

RESOLUTION NO. 2002 - 96

A Resolution Adopting and Approving Amendments to the
Personnel Policies of the Greater Cleveland Regional
Transit Authority

Whereas, the Board of Trustees has been granted the power and authority pursuant to Chapter 306 of the Ohio Revised Code to manage and conduct the affairs of the Greater Cleveland Regional Transit Authority; and

Whereas, the Board of Trustees has from time to time adopted and amended the Personnel Policies of the Greater Cleveland Regional Transit Authority; and

Whereas, the Board of Trustees has most recently adopted revised personnel policies pursuant to Resolution No. 2001-119, adopted on August 21, 2001; and

Whereas, the Board of Trustees has determined that revision to the Personnel Policies may be necessary to assure compliance with state statutes and the Bylaws of the Greater Cleveland Regional Transit Authority.

Now, therefore, be it resolved by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1. That the policy on Reimbursement of New Employee Relocation Expenses attached hereto as Attachment A and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 2. That the policy on Compensation attached hereto as Attachment B and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 3. That the policy on Transitional Work/Alternative Work attached hereto as Attachment C and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 4. That the policy on Call-Out Policy for Exempt Employees attached hereto as Attachment D and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 5. That the policy on Temporary Salary Adjustment attached hereto as Attachment E and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 6. That the policy on Tuition Reimbursement attached hereto as Attachment F and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 7. That the Policy on Sick Leave attached hereto as Attachment G and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included

Resolution No. 2002 - 96
Page 2

in the Authority's Personnel Policy Manual.

Section 8. That the policy on Jury Duty/Court Leave attached hereto as Attachment H and incorporated as if fully written herein is adopted as the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

Section 9. That the policy on Vacation for Non-Bargaining Employees attached hereto as Attachment I and incorporated as if fully written herein is adopted at the policy of the Authority and shall be included in the Authority's Personnel Policy Manual.

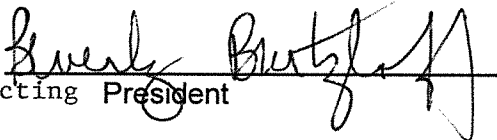
Section 10. That the CEO, General Manager/Secretary-Treasurer is hereby authorized, pursuant to the authority granted to him by the Greater Cleveland Regional Transit Authority Bylaws, to issue all necessary administrative procedures to implement the policies approved by this resolution without further action by the Board.

Section 11. That any other resolutions previously adopted by this Board concerning the specific policies adopted herein are hereby repealed.

Section 12. That any expenditure by the CEO, General Manager/Secretary-Treasurer since August 21, 2001 consistent with the policies adopted herein are ratified and approved.

Section 13. That this resolution shall be effective immediately upon its adoption.

Adopted: May 21, 2002


Acting President

Attest: 
CEO, General Manager/Secretary-Treasurer

Attachments:

Reimbursement of New Employee Relocation Expenses

It is the policy of the Greater Cleveland Regional Transit Authority to provide equitable reimbursement of relocation expenses to newly hired management and professional employees hired from outside the Greater Cleveland area.

This policy is established pursuant to Ohio R.C. 306.31, 306.34 and 306.35, and Article II, Section 8, Article IV, Sections 1, 3 and 8 and Article VIII, Sections 1, 4 and 7 of the Bylaws of the Authority.

To be eligible for relocation assistance, a new employee must meet the guidelines established by the Internal Revenue Service for the deduction of moving expenses on annual income taxes. Applicable taxes will be deducted from the employee's wages for any reimbursement made by the Authority that are not entitled to deduction based on the Internal Revenue Service Code. The position for the new employee must be at least Grade 28 or above under the Authority's job classification system in order to qualify for relocation expense payment.

The Authority will pay for moving the new employee's household goods to a new residence in the Greater Cleveland area within a radius of 50 miles of downtown Cleveland, including packaging and crating expense, all transportation charges and reasonable insurance for household goods charges.

"Packing and crating" is defined as, all packing (by professional movers only) of dishpacks, mattress cartons, wardrobes, cartons, covers, crates, etc. necessary to prepare goods for shipment.

"Transportation" is defined as, the actual over-the-road line-haul charges by professional movers from the old residence to the new residence.

"Insurance for household goods" is defined as personal property insurance allowed by the Greater Cleveland Regional Transit Authority up to the replacement value of household goods. The cost of the coverage will not exceed such replacement value.

"Household goods" are defined to include furniture and appliances; automobiles, motorcycles and bicycles; clothing and personal belongings; and pets. It does not include boats, trailers or the cost of disconnecting/reconnecting appliances.

