ORDINANCE NO. 25-73

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Delaware Municipal Court and Clerk of Court Summary of Benefits and Employment Policies shall be amended to reflect the noted changes (attached hereto).

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees 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 of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 4. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 21, 2025, which coincides with the new calendar year. Therefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

VOTE ON EMERGENCY CLAUSE: YEAS 7 NAYS 0
ABSTAIN 0

PASSED: December 15, 2025 YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Sarah Davis
CITY CLERK

Cindy Kay Riggle
MAYOR

THE DELAWARE MUNICIPAL COURT 2026 SUMMARY OF BENEFITS AND EMPLOYMENT POLICIES

For exempt and non-exempt employees of the Municipal Court and Municipal Clerk of Court

Revised November 24, 2025

Contents

Article I. WAGES AND PAY PLAN 2
Section 1.01 Non- Union Employee Pay Plan 2
Section 1.02 Department Director Pay Plan 3
Section 1.03 Overtime Pay and Compensatory Time: Non-Exempt Employees 4
Section 1.04 Compensatory Time: Exempt Employees 5
Article II. ACCRUED TIME AND VARIOUS LEAVES 8
Section 2.01 Vacation 8
Section 2.02 Sick Leave 11
Section 2.03 Holiday and Personal Days 12
Section 2.04 Funeral Leave 14
Section 2.05 Special Leave 14
Section 2.06 Jury Duty Leave 15
Section 2.07 Court Leave 15
Section 2.08 Injury Leave 15
Article III. Insurance 16
Section 3.01 Health, Dental and Vision 13
Section 3.02 Life Insurance 16
Article IV. Other Compensation 16
Section 4.01 Longevity Compensation 16
Section 4.02 Automobile Expense Reimbursement 17
Section 4.03 Call In Pay 17
Section 4.04 Tuition Reimbursement 18
Article V. Miscellaneous 19
Section 5.01 Personnel Files 19
Section 5.02 Parks and Recreation Credit 20
Article VI. Permanent Part-time Employees 19
Section 6.01 Wages 19
Section 6.02 Benefits 20
Article VII. Employment Polices and Procedures 19
Section 7.01 General 19
Section 7.02 Employment Handbook 20

PREAMBLE – General Application and Construction

Unless specifically stated otherwise, the provisions in this document apply to employees, exempt and non-exempt, of both the Delaware Municipal Court and Delaware Municipal Clerk of Court.

This document shall be referred to as the Municipal Court Pay Plan. The Delaware Municipal Court and Delaware Municipal Clerk of Court shall be referred to collectively in this document as "Court or Clerk."

Any change in benefits for an employee because of this revision of the Municipal Court Pay Plan shall be prospective only, and no employee will receive any retroactive increase in benefits because of the changes made in this version of the Municipal Court Pay Plan.

Article I. WAGES AND PAY PLAN

Section 1.01 Non- Union Employee Pay Plan

(a) The following pay schedule is effective December 21, 2025.

(b) The salary an employee receives in the employee's position of employment with the Municipal Court, whether by new hire, promotion, demotion, market adjustment or equity adjustment, shall be set by the Administrative Judge of the Municipal Court, upon recommendation from the Court Administrator.

(c) The salary an employee receives in the employee's position of employment with the Municipal Clerk of Court, whether by new hire, promotion, demotion, market adjustment or equity adjustment, shall be set by the Clerk of the Municipal Court.

Pay Grades and Positions

***MC = Municipal Court Position; CC = Clerk of Court Position**

Pay Grade	Agency	Position
1	MC	Office Assistant, Mission Court Mentor - Part Time, Bailiff - Part Time
	CC	Seasonal / Part Time Deputy Clerk
2	MC	Bailiff, Bond Intake Officer, Pretrial & Diversion Officer
	CC	Deputy Clerk I
3	MC	Assignment/Jury Commissioner, Community Control Officer, Specialized Docket Coordinator
	CC	Deputy Clerk II
4	MC	Deputy Chief Bailiff
	CC	Deputy Clerk III
5	MC	Deputy Chief Community Control Officer
	CC	Bookeeper I
6	MC	Magistrate I / Staff Attorney
	CC	
7	MC	Magistrate II
	CC	

