

RESOLUTION NO. 2022-9

REPEALING SECTION 628.01, AMENDING SECTION 646.02 AND MOVING SECTION 646.02 FROM THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO THE PERSONNEL POLICIES

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees of the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, the Authority has conducted a review and determined that Section 628.01, Vacations should be repealed and Section 646.02, Vacation for Non-bargaining Employees should be amended and moved to the Personnel Policies.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That Section 628.01 is hereby repealed in its entirety.

Section 2. That Section 646.02 is hereby amended to read as specified in Attachment A hereto.

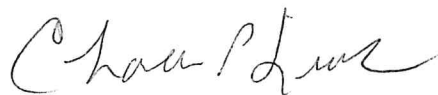
Section 3. That Section 646.02 shall be removed from the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority and shall replace Section 500.02 of the Personnel Policies.

Section 4. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

Section 5. That this resolution shall become effective immediately upon its adoption.

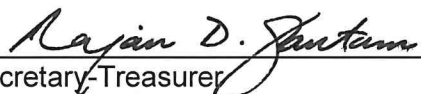
Attachment: A. Section 646.02/Personnel Policy 500.02

Adopted: January 25, 2022



\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary-Treasurer

ATTACHMENT A TO RESOLUTION

646.02 VACATION FOR NON-BARGAINING EMPLOYEES –  
REPLACING PERSONNEL POLICY 500.02

(a) 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

Total Years of Active Service with GCRTA + Prior Service Credit	Vacation Accrual Rate per Pay-Ending Period	Maximum Number of Weeks Earned for 26 Pay Periods
Less than 1 year to less than 5 years	3.08 hours	2 weeks
5 years to less than 13 years	4.616 hours	3 weeks
13 years to less than 21 years	6.16 hours	4 weeks
21 years to less than 30 years	7.696 hours	5 weeks
30 years or more	9.232 hours	6 weeks

(b) 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.

(c) 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.

(d) Employees shall be able to use any vacation earned after six months from their date of hire or as determined by the General Manager, CEO. 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 operational needs of the department. The General Manager, CEO may revise vacation schedules whenever it is found to be in the best interest of the Authority.

(e) The General Manager, CEO, at their discretion, to attract highly qualified applicants, may offer a vacation accrual rate greater than the applicant's years of service would otherwise allow.

(f) 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.

(g) Vacation time may be accumulated to a maximum of 400 hours as of December 31 of any year. Accumulated vacation balances in excess of 400 hours as of December 31 of any year, will be lost. Upon prior approval of the General Manager, CEO 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.

(h) Upon separation from employment, payment will be made at the current rate of pay for all unused vacation hours.

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

(Res. 2002-96. Passed 5-21-02; Res. 2013-95. Passed 9-17-13. Res. 2022-XX. Passed 1-XX-22.)



<b>TITLE/DESCRIPTION:</b>  REPEALING SECTION 628.01, AMENDING SECTION 646.02 AND MOVING SECTION 646.02 FROM THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO THE PERSONNEL POLICIES	<b>Resolution No.:</b> 2022-9
	<b>Date:</b> January 20, 2022
	<b>Initiator:</b> Human Resources
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This resolution will repeal Section 628.01, Vacations, amend Section 646.02, Vacation for Non-bargaining Employees and move Section 646.02 from the Codified Rules and Regulations (“Code”) of the Greater Cleveland Regional Transit Authority to replace Personnel Policy 500.02.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Policies and Procedures of the Board of Trustees were codified in 1989, pursuant to Resolution 1989-176. The Code Book is now undergoing a comprehensive review and update so that the Code will conform to the current structure and operations of the Authority.  
  
 Human Resources provisions are located in three places: (1) the Code Book, which provides the broad, overarching guidance for the Authority enacted by the Board of Trustees; (2) the Personnel Policies, which govern day-to-day operations and are approved by the Board of Trustees and (3) the Personnel Procedures, which contain detailed procedures that are not approved by the Board of Trustees. The proposed amendment will remove an obsolete provision related to employee vacations, amend a current provision on the same topic and move that provision to the Personnel Policies.
  
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
  
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Does not apply.
  
- 5.0 **POLICY IMPACT:** Adoption of the resolution will result in the elimination of an obsolete provision and move the vacation policy from the Code Book to the Personnel Policies to replace Personnel Policy 500.02.
  
- 6.0 **ECONOMIC IMPACT:** Does not apply.
  
- 7.0 **ALTERNATIVES:** Not adopting this resolution. Not adopting this resolution would retain an obsolete provision and one that overlaps with the Personnel Policies.
  