The amount of reimbursement for moving household goods shall not exceed a maximum dollar amount of \$10,000, or the actual cost of moving household goods.

The Authority will pay for up to a maximum of four (4) house hunting and family visitation trips for the new employee and/or his/her family to travel round-trip between Cleveland and their current residence. Such trips will be limited to a maximum of eight (8) nights and nine (9) days. Reimbursement will be for reasonable travel, lodging and meal expenses. The number of house hunting trips may be extended with the approval of the CEO, General Manager/Secretary-Treasurer. The CEO, General Manager/Secretary-Treasurer must provide final approval of the expenses.

ATTACHMENT A

At the discretion of the CEO, General Manager/Secretary-Treasurer, the Authority will pay for temporary living expenses in the Greater Cleveland area at the rate of **Fair Market Value** for up to a maximum of sixty (60) days or until establishment of a permanent residence, if less than sixty (60) days from the start of employment.

The Authority will pay for transportation of the new employee's family to the Greater Cleveland area. Air travel must be at the lowest fare available or coach fare, whichever is less. Driving will be reimbursed at the Authority's then standard mileage reimbursement rate for each vehicle driven, up to a total of four (4) vehicles.

Employees who are covered under this policy, who receive relocation expense reimbursements and who resign within six (6) months of their original employment date with the Greater Cleveland Regional Transit Authority, will be required to reimburse (pay back) 100 percent of all relocation reimbursement they received.

Requests for reimbursement for relocation expenses shall be made from appropriations made by the Board for personnel receiving relocation expenses or authorized by the Board for operating expenses or capital improvements, when the services of such personnel are utilized with respect thereto in accordance with Article VIII, Section 2, of the Greater Cleveland Regional Transit Authority Bylaws.

Compensation

Compensation practices shall comply with sound personnel management principles. Efforts shall be made to compensate employees fairly and equitably in accordance with applicable laws and regulations. Employees subject to collective bargaining agreements shall be compensated in accordance with the terms and conditions of those agreements.

In accordance with Article IV, Section 2 of the Greater Cleveland Regional Transit Authority Bylaws, the Board will set salary ranges for each grade of classified positions, as well as the salary ranges for all unclassified positions, subject to any legal or contractual limitation. The salary ranges will include both minimum and maximum compensation for each grade of classified positions and each unclassified position, with the maximum salary for each being not less than 150 percent of the minimum salary. The CEO, General Manager/Secretary-Treasurer will determine the salary of each individual employee within the salary range determined by the Board for that grade or position.

Any employee promoted to a higher classification shall advance to the pay range designated for the classification at a rate within the range that reflects internal equity and/or market competitiveness as determined by the CEO, General Manager/Secretary-Treasurer.

If a new position is established, the Director of Human Resources shall develop a job description and job title, evaluate the position to designate the appropriate grade level and pay range, and assign a classification number.

Transitional Work/Alternative Work

A transitional/alternative work placement program may be offered to all full-time employees who may become disabled during employment with the Authority. Transitional work is temporary work tasks that fit the parameters of ability as determined by the employee's medical condition. Alternative work is the placement of a disabled employee in a new job classification due to permanent medical restrictions.

Transitional work may be provided for a period of up to 75 calendar days with the intent of returning the employee to his/her job classification. Any extensions of the transitional work past the initial 75 day period will be determined on a case-by-case basis by the Workers' Compensation/Risk Management staff. When the transitional placement is approved to exceed 75 calendar days and it is determined during or by the end of the extension that the employee still remains unable to return to his/her regular work position, the employee's medical status will be evaluated for further disposition, which may include a return to medical leave, alternative placement, or termination.

The rate of pay for transitional work is \$8.50 per hour. When an employee is in a classification that pays less than \$8.50 per hour, he/she will be paid at the lower rate of pay. Under the provisions of O.R.C. 4123.56(b), an employee with a work-related injury who suffers a wage loss by accepting transitional work, as defined, will be paid for the wage loss, providing he/she qualifies.

The CEO/General Manager shall implement the necessary administrative procedures to carry out this policy.

Call-Out Policy for Exempt Employees

The salaries of exempt employees are based on compensation for performance of a job rather than performance on a time basis. In general, it is expected that an exempt employee will work overtime, when requested, without additional compensation in order to accomplish a specific assignment. However, it is recognized that business circumstances can arise which create a need for an employee to be called out in response to an emergency or other unusual or special circumstance. When such situations occur, call-out compensation will be administered in accordance with the general policy set forth below.