Municipal Court Pay Steps and Ranges

	Step Pay Scale										Range Pay Scale			
PG	Step 1 Rate	Step 1 Annual	Step 2 Rate	Step 2 Annual	Step 3 Rate	Step 3 Annual	Step 4 Rate	Step 4 Annual	Step 5 Rate	Step 5 Annual	Min Rate	Min Annual	Max Rate	Max Annual
MC1	$18.88	$39,262.08	$19.78	$41,138.24	$20.71	$43,083.04	$21.69	$45,119.36	$22.73	$47,270.08	$22.74	$47,292.96	$27.12	$56,409.60
MC2	$22.11	$45,986.30	$23.16	$48,176.13	$24.26	$50,459.14	$25.41	$52,858.62	$26.62	$55,374.59	$26.63	$55,397.89	$31.95	$66,463.49
MC3	$26.40	$54,912.00	$27.20	$56,576.00	$28.45	$59,176.00	$29.76	$61,900.80	$31.14	$64,771.20	$31.16	$64,812.80	$37.72	$78,457.60
MC4	$28.70	$59,693.92	$30.06	$62,531.04	$31.49	$65,505.44	$32.99	$68,617.12	$34.56	$71,888.96	$34.57	$71,911.84	$42.47	$88,339.68
MC5	$33.80	$70,304.00	$35.35	$73,528.00	$37.01	$76,980.80	$38.74	$80,579.20	$40.54	$84,323.20	$40.56	$84,364.80	$48.20	$100,256.00
MC6	$37.97	$78,981.76	$39.78	$82,734.08	$41.66	$86,646.56	$43.64	$90,764.96	$45.72	$95,089.28	$45.73	$95,112.16	$55.50	$115,440.00
MC7	$43.67	$90,833.60	$45.74	$95,135.04	$47.92	$99,665.28	$50.19	$104,401.44	$52.57	$109,343.52	$52.58	$109,366.40	$65.15	$135,512.00

Municipal Clerk of Court Pay Ranges

Pay Grade	Min Rate	Min Annual	Mid Rate	Mid Annual	Max Rate	Max Annual
CC1	$ 18.88	$ 39,270.40	$ 23.00	$ 47,840.00	$ 27.12	$ 56,409.60
CC2	$ 24.00	$ 49,920.00	$ 28.62	$ 59,529.60	$ 34.80	$ 72,384.00
CC3	$ 26.20	$ 54,496.00	$ 33.03	$ 68,702.40	$ 40.05	$ 83,304.00
CC4	$ 28.82	$ 59,945.60	$ 35.93	$ 74,734.40	$ 43.81	$ 91,124.80
CC5	$ 33.80	$ 70,304.00	$ 40.52	$ 84,281.60	$ 48.20	$ 100,256.00

Section 1.02 Department Director Pay Plan

(a) The following pay schedule is effective December 21, 2025.

(b) The salary an employee receives in the employee's position of employment with the Municipal Court, whether by new hire, promotion, demotion, market adjustment or equity adjustment, shall be set by the Administrative Judge of the Municipal Court, upon recommendation from the Court Administrator.

(c) The salary an employee receives in the employee's position of employment with the Municipal Clerk of Court, whether by new hire, promotion, demotion, market adjustment or equity adjustment, shall be set by the Clerk of the Municipal Court.

Pay Grade	Minimum		Maximum
Department Director III	**$90,826.27**		**$137,280.00**
Court Administrator			
Chief Deputy Clerk			
Chief Magistrate			
Department Director II	**$78,976.61**		**$117,520.00**
Chief of Community Control			
Deputy Clerk Lead			
Department Director I	**$68,649.15**		**$100,880.00**
Chief Bailiff			

(d) **Biennial Market Analysis.** The Municipal Court Pay Plan salary classification schedule shall be reviewed on a biennial basis in a process approved by the Administrative Judge and Clerk of Court. The process shall be conducted by the Court Administrator, and other Court and Clerk staff as deemed appropriate, and will include a market analysis of comparable positions at other Ohio government agencies. The analysis shall be made within the context of current fiscal resources and the budget of the Court and Clerk. Provided fiscal resources allow, every four years, the Court and Clerk shall hire a professional management consulting firm to conduct the biennial market analysis in lieu of the internal biennial market analysis.

Section 1.03 Overtime Pay & Compensatory Time: Non-Exempt Employees

(a) For employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act they shall be entitled to overtime pay or compensatory time as described below:

1) Employees shall be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of forty (40) hours in any workweek shall be compensated for at a rate of time and one-half. Payment in cash shall be made for any overtime due at the time of separation from service for the Court or Clerk.

2) In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off shall be equal to one and one-half (1.5) hours for each hour of overtime compensation to which the employee is entitled. All requests for use of compensatory time are subject to approval of the Department Director. Compensatory time shall be taken at a time mutually agreeable to the Department Director and the employee.
3) Employees can accumulate up to eighty (80) hours of compensatory time. When an employee has eighty (80) hours of accumulated compensatory time, all further overtime will be paid in cash.
4) At no time shall compensatory time be converted to any other form of leave or compensation, except when an employee separates from Court or Clerk service. Upon termination of employment, a non-exempt employee shall be paid for unused compensatory time.
5) Compensatory time shall be documented in the appropriate payroll tracking system.

(b) **Flex Time.** Flex time is a temporary adjustment in work schedule of an employee that allows the employee to use time worked beyond the employee's regular work schedule to make up for a corresponding amount of time the employee is away from work during their regular work schedule.

