exempt classification to a salary, non-exempt classification; and

WHEREAS, under the current classification, full-time firefighters work 80 hour pay periods with overtime pay; totaling 2080 regular pay hours and 840 hours of overtime pay per year; and

WHEREAS, under the new classification, full-time firefighters may enter into salary non-exempt pay periods of regular pay for 106 hours in a 14-day period; and

WHEREAS, in lieu of overtime pay during these salary non-exempt pay periods, full-time firefighters will be awarded 6 "Kelly Days" per year; and

WHEREAS, "Kelly Days" will be mandated time off during the year and will be calculated on January 1st of each year; and

WHEREAS, a "Kelly Day" must be worked and the compensation for such worked "Kelly Day" must be paid in the pay period earned or the pay period immediately following, Ohio Administrative Code, Rule 742-3-02; and

WHEREAS, the Port Clinton Fire Department currently has 13 EMS employees and only three of the thirteen are firefighters as well; and

WHEREAS, this forces the Fire Department to rely on volunteer firefighters to respond to all fire calls; and

WHEREAS, to remedy this issue and utilize all thirteen full-time EMS employees, the full-time EMS employees will need to complete the training necessary to obtain a firefighter certification; and

WHEREAS, all full-time EMS employees shall obtain and maintain the certifications required to continue with the Port Clinton Fire Department as a full-time firefighter/EMS employee by no later than January 1, 2026.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, Ottawa County, Ohio:

Section 1. the following employment positions shall be classified as salary, non-exempt employees of the City of Port Clinton for employment purposes:

- Full-time Firefighters

Section 2. Full-time firefighters may enter into salary non-exempt pay periods of regular pay for 106 hours in a 14-day period and in lieu of overtime pay during these salary non-exempt pay periods, full-time firefighters will be awarded 6 “Kelly Days” per year.

Section 3. “Kelly Days” will be mandated time off during the year and will be calculated on January 1st of each year and a “Kelly Day” must be worked and the compensation for such worked “Kelly Day” must be paid in the pay period earned or the pay period immediately following, Ohio Administrative Code, Rule 742-3-02; and

Section 4. All full-time EMS employees shall obtain and maintain the certifications required to continue employment with the Port Clinton Fire Department as a full-time Firefighter/EMS employee by no later than January 1, 2026.

Section 5. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance, were taken in an open meeting of this Council, and that all deliberations of this Council and any Committees that resulted in these formal actions were in meeting open to the public in compliance with the law.

Section 6. This Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public health, safety and welfare of the City and its residents, and for the further reason that the City desires to amend the classifications for full-time firefighters immediately so full-time firefighters can become salary, non-exempt employees and can start earning “Kelly Days”; wherefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: _____

President of Council

Attest: _____
Clerk of Council

Approved: _____ 2024

Mayor