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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 45 - 2024

6
7 AN ORDINANCE AMENDING SECTION 151.06 OF THE
8 CODIFIED ORDINANCES, RELATING TO PAID HOLIDAYS,
9 AND DECLARING AN EMERGENCY.

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12 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,
13 and State of Ohio, that:

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15 Section 1. Section 151.06 of the Codified Ordinances of the City of Cuyahoga Falls is
16 hereby amended to read in full as follows (new text underlined; deleted text in
17 ~~strikethrough~~):

18
19 **151.06 Paid Holidays**

20
21 (a) All full-time, non-bargaining unit employees of the City, except elected officials,
22 are hereby granted the following paid legal holidays:

- 23
- 24 New Year's Day
- 25 Martin Luther King Day
- 26 Presidents' Day
- 27 Good Friday
- 28 Memorial Day
- 29 Juneteenth
- 30 Independence Day
- 31 Labor Day
- 32 Veterans Day
- 33 Thanksgiving Day
- 34 Friday after Thanksgiving Day
- 35 Day before or after Christmas (as designated by the Mayor)
- 36 Christmas Day
- 37 3 Personal Leave Days
- 38

39 In the event that any of the aforementioned holidays fall on Saturday or Sunday,
40 the Mayor, at his discretion, may proclaim the adjacent Friday or Monday as the holiday,
41 provided that New Year's Day shall not be celebrated on any day prior to January 1 of a
42 given year.

43
44 (b) If an employee does not work a holiday, he shall be compensated as follows:

45 (1) Exempt Employees: An exempt employee shall receive his regular salary with
46 no loss in pay.

47 (2) Non-Exempt Employees: A non-exempt employee shall be paid his regular
48 wages for the holiday as holiday pay in addition to regular pay for all hours actually
49 worked in the pay period.

50 (3) All Employees: An employee who does not work on a holiday shall receive no
51 other compensation for the holiday as vacation pay, sick leave pay, injury pay, or paid
52 compensatory time off. An employee who does not work a holiday due to absence without
53 leave or other unpaid absence shall not be compensated for the holiday.

54
55 (c) If an employee works the holiday, he shall be compensated as follows:

56 (1) Exempt employees. An exempt employee who works a holiday shall be given
57 a corresponding amount of time off within the same pay period as the holiday without
58 any loss in pay.

59 (2) Non-exempt employees.

60 A. A nonexempt employee who works the holiday as a part of his regular
61 schedule shall receive his regular wage for that day and, in addition, he shall be paid an
62 additional full day's pay as holiday pay.

63 B. A nonexempt employee who is not regularly scheduled to work on a holiday,
64 but is summoned for emergency work on the holiday shall receive a full day's pay
65 as holiday pay, and in addition thereto, one and one-half times his regular hourly rate
66 for the hours worked.

67 C. Compensatory time option: A nonexempt employee who works
68 a holiday may elect to accrue, with the approval of his department head, in lieu
69 of holiday pay as provided for in this section, a corresponding amount of compensatory
70 time, provided that the election is made within the pay period containing the holiday and
71 further provided that the compensatory time is taken within the next ensuing 180 days
72 after the holiday. If the compensatory time is not taken within 180 days, the
73 compensatory time shall be converted back to holiday pay and paid to the employee.
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75 (d) For the purpose of this section, "nonexempt" employee means an employee who
76 occupies a position or classification designated as nonexempt pursuant to the Federal
77 Fair Labor Standards Act as adopted by and through City ordinance.
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79 (e) For the purpose of this section, the legal or declared holidays shall be
80 considered as being from 12:00 o'clock midnight to the following 12:00 o'clock midnight.
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82 Section 3. Council hereby authorizes the Mayor to enter into Memoranda of
83 Understanding with the City's bargaining units for the observation of Juneteenth as a
84 holiday in 2024.
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86 Section 4. Any ordinances or resolutions or portions of ordinances and resolutions
87 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
88 inconsistent herewith and which have not previously been repealed are hereby ratified
89 and confirmed.
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91 Section 5. It is found and determined that all formal actions of this Council
92 concerning and relating to the passage of this ordinance were taken in an open meeting
93 of this Council and that all deliberations of this Council and of any committees that
94 resulted in those formal actions were in meetings open to the public, in compliance with
95 all requirements including Chapter 107 of the Codified Ordinances.
96

97 Section 6. This ordinance is hereby declared to be an emergency measure necessary
98 for the preservation of the public peace, health, safety, convenience and welfare of the
99 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
100 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
101 effect and be in force immediately upon its passage and approval by the Mayor; otherwise
102 it shall take effect and be in force at the earliest period allowed by law.
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Passed: 5-29-2024



President of Council



Clerk of Council

Approved 5-29-2024



Mayor

5/13/24

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