

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2488

**AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE,
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE
BENEFITS OF MONROEVILLE EXEMPT AND NON-EXEMPT
EMPLOYEES**

BE IT ORDAINED AND ENACTED by the Municipality of Monroeville, in Council assembled as follows:

SECTION 1. The Ordinance amends the benefits of Monroeville exempt and non-exempt employees as determined by the Fair Labor Standards Act.

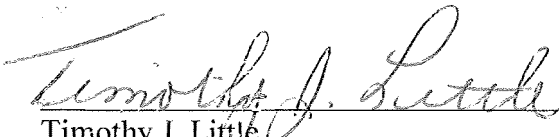
SECTION 2. A copy of the Agreement is attached hereto, made a part hereof and marked "Exhibit A".

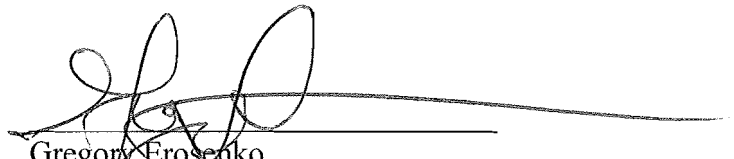
SECTION 3. Any ordinance in conflict with this ordinance shall be repealed to the extent of this ordinance.

ORDAINED AND ENACTED into law this 10th day of August, 2010.

ATTEST:

MUNICIPALITY OF MONROEVILLE


Timothy J. Little
Municipal Manager


Gregory Eroshenko
Mayor

ENTERED INTO LEGAL BOOK ON: August 20, 2010

"EXHIBIT A"

MUNICIPALITY OF MONROEVILLE

POSITION CLASSIFICATION

FAIR LABOR STANDARDS ACT

EXEMPT:

- | | | |
|----|-------------------------------|---------------------------------------|
| A. | Officials and Administrators: | Municipal Manager
Department Heads |
|----|-------------------------------|---------------------------------------|

NON-EXEMPT:

- | | | |
|----|---|------------|
| B. | Professionals, Protective Services and Technicians: | All Others |
|----|---|------------|

**BENEFITS
OF
MONROEVILLE EXEMPT AND NON-EXEMPT EMPLOYEES**

This agreement affects only those employees, which are considered EXEMPT and NON-EXEMPT by the Fair Labor Standards Act.

HOURS OF WORK AND OVERTIME

1. Category A employees are salaried employees who shall work any necessary time which is required in order to accomplish the needed assignments for their respective positions. As these employees are salaried, no overtime payments are made.

2. Category B employees are hourly employees whose normal work week shall consist of five (5) consecutive days during the week from Monday to Friday, inclusive. Adjustment of the normal workweek is the right of Management. The normal workday is eight (8) consecutive hours exclusive of a one-half (1/2) hour unpaid lunch period. When employees report for the regularly scheduled work, they should receive no less than their scheduled hours of work or pay for that day. The employees will be granted two (2) fifteen (15) minute rest breaks daily to be taken at the job site. These employees shall endeavor to work reasonable amounts of overtime when overtime is necessary. If all qualified employees refuse an overtime assignment, the most junior employee qualified to perform the work may be required to accept the overtime assignment. The Employer will make every reasonable effort to give advance notice of scheduled overtime. Overtime payment will be made in accordance with the Fair Labor Standards Act.

COMPENSATION

1. The basic rate of compensation shall be the straight time way in accordance with the annual salary schedule approved by Municipal Council. Payment of wages shall be by direct deposit ACH. Pay rates in effect on December 8, 2009 shall be frozen at the current rate for all exempt and non-exempt employees, unless specifically established by Municipal Council.

2. Employees shall be eligible for a longevity payment after the completion of the fifth (5th) year of continuous employment with the Municipality. This payment shall be paid on the first (1st) pay date of each December and shall be paid at a rate of \$65.00 per year of service. Effective January 1, 2008 longevity will be paid at a rate of \$75.00 per year of service. Longevity payments shall be capped at a maximum of twenty (20) years service.

HOLIDAYS

1. Each employee shall be entitled to the following holidays with pay calculated at the straight time hourly rate of pay times the employee's normally scheduled hours of work.