1) The Court and Clerk expect that employees will use flex time to limit the need to require the employee to work overtime in a workweek.
2) All requests for use of flex time are subject to approval of the Department Director. Flex time shall be taken at a time mutually agreeable to the Department Director and the employee.
3) A non-exempt employee is eligible to use flex time in a single workweek, but the use of flex time may not result in a work schedule that exceeds 40 hours per week.

Section 1.04 Compensatory Time: Exempt Employees

(a) Employees exempt under the Fair Labor Standard Act shall not be entitled to overtime pay but shall be entitled to compensatory time as described below:

1) No existing compensatory time balances will be carried over from an outside position or when the employee transfers in the Municipal Court Pay Plan

2) Compensatory time shall be earned for approved work that exceeds eighty (80) hours per pay period and such employees may receive said compensatory time at the rate of one (1) hour for each hour worked in excess eighty (80) hours per pay period.
3) The maximum accrual of compensatory time shall be two-hundred forty (240) hours.
4) At no time shall compensatory time be converted to any other form of leave of compensation. Upon termination of employment, an exempt employee is not entitled to payment for unused compensatory time.
5) Compensatory time shall be documented in the appropriate payroll tracking system.

(b) **Flex Time.** An exempt employee is eligible to use flex time as defined in Section 1.03(b) in a single pay period (80 hours over two weeks), but the use of flex time may not result in a work schedule that exceeds 80 hours per pay period.

Section 1.05 Salary Adjustments

(a) **Clerk of Court Pay Ranges** – The starting pay and any subsequent pay increases for employees of the Municipal Clerk of Court shall be merit-based as determined by the Clerk of Court.

Pursuant to 1901.31(H) Deputy Clerks of a municipal court other than the Carroll County Municipal Court may be appointed by the Clerk and shall receive the compensation, payable in either biweekly instalments or semi-monthly instalments, as determined by the payroll administrator, out of the City Treasury, that the Clerk may prescribe, except that the compensation of any Deputy Clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the Court is located. The Judge of the Carroll County Municipal Court may appoint Deputy Clerks for the Court, and the Deputy Clerks shall receive the compensation, payable in biweekly instalments out of the county treasury, that the Judge may prescribe. Each Deputy Clerk shall take an oath of office before entering upon the duties of the Deputy Clerk's office and, when so qualified, may perform the duties appertaining to the office of the Clerk. The Clerk may require any of the Deputy Clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the Deputy Clerk's duties.

(b) **Court Step Adjustments** – An employee who is below Step 5 in a Pay Grade and who has been employed full-time with the Court before October 1 of a calendar year shall be eligible to move to the next Step in their pay grade for the first pay period ending in the next calendar year.

1) Provided fiscal and budget resources allow, there shall be a presumption an employee shall move to the next Step in the pay grade unless any of the following apply:

i) The employee is subject to a Performance Improvement Plan as implemented by the employee's Director; or

ii) There is documented evidence of poor performance by the employee during the prior year. Documented poor performance is defined as having been the subject of one or more written reprimands within the past 12 months, or the subject of two or more documented verbal reprimands within the past 12 months.

2) If an employee is subject to provisions 1.05(b)(1)(i) or (ii), the employee may still move to the next Step in the pay grade for the first pay period ending in the next calendar year, or later in the next calendar year, upon approval of the Administrative Judge.

(c) **Court Range Adjustments** – An employee who is at or above Step 5 in a Pay Grade and who has been employed full-time with the Court before October 1 of a calendar year shall be eligible for a range adjustment for the first pay period ending in the next calendar year.

1) Provided fiscal and budget resources allow, there shall be a presumption an employee will receive a range adjustment if they meet the following criteria:

i) The employee is not subject to a Performance Improvement Plan and has not been the subject of a written or documented verbal reprimand within the past 12 months.

ii) The employee's most recent annual performance evaluation indicates that that the employee meets or exceeds all job performance categories; and

iii) The employee's Department Director recommends that the employee receive a range adjustment.

2) The percentage range adjustment to an employee's pay when they are at, or above, Step 5 shall be made by recommendation of the employee's Department Director.

i) Range adjustment recommendations by the Department Director should generally be within a range of a 3 to 5% increase in the employee's pay grade.

ii) Recommendations more than 5% must be supported by specific documentation of exceptional performance that goes above and beyond the duties described in the employee's position description.

3) All range adjustments shall be subject to final approval by the Administrative Judge.

(d) **Division Director Range Adjustments** – All range adjustments for Division Directors shall be determined by the Administrative Judge or the Clerk of Court.

(e) **Pay Range Maximum** –

1) There shall be a presumption that an employee who has reached the maximum pay range of their position will not receive any type of salary adjustment as defined in this section.

2) If the Administrative Judge or Clerk of Court determines that an employee at the maximum of their pay range should receive compensation above the maximum of the pay range, the compensation shall be in the form of a lump sum payment in lieu of a rate increase.

Article II. ACCRUED TIME AND VARIOUS LEAVES

Section 2.01 Vacation

(a) The vacation year for employees shall end at close of business on the last pay period that ends in the month of December.