- 8.0 **RECOMMENDATION:** This resolution was discussed at the January 11, 2022 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.

- 9.0 ATTACHMENTS: A. Red-line of proposed amendments to Section 628.01  
B. Red-line of proposed amendments to Section 646.02

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

  
\_\_\_\_\_  
General Manager, Chief Executive Officer



## ATTACHMENT A TO STAFF SUMMARY

### ~~628.01 VACATIONS.~~

~~(a) Policy for Employees Not in Collective Bargaining Units. The vacation policy set forth in this section shall apply to all employees in letter grades and to those in the unclassified service. Such policy shall be effective January 1, 1988. Eligibility, work requirements and amount of vacation shall be as set forth in Article I, Section 10, of the Conditions of Employment. (See Chapter 624 of these Policies and Procedures.)~~

~~(b) Vacation Accumulation Generally. Effective January 1, 1988, it shall be the policy of the Authority to allow employees not in bargaining units, i.e. employees in letter grades and those in the unclassified service, to accumulate a maximum of fifty days vacation. Vacation in excess of fifty days, if not taken in the current year, will be lost except as provided under subsection (c) hereof.~~

~~Vacation may be accumulated in one of two ways:~~

- ~~(1) At the request of the employee involved, a matter of personal preference; and~~
- ~~(2) Vacation not taken, because of business necessity, a matter beneficial to the Authority and at the request of the Authority.~~

~~Vacation accumulated at the request of the employee shall be compensated at the rate in effect for the employee on January 1 of the year in which the employee was first entitled to such vacation. Vacation accumulated at the request of or for the benefit of the Authority shall be compensated at the current salary. The Director of Personnel shall develop guidelines and procedures in accordance with this policy so as to properly and uniformly implement it.~~

~~(c) Vacation Accumulation in Excess of Fifty Days. Effective immediately upon the adoption of this vacation policy, the Director of Personnel shall make a determination of accumulated vacation of all employees in letter grades and in the unclassified service and so advise such employees. Employees in letter grades and in the unclassified service at the time of adoption of this policy shall have their accumulated vacation time fixed and shall be eligible to accumulate fifty-day vacations only, pursuant to this policy. Employees who have accumulated in excess of fifty days will be permitted to retain the accumulated time that is on file with the Director of Personnel. However, they will not be allowed to accumulate additional time.~~

~~(d) Retirement. Employees who retire are required to exhaust accumulated vacation time prior to the date of retirement. However, an employee may be compensated in a lump sum for vacation time accrued but not taken in the year of retirement. (Res. 1987-147. Passed 6-16-87.)~~

~~(e) Disputes. (EDITOR'S NOTE: Subsection (e) was repealed by implication~~

ATTACHMENT A TO STAFF SUMMARY

~~by the adoption of the new Personnel Policies and Procedures Manual (Chapter 640 et seq.)~~

~~(f) Additional Provisions. See Section 646.04 for additional provisions regarding vacations.~~

ATTACHMENT B TO STAFF SUMMARY

646.02 VACATION FOR NON-BARGAINING EMPLOYEES.

(a) 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

Total Years of Active Service with GCRTA + Prior Service Credit	Vacation Accrual Rate per Pay-Ending Period	Maximum Number of Weeks Earned for 26 Pay Periods
Less than 1 year to less than 5 years	3.08 hours	2 weeks
5 years to less than 13 years	4.616 hours	3 weeks
13 years to less than 21 years	6.16 hours	4 weeks
21 years to less than 30 years	7.696 hours	5 weeks
30 years or more	9.232 hours	6 weeks

(b) 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.

(c) 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.

(d) 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, CEO. 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 operational needs of the department. The ~~CEO~~, General Manager, CEO may revise vacation schedules whenever it is found to be in the best interest of the Authority.



ATTACHMENT B TO STAFF SUMMARY

(e) The ~~CEO~~, General Manager, CEO, at ~~his~~-their discretion, to attract highly qualified applicants, may offer a vacation accrual rate greater than the applicant's years of service would otherwise allow.

(f) 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.

(g) Vacation time may be accumulated to a maximum of 400 hours as of December 31 of any year. Accumulated vacation balances in excess of 400 hours as of December 31 of any year, will be lost. Upon prior approval of the ~~CEO~~, General Manager, CEO 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.

(h) Upon separation from employment, payment will be made at the current rate of pay for all unused vacation hours.

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

(Res. 2002-96. Passed 5-21-02; Res. 2013-95. Passed 9-17-13. Res. 2022-XX. Passed 1-XX-22.)