- a. New Year's Day
- f. Labor Day

- | | |
|---------------------|---------------------------|
| b. Good Friday | g. General Election Day |
| c. Primary Election | h. Thanksgiving Day |
| d. Memorial Day | i. Day After Thanksgiving |
| e. Independence Day | j. Christmas Day |

2. Non-Exempt employees required to work on any of the holidays specified above shall be paid one and one-half (1 1/2) times the employee's straight time hourly rate of pay plus the holiday pay. Time and one-half (1/2) plus the holiday pay will be paid for the day, which is celebrated as the holiday. It is recognized that when a holiday falls on a Sunday, it is usually celebrated on the following Monday; and when a holiday falls on a Saturday, it is usually celebrated on the prior Friday.

To be eligible for holiday pay, an employee must work his/her last scheduled workday prior to and following the holiday and work scheduled on the holiday must be worked to qualify for holiday pay. Vacation shall be considered a workday. The employees shall also be eligible to receive the holiday pay if laid off or recalled within a thirty (30) day period of the scheduled holiday.

3. Exempt employees may accrue compensatory time hours at a straight time rate for regularly scheduled Council and/or Board and Commission meetings. This accrued compensatory leave time may be used as one (1) additional personal holiday per month per eight (8) hours of meeting attendance. This holiday time shall be scheduled in the same or following month in which it is accrued. Maximum compensatory time off permitted is eight (8) hours per month. Proper documentation must be attached to FORM 5000 and submitted to the Municipal Manager for prior approval.

4. Each employee shall receive five (5) personal days at the employee's straight time hourly rate of pay.

VACATION

1. For the purposes of calculations, the vacation leave year begins January 1, and ends December 31 of each year.

2. Commencing January 1, 1996, the vacation plan for exempt and non-exempt employees shall be as follows:

After six (6) months	Five (5) days
After one (1) year of service	Ten (10) days
After five (5) years of service	Fifteen (15) days
After ten (10) years of service	Twenty (20) days
After fifteen (15) years of service	Twenty-five (25) days
After twenty-five (25) years of service	Thirty (30) days

Exempt and non-exempt employees hired after June 1, 2010 shall be as follows:

After six (6) months of service	Five (5) days
After one (1) year of service	Ten (10) days
After five (5) years of service	Fifteen (15) days
After ten (10) years of service	Twenty (20) days

Vacation pay is calculated by multiplying the employee's normal scheduled hours of work per day by his straight time hourly rate of pay.

Accrued, but unused vacation leave shall be paid to all terminating or laid-off employees on a pro-rated monthly basis at the normal hourly rate.

Exempt employees eligible for retirement as of 12/31/09 and before February 12, 2010, when the retirement incentive window was closed for non participating 2009 retirement eligible employees (See Ordinances 2460 and 2473) may accrue unused vacation for early retirement purposes which may be paid either in a lump sum payment in the final pay or used for early retirement. All other employees eligible for retirement after 1/1/2010 may accrue unused vacation for early retirement purposes only. This accrual shall not be used for lump sum payment at retirement. The only exception to this requirement is the provision of an "early retirement incentive program" when authorized by Council which does not provide sufficient time for usage of accrued vacation days. The accrued days shall then be paid post retirement as part of the early retirement incentive program payments until all accrued days are exhausted.

SICK/INJURY LEAVE PLAN

1. Each employee will receive at the beginning of each calendar year, an allocation of five (5) petty sick leave days which are to be used for absence due to illness of injury of a non-occupational nature and for which worker's compensation is not paid. Employees shall be entitled to their full wages and benefits as provided for in this Agreement for each of the days they may be absent on sick leave with a bona fide illness or injury. At the option of the employee at the end of each calendar year, the Municipality will buy back each unused sick day at \$100.00 per day, not to exceed a total of \$1,000.00 or the employee may accrue up to 20 sick days for emergency purposes. The Municipality will provide an initial five (5) days. Once twenty (20) days are accumulated, the initial five (5) days will be returned to the Municipality. In the case of retirement, all unused days will be paid at a rate of \$100.00 each.

OTHER LEAVES OF ABSENCES

1. Bereavement Leave. In the event of a death in the nucleus family of an employee, defined as spouse, child, or employee's parent, paid employee. In the event of a death in the immediate family of the employee defined as being the parent-in-law, brother, sister, brother in law, sister-in-law, stepchild, foster child, foster parent, grandparent, grandparent-in-

law, and grandchild, up to three (3) paid days will be granted upon request. For other relations defined as uncles, aunts, and first cousins, one (1) day of paid leave will be granted upon request so long as travel to the funeral or ceremony is feasible.

2. Paternity Leave. An employee may request up to three (3) days of paid paternity leave for the birth of a child by the employee's spouse.