(b) Each full-time employee shall accrue vacation leave by pay period at the annual rate of work hours based on years of full-time total service which is established in the schedules contained in this article. Years of total full-time service is defined to be the total of all periods of employment for the Court or Clerk. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of total service. Time not in paid status, excepting military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.

(c) The following vacation accrual schedules are established:

Years of Total Service	Vacation Hrs./Year	Vacation Hrs./Pay
5 years or less	80.6	3.1
5 but less than 10 years	119.6	4.6
10 but less than 15 years	161.20	6.2
15 plus years	200.2	7.7

(d) Any vacation balance in excess of the maximum accrual shall become void as of the close of business on the last day of the pay period that ends in the month of December.

Years of Total Service	Maximum Accrual of Vacation Hours
5 years or less	241.8
5 but less than 10 years	358.8
10 but less than 15 years	483.6
15 plus years	600.6

(e) Eligibility

1) To be eligible for biweekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond their control, absence from work for the balance of that day shall not be construed as unpaid work status.

2) An employee in full-time status who is to be separated from the Court or Clerk service through discharge, resignation, retirement or layoff, and who has unused vacation leave to their credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his last day of active service with the Court or Clerk. Such payment shall be paid at the employee's hourly rate of pay at time of separation.
3) When a member dies while in paid status in Court or Clerk service, any unused vacation leave to their credit shall be paid in a lump sum to the surviving spouse, or such other person the employee may have designated in writing.
4) Requests for vacation are to be submitted and approved, in advance of the intended use, by employee's Department Director.
5) To be eligible to transfer years of service for determination of vacation benefits to the Court or Clerk from prior employment **inside the state of Ohio:**
    i. Employees will only be eligible to transfer years of service from a public agency as defined by State law.
    ii. The amount of years of service that can be transferred is unlimited.
    iii. Prior employment must be in full-time status

6) To be eligible to transfer years of service for determination of vacation benefits to the Court or Clerk from prior employment **outside the State of Ohio:**
    i. Employees will only be eligible to transfer years of service from their immediate previous employer.
    ii. Said previous employer must be a public agency.
    iii. Employment with the Municipal Court or Municipal Clerk of Court must take place within twelve months of termination from their immediate previous employer.
    iv. The maximum amount of years of service that can be transferred is five (5) years.
    v. Present employees are not eligible.
    vi. Prior employment must be in full-time status.
7) An employee may elect to trade three (3) weeks of vacation time, or the equivalent of vacation time earned in one year, whichever is greater, for equivalent pay during the calendar year. Conversion of vacation time may occur for pay periods ending in the months of January, June, or December of each year.

2) An employee must inform the Court Administrator, for employees of the Municipal Court, or the Clerk of Court, for employees of the Municipal Clerk of Court, prior to August 1 of the year preceding the calendar year in which the employee intends to make the trade and must maintain at least forty (40) hours of vacation time in the employee's account after said trade takes place. Exceptions may be granted by the Court Administrator for employees of the Municipal Court or by the Clerk of Court for employees of the Municipal Clerk of Court.

Section 2.02 Sick Leave

(a) Each Court or Clerk employee shall be entitled to sick leave with pay for four and six-tenths (4.6) hours of each completed (80) hours of service. An employee may use sick leave, upon approval of his or her Department Director, for absence due to personal illness, pregnancy, injury, appointments with medical professionals, or exposure to contagious disease which could be communicated to other employees, and for illness, appointments with medical professionals, or injury of the employee's spouse, dependent children, step-children or parent. It is the option of a Department Director, with cause, to require return to work documentation from the employee.

(b) To be eligible for sick leave incentive, an employee must be on the first payroll of the calendar year and remain employed through the last payroll period of the calendar year. Sick leave incentive is awarded the first pay in February following the completed calendar year. If an employee used 0 hours of sick leave in any one calendar year, that employee shall be credited with an additional three (3) vacation days the following year. If an employee uses between one (1) and eight (8) hours of sick leave in any one calendar year that employee shall be credited with an additional two (2) vacation days the following year. If an employee uses between nine (9) and sixteen (16) hours of sick leave in any one calendar year that member shall be credited with one (1) additional vacation day the following year. To be eligible for this incentive, an employee must be active for the first pay period of the calendar year through the last pay period of the calendar year. At the employee's option, any additional vacation days earned can be converted to pay for pay periods ending in the months of January, June, or December of the year the additional vacation is earned. Employees must provide notification pursuant to 2.01(e)(2) of their intent to convert the vacation sick incentive to pay in the following calendar year.

(c) To be eligible to transfer sick leave to the Court or Clerk from prior employment inside the state of Ohio:

1) Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
2) Employment with the Court or Clerk must take place within ten (10) years of termination from their previous employer.
3) The maximum amount of sick leave hours that be transferred is unlimited as long as it is accrued at a rate of no greater than 15 days per year.