Employees classified as exempt under the Fair Labor Standards Act, in Grades 24 through 28, with the exception of Grade 28 Managers, shall be eligible for call-out compensation. Employees in Grades 29 and above, including Deputy General Managers and the CEO, General Manager/Secretary-Treasurer, shall not be eligible for call-out compensation.

Call-out falls into one of two categories: scheduled and emergency.

Scheduled Call-Out: Scheduled call-out would apply when a special event, or special circumstance, is planned or anticipated in advance. In this situation, an employee will be expected to work an additional shift or a significant amount of time, in order to plan for, or take part in, a special event. Under these circumstances, call-out must be scheduled and approved in advance.

Scheduled call-out is defined as necessary work, scheduled by a Department Manager or Director, which requires an employee to work an additional period of three (3) hours or more for a specific, temporary period of time. Typically, this occurs when an employee completes their regular shift, leaves the work site, and is required to report back to work at a time other than their normal work shift. The employee must obtain written approval from the Department Director in advance of the call-out, in order for the employee to be eligible for call-out payment. The Department Director must be able to verify that the employee's presence at the site is necessary.

Emergency Call-Out: Emergency call-out is defined as hours worked by exempt employees, when the employee is expected to play a role in resolving an emergency situation, in accordance with applicable emergency policies and protocol. This may be, for example, to respond to an accident or equipment breakdown, or weather-related emergency. Because of its extraordinary nature and the rapid response time required, emergency call-out does not need to be approved in advance. However, prior to an employee receiving compensation, the Department Director must give approval, indicating that the call-out was necessary. At the discretion of the Department Director, emergency call-out may or may not be compensated.

Payment: Employees covered under this procedure will be compensated at a flat rate of \$100.00 per call-out, for up to three (3) hours. If the call-out exceeds three (3) hours, the following payment schedule will apply:

- Call-out time between 3 and 5 hours: additional \$25.00
- Call-out time between 5 hours and 8 hours: additional \$50.00
- Call-out time over 8 hours: additional \$100.00

Exclusions: Additional compensation will not be paid when call-out hours result from any of the following:

1. Casual or voluntary time worked beyond the work schedule; hours worked to take care of incidentals or administrative details (e.g., scheduling, planning time, report writing, etc.). These are considered part of the normal requirements of the job.
2. Travel time.
3. Time spent in meetings of professional associations, seminars, or similar activities.
4. Time spent in staff meetings or other business-related meetings.

The CEO, General Manager/Secretary-Treasurer shall implement procedures necessary to carry out this policy.

ATTACHMENT D

Temporary Salary Adjustment

For non-bargaining employees, a temporary work level adjustment shall be paid when an employee in a lower classification is required to work in a classification assigned to a higher pay grade or salary range. When a non-bargaining employee is assigned and is working in a temporarily vacant classification in a higher salary grade, for more than thirty (30) calendar days, the Authority will increase the employee's current base salary by 10%, or up to the salary range minimum of the temporarily vacant position, whichever is greater, for the duration of the assignment. If it is necessary to pay more than the 10% or salary range minimum, the CEO, General Manager/Secretary-Treasurer may establish the amount, based on market and other applicable conditions. Temporary salary adjustment will be paid on the 31st day for all days forward and will not be retroactive.

A temporary work level adjustment shall not be paid for more than six pay periods unless approved by the CEO, General Manager/Secretary-Treasurer.

Tuition Reimbursement Policy

Ongoing employment development is an important element in providing the best transit service to the citizens of Greater Cleveland. This includes the enhancement of existing internal employee development and training programs.

Tuition reimbursement shall be available to all Authority employees.