3. Military Leave. Employees will receive up to two (2) weeks of paid military leave if called to temporary or summer training duty with the armed forces as part of a military program elected in lieu of active duty. Employees requesting paid military leave shall submit to the Personnel Officer a copy of their orders and any military compensation received from the military during the period of leave. In such case, the Employer will provide the difference, if applicable, between the employee's regular pay and the amount he received from such military duty.

4. Court Leave. Any employee ordered to report for jury duty shall be granted a leave of absence from his regular duties during the actual period of such jury duty. The employer shall pay the difference between any jury duty compensation received and the employee's regular daily wage for each day of jury service. Any employee requesting court leave shall submit to the Personnel Officer a copy of the applicable Court Order or Subpoena.

5. Extended Leave of Absence. Members may be granted an extended leave of absence, paid or unpaid, at the discretion of the Municipal Manager; however, all available vacation days must be exhausted before such leave is granted.

6. Discretionary Leave. Employees may receive up to three (3) days leave, with or without pay, at the discretion of the Municipal Manager.

7. Official Duty Leave. Official duty leave, with full pay, is granted while on official business for the Municipality including training courses, conferences, meetings or conventions.

8. Fire Suppression Leave. Employees who are active volunteer firefighters shall receive their regular wages if called to respond to a fire call while at work.

INSURANCE AND OTHER BENEFITS

1. Life Insurance. All employees shall be eligible for group term life insurance paid for by the Employer. The amount of this insurance shall be \$30,000. Upon retirement, all employees with at least fifteen (15) years of service shall be covered by retirement life insurance; the amount of insurance shall be \$15,000. The cost of such retirement life insurance shall be paid by the Employer.

2. Health Care. It is the policy of the Municipality to provide healthcare benefits

so that there is one level of benefit provided each full-time employee through the Municipal workforce as follows:

- a. Hospitalization – Highmark PPO 316
- b. Basic eye care - Vision Service Plan of Pennsylvania Plan C;
- c. High option dental - Blue Shield or equivalent; and
- d. Basic Prescription Drug-Incentive Formulary (3 tier co-pay)

However, beginning January 1, 2010, all full-time municipal employees covered by this ordinance shall contribute towards the cost of the healthcare benefits at a rate of 10% of the monthly premium.

Any healthcare rebate shall be paid based upon 40% of the Employer's portion of healthcare calculation.

Furthermore, healthcare coverage shall be afforded to those employees and spouses retiring under the General Employee's Pension Plan who were hired prior to July 22, 2005. This benefit shall remain available to attainment of age 65 or the employee becoming eligible for Medicare. At age 65, the Municipality will provide a Freedom Blue Supplement plan equal to the currently available plan to each retired employee and spouse beginning at Medicare eligibility.

In lieu of healthcare coverage at retirement, all Employees who were hired under the Administrative Salary and Benefits Program after July 22, 2005 are entitled to a \$1,000 annual contribution to an ICMA Vantage Care Retirement Health Savings (RHS) Plan while actively employed.

Additionally, in lieu of healthcare coverage at retirement, all Employees who are promoted into the Administrative Group after January 1, 2010 are entitled to a \$1,000 annual contribution to an ICMA Vantage Care Retirement Health Savings (RHS) Plan while actively employed.

3. Pension Plan. The Employer agrees to maintain the existing Monroeville Employees Pension Trust Plan as provided by the Pennsylvania Municipal Retirement System (PMRS). At least one (1) representative for the employee group shall serve on any Employee Pension Committee now or in the future.

4. Uniforms, Safety Apparel, and Equipment. This provision applies to members, as determined by the Municipal Manager, who have outside activities, which might cause damage to personal clothing. The Employer will furnish a uniform allowance of \$300.00 per employee per year to be paid in January and \$75.00 safety boot allowance.

5. Educational and Skill Development. Reimbursement is granted to those demonstrating ability, interest and reasonable justification for participating in certificate or

degree educational programs. The area of training or study must prove to be directly related to the employee's present occupational field. The following costs will be reimbursed: tuition, registration, books and materials, and examination costs. Authorization to participate in a voluntary educational program must be received from the Municipal Manger. An obligation to the Municipality upon successfully completion of a program shall consist of:

- a. Commitment of one (1) month future employment for each credit hour or continuing education unit (CEU), or
- b. Pro-rated reimbursement of the expense monies received should the employee voluntarily separate from municipal employment.
- c. All employees shall be subject to drug/alcohol random testing. Such testing shall be in accordance with guidelines as established in the Municipal Employee Handbook as adopted April 12, 1994, and Drug and Alcohol Random Testing Policy.