(d) To be eligible to transfer sick leave of the Court or Clerk from prior employment outside the state of Ohio:
1) Employees will only be eligible to transfer sick leave from their immediate previous employer.
2) Said previous employer must be a public agency.
3) Employment with the Court or Clerk must take place within twelve (12) months of termination from their immediate previous employer.
4) The maximum amount of sick leave hours that can be transferred is six hundred (600).
5) Any sick leave time so transferred shall have been accumulated at the rate of one and one-fourth days per month of employment.
6) Present employees are not eligible.

(e) Any Court or Clerk employee who has accumulated at least 100 days (800 hours) of sick leave credit may convert any excess thereof up to fifteen (15) days per year of sick leave to vacation leave on the basis two (2) sick leave days for one (1) day vacation leave. Such annual conversion, if made, shall occur in December for the year of conversion.

(f) Any employee separated from Court or Clerk service for other than just cause shall be paid for all accumulated and unused sick leave on the basis of one (1) hour of pay for every two (2) hours of unused sick leave. Total sick leave pay out cannot exceed sixteen (16) weeks pay (640 hours).

(g) For Employees Hired After November 1, 2013
1) Each member hired by the Delaware Municipal Court or Clerk of Court after November 1, 2013 may transfer accrued sick leave hours from previous employment with any public agency. Such sick leave hours will not be eligible for conversion or payment upon separation pursuant to section 5. In addition, sick leave usage by members who transfer in sick leave hours will first be charged to sick leave hours accumulated while employed by the Delaware Municipal Court or Clerk of Court. Members will only be eligible to utilize hours transferred in from prior public employment when they have no balance of sick leave available from sick leave accrued while employed by the Delaware Municipal Court or Clerk of Court.

Section 2.03 Holiday and Personal Days

(a) The following are designated as paid holidays for covered employees:

New Year's Day, January 1	Little Brown Jug Day, ½ day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Juneteenth, June 19	Day before Christmas, ½ day
Independence Day, July 4	Christmas Day, December 25
Labor Day	

(b) If one of the holidays set forth above occurs while an employee is on vacation leave, such day shall not be charged against his/her vacation leave.

(c) In the event that the Federal Government designates a specific day for any of the aforesaid holidays, then such holiday shall be observed by the Court or Clerk in accordance with such federal designation. When any such holidays falls on a Saturday it shall be observed on the Friday immediately preceding, and when any such holiday falls on a Sunday, it shall be observed on the Monday immediately following, provided that the employee works their last regularly scheduled work day preceding the following the holiday.

(d) Employees who work a non-traditional workweek and their work schedule includes both the observed holiday and actual holiday will only receive holiday pay on the observed date of the holiday.

(e) For each of the holidays specified in Section 1 of this article on which a FLSA non-exempt employee works, they shall be entitled to holiday compensation equal to double the employee's regular rate of pay, except that the employee shall be entitled to holiday compensation at two and one-half times the employee's regular rate of pay if they work on any of the following holidays: New Year's Day, Memorial Day, Independent Day, Labor Day, Thanksgiving Day, Christmas Day. Only eight (8) hours per day will be used when computing the holiday rate. Compensation for holidays may be in the form of cash or compensatory time off.

(f) Employees shall be credited 32 hours of personal leave a year, except for new hires who shall receive a prorated amount based on hire date. Use of holiday compensatory time or personal days shall be at the employee's discretion with the approval of the employee's Department Director. When an employee separates Court or Clerk service, they will be paid for any remaining personal leave.

(g) All employees will be permitted to accumulate three (3) years' worth of holiday compensatory time and personal leave. Once an employee accumulates the maximum allowable number of personal leave/holiday compensatory time then future personal leave/holiday compensatory time will be compensated for in cash, at the time they are earned. An employee may elect to cash in up to one year's worth of personal leave each year (32 hours) for pay periods ending in the months of January, June, or December each year. An employee must inform his or her Department Director prior to August 1 of the year preceding the calendar year in which they intend to make the trade.

(h) In the event that an office remains open on a designated paid holiday, all affected staff may take the corresponding time off for that holiday on another date, upon prior approval of their Department Director.

Section 2.04 Funeral Leave

(a) Each covered employee shall be entitled to funeral leave with pay according to the following schedule:

Leave for Death of:	Days/Hours of Leave	
	Local Funeral	**Other Funeral**
Immediate Family Member	1 – 3 Days	1 – 5 Days
Other Relative	May Use Up to One Scheduled Work Day of Accrued Leave	May Use Between 1 – 3 Scheduled Work Days of Accrued Leave

1) One work day/shift is automatic for the day of the funeral, but additional time up to the maximum shall be given only with approval of the Department Director.
2) All leave time shall be given with approval of the Department Director.

(b) For the purposes of this section, "Immediate Family Member" means spouse, child, brother, sister, parents, step-child, step-brother, step-sister and step-parents, grandparents, grandchildren, sister-in-law, brother-in-law, and parents-in-law.

(c) For the purposes of the article, "Local Funeral" means a funeral in the City of Delaware, or within fifty (50) miles thereof.