Qualifications

- A. Employees must have successfully completed six months within the current job in order to be eligible.
- B. Course must be job-related and/or prepare the prospective applicant for potential opportunities within the RTA.
- C. Course must be taken during non-working hours.
- D. Courses must be taken at accredited schools, including technical, professional, and business schools, and/or relevant Distance Learning courses (e.g., Internet, correspondence, video, etc.). Distance Learning courses will be approved on a course by course basis, unless they are a part of a Degree Producing Program. All course work performed over the Internet must not be performed using RTA Internet access. Course work must not be performed during working hours. The Supervisor of employee attending the program must approve attendance of seminars, conferences, and other events that require travel during working hours.
- E. A program applicant must initially pay for any course taken. After successful completion of the course(s), the applicant must provide an official document from the college and/or other institution evidencing payment for the course and a final grade report.
- F. The TRP applicant must obtain a grade of C or better in any course he or she takes in order to be eligible for reimbursement. Certificate courses and those that are not awarded letter grades require documentation of "satisfactory" completion and will be reimbursed at 100%.
- G. A course which is repeated will not be reimbursed.
- H. An applicant must maintain regular full-time employment with RTA throughout the period in which the course is taken and must be in the employ of RTA at the time of reimbursement.
- I. If an employee has outside financial aid or a grant, such assistance must be applied to the tuition expense before the RTA Tuition Reimbursement is used. In that event, RTA will only pay the portion NOT covered by other sources and then, only within the maximum allowed per employee.
- J. As a condition to receiving RTA reimbursement for tuition, the employee shall agree to reimburse the Authority for any tuition reimbursement that he or she received twelve (12) months prior to their voluntary termination of employment with the Authority.

Those employees who are enrolled under student loan programs will be reviewed on a case-by-case basis.

Covered Costs

- A. Tuition shall be reimbursed for approved courses or programs of study attended during non-working hours at accredited schools, including technical and professional schools. Tuition shall be reimbursed for relevant accredited Distance Learning courses on a case-by-case basis unless the course is a part of a degree producing program. Reimbursement will be for tuition only. Any seminars or conferences and costs associated with attending seminars or conferences, as a part of the Distance Learning course or Program, will not be reimbursed through the Tuition Reimbursement Program.
- B. If an employee enrolls in a different course than the one indicated on the original approved application or withdraws from any course(s), it is the responsibility of the employee to notify the Office of Training & Employee Development (OTED) so that the application on file can be adjusted. This is important, as final grades will only be accepted for approved course(s). Employees will NOT be reimbursed for unapproved course(s).
- C. Each employee shall be reimbursed according to the following schedule with an annual maximum of \$2,000.00 per employee. Employees enrolled in master level work shall be reimbursed with an annual maximum of \$2,500.00 per employee.

Grade	Reimbursement
A	100%
B	90%
C	80%

A grade of PASS or SATISFACTORY will be reimbursed at the rate of 100%.

- D. Income tax on tuition reimbursement benefits, if applicable, is the responsibility of the employee.
- E. RTA reserves the right to limit participation in this program, if expenditures exceed the allocation in the annual budget.
- F. Should the Authority decide to discontinue or modify the TRP, it will give at least sixty (60) days notice of its intention.

The CEO, General Manager/Secretary-Treasurer shall establish application and reimbursement procedures necessary to carry out the tuition reimbursement policy.

Sick Leave

For non-bargaining employees, the Authority extends sick time when it is necessary for an employee to be away from work as specified in the attached procedure. Granting sick leave is a privilege. It shall be understood that sick time cannot be construed to be a paid leave for which employees have a right, whether ill or not, and may be used solely for those purposes as set forth in the procedures. Supervisors and Department Heads shall exercise discretion to ensure that sick time is properly used and not abused.

Upon completion of a full pay period, eligible non-bargaining employees shall accumulate sick time at the rate of four (4) hours for every pay period worked. Employees must be in an active pay status the entire pay period to receive sick time credit. Credit will be given for all hours in active pay status, including vacation and sick time, but not for any time in an unpaid leave of absence status or while receiving extended disability or workers' compensation benefits. An employee can accumulate sick time hours to a maximum of 1,440 hours, however, sick time can only be charged towards an employee's balance in thirty (30) minute increments.

Upon separation from service through voluntary resignation or retirement, an employee with ten or more years of continuous full-time service will be paid for accumulated sick time balances at the rate of twenty-five percent to a maximum payout of 160 hours at the current rate of salary.

The CEO, General Manager/Secretary-Treasurer shall establish administrative procedures, including procedures for those employees who transfer jobs resulting in a change from bargaining to non-bargaining status and non-bargaining status to bargaining status.

Jury Duty/Court Leave

Jury duty leave with full pay shall be granted to any employee who is summoned for jury duty by a court of competent jurisdiction. The employee shall provide his/her supervisor or department director a copy of the summons for jury duty prior to the court appearance date.

Any compensation for jury duty, when such duty is performed during the employee's normal working hours, will be turned over to the Director of Accounting.

Court leave with full pay shall be granted to any employee who is subpoenaed to appear before any court, commission, Board or other legally constituted body authorized by law to compel the attendance of witnesses where the matter is work-related and the employee is not a party to an action against the Authority.

