**ORDINANCE NO. 13-2021**

**AMENDING ORDINANCE NO. 6-2017, AS AMENDED, PROVIDING FOR A LABOR AND CUSTODIAN FORCE FOR THE VILLAGE OF FAIRFAX, OHIO; ESTABLISHING CLASSIFICATIONS OF THE LABOR AND CUSTODIAN FORCE AND RATES OF COMPENSATION THERFOR; ESTABLISHING OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR SAID POSITIONS, AND DECLARING AN EMERGENCY**

**WHEREAS,** the Village of Fairfax, Ohio (the “Village”) previously adopted Ordinance No. 6-2017, as amended, providing for a Labor and Custodian Force for the Village; and

**WHEREAS,** it is necessary to revise certain authority and requirements for the Labor and Custodian Force in light of changes in policy and practice made since 2017, including, but not limited to, the revision of an employee handbook; and

**WHEREAS,** it is necessary to implement such revisions promptly, in light of the Village’s interest in timely and appropriate administration and pay for such force;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio, that:

**SECTION I:** Section I of Ordinance No. 6-2017, as amended, is hereby amended further by the addition of the following subsections following the existing text:

 (A) All employees on the Labor and Custodian Force shall be at-will employees of the Village, hired by, and removable at the discretion of, the Village Administrator.

 (B) All employees on the Labor and Custodian Force are employed subject to the terms and conditions set forth in the Employee Handbook of the Village, as revised and supplemented, or as otherwise set forth by ordinance or Village policy, including, but not limited to, all benefits, vacation, sick leave or other leave, holidays, and overtime. This Ordinance controls over any conflict with the Employee Handbook or policy established other than by ordinance.

 (C) Council may change the hourly rates of pay or any other compensation for employees on the Labor and Custodian Force by subsequent resolution adopted from time-to-time.

**SECTION II:** Section III of Ordinance No. 6-2017, as amended, is hereby amended further to read as follows:

SECTION III: Any full-time Permanent Maintenance Person or Building Custodian shall be paid as follows: twenty four dollars and thirty nine cents ($24.39) per hour for the first six months of service in that position; twenty five dollars and eighty nine cents ($25.89) per hour for the second six months of service in that position; and twenty seven dollars and thirty nine cents ($27.39) per hour for all years following one year of service in that position.

**SECTION III:** Section IV of Ordinance No. 6-2017, as amended, is hereby amended further to read as follows:

SECTION IV: Any full-time Permanent Maintenance Foreman shall be paid as follows: twenty nine dollars and eighty five cents ($29.85) per hour for the first six months of service in that position; thirty one dollars and thirty five cents ($31.35) per hour for the second six months of service in that position; and thirty two dollars and eighty five cents ($32.85) per hour for all years following one year of service in that position.

**SECTION IV:** Section V of Ordinance No. 6-2017, as amended, is hereby amended further to read as follows:

SECTION V: Any permanent part-time employee, including a Permanent Part-Time Maintenance Person, hired by the Village Administrator shall be paid at a rate of not less than nine dollars and twenty seven cents ($9.27) and not more than twenty dollars and sixty cents ($20.60) per hour based on qualifications, experience, and need. Any temporary seasonal employees hired by the Village Administrator shall be paid at a rate of not less than nine dollars and twenty seven cents ($9.27) and not more than seventeen dollars and fifty one cents ($17.51) per hour based on qualifications, experience, and need. Any temporary replacement maintenance employees hired by the Village Administrator shall be paid at the rate of not less than sixteen dollars and forty eight cents ($16.48) and not more than nineteen dollars and fifty seven cents ($19.57) per hour based on qualifications, experience, and need. In the event of an emergency, the Village Administrator may request the services of one or more additional temporary seasonal maintenance employees.

 **SECTION V:** Sections III, IV, and V of Ordinance No. 6-2017, as amended above, shall take effect as of the pay period beginning March 28, 2021.

 **SECTION VI:** The existing Sections III, IV, and V of Ordinance No. 6-2017, as amended, shall be and are hereby repealed as of the pay period beginning March 28, 2021.

 **SECTION VII:** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to provide for a fully-staffed and appropriately managed Labor and Custodian Force at all times.

 Passed this 19th day of April, 2021.

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 Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fiscal Officer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No. 13-2021, passed at a meeting of the Council of the Village of Fairfax on this 19th day of April, 2021.

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 Fiscal Officer