Section 2.05 Special Leave

(a) In addition to other leaves authorized herein, the Administrative Judge, or their designee or the Clerk of Court, or their designee, may authorize a special leave of absence, with or without pay, for purposes beneficial to the employee and/or the City.

(b) For exempt employees who are absent, if the absence cannot be covered or paid through appropriate leave time, said employees may be subject to a reduction in pay, unless the absence is less than one workday.

Section 2.06 Jury Duty Leave

(a) An employee, while serving on a jury in any court of record in Delaware County, or any adjoining county, will be paid his regular salary for each of his workdays during the period of time so served. Time so served shall be deemed active and continuous service for all purposes. All jury fees received from the court of record shall be assigned to the general operating fund of the Municipal Court and Clerk of Court.

Section 2.07 Court Leave

(a) Time off with pay shall be allowed employees who are subpoenaed to attend any court of record in Delaware County, Ohio or any adjoining county, as a witness in civil matters, as they pertain to City matters. All witness fees shall be assigned to the assigned to the general operating fund of the Municipal Court and Clerk of Court.

Section 2.08 Injury Leave

(a) All regular full-time Court or Clerk employees shall be entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits which he/she may be awarded by the Ohio Industrial Commission (OIC), for a period not to exceed 30 consecutive working days for employees working a 40-hour workweek for each injury incurred in the performance of employment duties with the Court or Clerk, provided that the following procedures are followed:

1) In all cases of personal injury to any regular full-time Court or Clerk employee as a result of the performance of employment duties, the employee shall complete an accident/injury investigation form and in conjunction with his/her Department Director shall report such injury to the Department of Administrative Services immediately and ensure that a claim is filed with the BWC.

2) In the event that time off from work is required by the injured employee, they will be granted injury leave from the first day of injury, if the proper documentation is submitted to the Court or Clerk. Documentation submitted to the Court or Clerk shall be processed by the City of Delaware Department of Administrative Services. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary BWC forms and other documents as may be required by the City. In the event that the BWC determines that the injury is NOT employment related, any time the employee is, or has been, absent from work shall be deducted first from any accrued sick leave, then accrued vacation, or accrued compensatory time off, other than compensatory time for overtime worked.
3) During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time Court or Clerk employees shall remain in force with no deductions to earned sick leave and/or vacation time.
4) In all cases where more than 30 consecutive working days are needed for injury leave for employees working a 40-hour workweek, the Administrative Judge, or their designee or the Clerk of Court, or their designee may extend such leave, if such necessity is determined to their satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

Article III. Insurance

Section 3.01 Health, Dental and Vision Insurance

(a) The Court and Clerk shall provide health, dental, vision and prescription drug coverages as provided for in the City of Delaware's Management Pay Plan.

Section 3.02 Life Insurance

(a) The City will provide the following amount of life insurance:
1) Clerk of Court and Division Directors: $100,000
2) All Other Municipal Court and Clerk of Court Employees: $50,000

Article IV. Other Compensation

Section 4.01 Longevity Compensation

(a) Employees shall receive, in addition to other pay called for herein, Longevity Compensation based on completed years of service according to the following table:

After five (5) years of continuous service	$600.00/year
After ten (10) years of continuous service	$800.00/year
After fifteen (15) years of continuous service	$1,000.00/year
After twenty (20) years of continuous service	$1,200.00/year

1) Longevity compensation shall be paid, in accordance with the above schedule, in two (2) separate lump sum payments during the first pay periods in June and December of each year.
2) Upon termination of service for any reason, employees who are eligible for longevity pay under this section (or in the event of death, the surviving spouse or estate) will be paid, as part of their terminal pay, the final partial year of longevity compensation, prorated to the name of months completed during said partial year since the employee's last payment date.
3) For the purpose of this section, continuous years of service shall include approved military leave.

Section 4.02 Automobile Expense Reimbursement

(a) Employees shall receive reimbursement for business use of their personal vehicle. Reimbursement will be in accordance with the Internal Revenue Service (IRS) regulations for not-taxable reimbursements and shall be at the IRS per mile reimbursement rate in effect when the business use miles were incurred.

Section 4.03 Call-In Pay

(a) Both exempt and nonexempt employees of the Clerk of Court shall be eligible for "on call" compensation for weekly periods when assigned the responsibility of responding to law-enforcement requests during non-scheduled work periods. Employees assigned to this "on call" status shall serve in this posture for weekly time periods are authorized by the Clerk of the Clerk's designee. Said employees shall be responsible for responding to after hour service requests. Employees assigned to an "on call" status shall be compensated at a weekly rate of $100.00. On call compensation will be added to regular and overtime wages earned during the pay period and will be paid as taxable income through the bi-weekly payroll process.