Any employee who is appearing before a court or other legally constituted body in a matter in which he/she is a party may be granted vacation time or other leave of absence without pay for purposes of attending the hearing. Such instances would include, but not be limited to, criminal or civil cases, traffic court, divorce proceedings, custody, or appearing as directed as parent or guardian of juveniles.

The CEO, General Manager/Secretary-Treasurer shall implement the necessary procedures to carry out this policy.

VACATION FOR NON-BARGAINING EMPLOYEES

Eligible non-bargaining employees shall accrue vacation according to the applicable accrual rates specified in the Per Pay Vacation Accrual Rate Schedule, below, beginning with their first pay after their date of hire. Vacation accrual credit shall be given when an employee is on active pay status, excluding overtime.

Per Pay Vacation Accrual Rate Schedule:

<u>Total Years of Active Service with GCRTA'S + Prior Service Credit</u>	<u>Vacation Accrual Rate Per Pay - Ending Period</u>	<u>Maximum Number of Weeks Earned for 26 Pay Periods</u>
Less than 1 year to 4 years	3.08 Hours	2 weeks
5 years to 12 years	4.616 Hours	3 weeks
13 years to 20 years	6.16 Hours	4 weeks
21 years to 29 years	7.696 Hours	5 weeks
30 years or more	9.232 Hours	6 weeks

An employee on active pay status at the beginning of the bi-weekly pay period will receive the "per pay vacation accrual" for that pay. An employee who is receiving payment for an occupational injury or who is on extended disability is not in active pay status and is not entitled to earn time for vacation or to receive additional payment for vacation. An employee shall not earn or accrue vacation for any time not in active pay status.

The employee's rate of accrual shall be consistent with the employee's anniversary date and total years of active service with RTA, plus prior service credit.

Employees shall be able to use any vacation earned after six months from their date of hire or as determined by the CEO/General Manager. Employees shall be paid appropriate vacation hours as they correlate to their regular work schedule. The Department Director shall schedule vacation as necessary to minimize any disruption of service and to meet the operation needs of the department. The CEO/General Manager may revise vacation schedules whenever it is found to be in the best interest of the Authority.

Increases in the per pay vacation accrual rate will be effective in the first full pay period following the employee's anniversary date of hire.

Vacation time may be accumulated to a maximum of four hundred (400) hours as of December 31 of any year. Accumulated vacation balances in excess of four hundred (400) hours as of December 31 of any year, will be lost. Upon prior approval of the CEO/General Manager in situations involving extraordinary circumstances, payment or other equitable arrangements may be made to an employee for vacation balances in excess of 400 hours as of December 31.

Employees who accumulated in excess of four hundred (400) hours prior to June 16, 1987, will be permitted to retain the accumulated time as of that date. They will not be permitted to accumulate additional time.

Upon separation from employment, payment will be made at the current rate of pay for all unused vacation hours. However, no payment shall be made to an employee whose employment ends prior to the successful completion of the initial six (6) months of service, or as determined by the CEO/General Manager.

The CEO/General Manager shall implement administrative procedures, including procedures for employees who transfer to jobs that result in a change in their non-bargaining or bargaining status.

ATTACHMENT I



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

U-16

TITLE/DESCRIPTION: Adopting and Approving Amendments to the Personnel Policies of the Greater Cleveland Regional Transit Authority	Resolution No.: 2002 - 96
	Date: 05/15/02
	Initiator: Legal Services
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: The purpose of this resolution is to have the Board of Trustees formally adopt policies relating to the expenditure of public funds for compensation and fringe benefits for RTA employees.
- 2.0 DESCRIPTION/JUSTIFICATION: Staff is recommending the Board formally adopt the policies in this resolution in order to be consistent with sound legal and auditing practices and to permit the Authority to issue a comprehensive Personnel Policies and Procedures Manual.
- 3.0 PROCUREMENT BACKGROUND: Not applicable.
- 4.0 DBE BACKGROUND: Not applicable.
- 5.0 POLICY IMPACT: This Resolution will formally adopt and amend the Personnel Policies of the Authority.
- 6.0 ECONOMIC IMPACT: Amounts authorized by the adoption of these policies will be considered in the annual budget presented to the Board.
- 7.0 ALTERNATIVES: Reject the proposed policies. Expenditure of funds for the proposed policies would not be authorized by the Board.
- 8.0 RECOMMENDATION: Staff recommends the Board formally adopt the policies set forth in this resolution.
- 9.0 ATTACHMENTS: Prepared policies.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

General Manager/Secretary-Treasurer