Section 4.04 Tuition Reimbursement

(b) All full-time employees with one or more years of continuous active service shall be eligible for a reimbursement of instructional fees for undergraduate or graduate courses towards a degree or certification, pre-approved by the city and voluntarily undertaken by the employee. The tuition reimbursement program shall be subject to the following conditions:

1) All courses must be taken during other than scheduled working hours. Any situation which, in the discretion of the Department Director, would require an employee's presence on the job shall take complete and final precedence over any time scheduled for courses. All courses are subject to approval by the Department Director and/or Court Administrator for employees of the Municipal Court or the Clerk of Court for employees of the Municipal Clerk of Court. There must be a direct correlation between the employee's duties and responsibilities and the courses taken or the degree program pursued. The Administrative Judge for employees of the Municipal Court or the Clerk of Court for employees of the Municipal Clerk of Court has the sole and final discretion to approve or disapprove tuition reimbursement requests.

2) Any financial assistance from any government or private agency available to the employee, whether applied for and regardless of when such assistance may have been received, shall be deducted in the entire amount from the tuition reimbursement the employee is eligible for under this section. If an employee's tuition is fully covered by another governmental or private agency, then the employee is not entitled to any payment from the city.

3) Employees seeking authorization of a tuition reimbursement must first submit to the Court Administrator for employees of the Municipal Court or the Clerk of Court for employees of the Municipal Clerk of Court for review, prior to September 30 of the year preceding when the classes are to be taken, all necessary information pertaining to the proposed course degree to be pursued, the educational institution and the employee's best estimate of course costs, dates and times. Employees will be eligible for tuition reimbursement for properly approved and completed coursework up to $3,500 for calendar year (January 1 to December 31). Pre-approval is subject to available appropriations. The employee will be responsible for any tuition in excess of the above-mentioned amounts. An application for tuitions reimbursement must be completed by the employee prior to enrolling in the class work for which reimbursement is requested.

4) Courses must be taken at accredited colleges, universities, technical and business institutes or at their established extension centers and these must be first approved by the city. Seminars, conferences and workshops are not included.

5) Reimbursement for tuition will be made when the employee satisfactorily completes and attains at least a grade of "C" or its equivalent for undergraduate work and a grade of at least "B" or its equivalent and a receipt of payment or a copy of the unpaid bill from the institution confirming completion of the approved course.

6) No reimbursement will be granted for books, paper, supplies of whatever nature, transportation, meals, or any other expense connected with any course, except the cost of tuition fees outlined above.

7) Any employee participating in the tuition reimbursement program who resigns (except resignation due to disability), retires (except retirement due to disability), or is discharged for cause must repay the tuition reimbursement paid by the city for courses completed less than two years prior to the date of termination or discharge. If necessary, the amount will be deducted from the employee's terminal leave pay or final paycheck.

Article V. Miscellaneous

Section 5.01 Personnel Files

(a) As part of the shared common resources referenced in Section 7.01, the official personnel files of all Court and Clerk employees shall be maintained in the Department of Administrative Services (DAS). All employee personnel records shall include, but are not limited to, applications, performance evaluations, promotions, disciplinary actions and any other pertinent information pertaining to the job performance of the individual employee. Copies therein shall be available to the employee.

(b) DAS shall be responsible for the care and maintenance for all personnel files and records. Department Directors shall be responsible for promptly forwarding all pertinent personnel information and documentation to DAS. Employees may, during normal office hours, review their official personnel files.

(c) Employee personnel files contain both public and private information. Information that is considered private or confidential under applicable law shall not be disclosed upon a request to review an employee's personnel file.

(d) In coordination with the Department of Administrative Services, public records requests for a Municipal Court employee personnel file shall be sent for review to the Court Administrator before a response is sent to the requestor.

Section 5.02 Parks and Recreation Credit

(a) The Court and Clerk, through the City of Delaware, shall provide each employee with a credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be $60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

(b) Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits for non-transferrable.

Article VI. Permanent Part-time Employees

Permanent part-time employees will receive the following wages and benefits:

Section 6.01 Wages

(e) Permanent part-time employees will be paid on an hourly basis in accordance with the pay grade for their position in Article I.

Section 6.02 Benefits

(a) Permanent part-time employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period. Universal Leave may only be used when an employee is scheduled to work.

(b) Permanent part-time employees are eligible for holiday pay if they work a major holiday, which includes the following: Memorial Day, July 4, Labor Day,

Thanksgiving, Christmas, and New Year's Day. Holiday Pay is defined as one and one-half times the permanent part-time employee's regular hourly rate.

(c) Permanent part-time employees will work fewer than 30 hours in any work week.

(d) The permanent part-time employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.

(e) Permanent part-time employees are not eligible for longevity pay as provided for in Article IV.

(f) Permanent part-time employees will work fewer than 30 hours in any work week.

(g) Upon termination of employment with the Court or Clerk of Court, permanent part-time employees will not receive pay-out for any leave accumulated.

(h) If a permanent part-time employee becomes full time with the Court or Clerk of Court, any accumulated Universal Leave will be added to the permanent part-time employee's sick leave balance.

Article VII. Employment Policies and Procedures

Section 7.01 General

(a) The Delaware Municipal Court and Delaware Municipal Clerk of Court are the separate co-equal judicial branch of government with the legislative/executive branch of government of the City of Delaware.

(b) The Delaware Municipal Court and Delaware Municipal Clerk of Court share many common resources with the legislative/executive branch of the City of Delaware to provide for an economical and efficient use of those resources, while also maintaining a separate independent judiciary.

Section 7.02 Work Hours

(a) Effective January 2, 2025, the normal business hours of the Delaware Municipal Court are 8:00 a.m. to 4:00 p.m.

1) For Delaware Municipal Court Staff, the normal work schedule for a full-time employee shall consist of an eight (8) hour workday that includes a thirty (30) minute paid lunch break.

2) For Delaware Municipal Clerk of Court Staff, the normal work schedule for a full-time employee shall consist of a nine (9) hour workday that includes a sixty (60) minute unpaid lunch break.

(b) Department Directors shall ensure that their department has adequate staffing to support all court operations during the normal hours that the courthouse is open.

1) Department Directors may employ flexible scheduling with staff in their department, as needed, so long as the operational needs of their department and the Municipal Court are fully supported.

2) Permanent work schedules more than sixty (60) minutes before or sixty (60) minutes after the normal business hours that the courthouse is open must be approved in writing by the Court Administrator for employees of the Municipal Court or the Clerk of Court for employees of the Municipal Clerk of Court.

Section 7.03 Employment Handbook

(a) The Delaware Municipal Court and Delaware Municipal Clerk of Court adopt and incorporate the policies and procedures of the current version City of Delaware's Employment Handbook, subject to the specific modifications provided herein.

(b) Wherever the City of Delaware's Employment Handbook references the City Manager the following shall be substituted as the decision-making authority with respect to the applicable policy:

1) The Administrative Judge, or his or her designee, is substituted for the City Manager when applying policies of the City of Delaware's Employment Handbook to employees of the Delaware Municipal Court.

2) The Clerk of Court, or his or her designee, is substituted for the City Manager when applying policies of the City of Delaware's Employment Handbook to employees of the Delaware Municipal Clerk of Court.

(c) If the Delaware Municipal Court or the Delaware Municipal Clerk of Court has adopted and disseminated a written Employment Policy that conflicts with a policy in the City of Delaware's Employment Handbook, then the policy adopted by the Delaware Municipal Court or the Delaware Municipal Clerk of Court shall control.

Section 7.03 Definitions

(a) **Verbal Reprimand –** a verbal discussion with the employee during which the supervisor notifies him or her of the nature of the violation, the corrective action necessary, and the consequences of future violations, and obtains the employee's commitment to corrective action. The supervisor shall document the verbal reprimand with an email to the employee, but the documentation shall not be placed in the employee's permanent Personnel File.

(b) **Written Reprimand** – **a** written notification from the employees' Department Director, or other designated management representative, to an employee that specifies activities or conduct that are inappropriate for the work place, that performances standards have not been met, and/or that were a violation of work place rules or policies, and that continuation thereof will result in more severe discipline, up to and including discharge. The Department Director shall create a formal document outlining the reason for the written reprimand and necessary corrective action and the document shall be signed by both the Department Director and the employee. The signature of the employee is only an acknowledgement of the receipt of the written reprimand. The written reprimand shall be placed in the employee's permanent Personnel File.

(c) **Performance Improvement Plan** – A performance improvement plan (PIP) is a document generated by the Department Director that aims to help employees who are not meeting job performance goals. A PIP covers specific areas of performance deficiencies, identifies skills or training gaps, and sets clear expectations for an employee's future conduct. The PIP will outline objectives that must be met within a certain period, and failure to do so may result in more severe discipline, up to and including discharge. The PIP shall be presented to the employee by the Department Director and shall be signed by both the Department Director and the employee. The PIP shall be placed in the employee's permanent Personnel File.

Section 7.04 New Employees

(a) **Employment-At-Will** – Any employee that is employed by the Delaware Municipal Court and Delaware Municipal Clerk of Court may voluntarily leave employment upon proper notice or may be terminated at any time for any reason as long as there is no violation of federal, state or local law. Nothing in the Delaware Municipal Court Pay Plan Summary of Benefits and Employment Policies shall be construed as a contract of employment.

(b) **Initial Introductory Period** –

1) All full-time positions with the Delaware municipal Court and Delaware Municipal Clerk of Court have an introductory period of six (6) months from an employee's start date.

2) The introductory period may be extended an additional six (6) months at the discretion of the Administrative Judge or the Clerk of Court.

3) During an employee's introductory period the employee will be regularly evaluated by their supervisor on overall job performance and competency for the job. If necessary, additional training will be provided to assist the employee in meeting the general requirements of the position.

4) A formal evaluation will be provided to the employee at the completion of their six (6) month evaluation period.

5) The completion of the introductory period does not guarantee continued employment, either express or implied.