

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
CIRCLEVILLE ("CITY" OR "EMPLOYER) AND OHIO PATROLMEN'S
BENEVOLENT ASSOCIATION ("UNION" OR "OPBA")**

The City and Union met for a Labor Management Committee meeting on September 2, 2015 and agreed to modify Sections 20.01, 21.04, 23.04 and 23.06 of the parties' collective bargaining agreements on file at SERB (SERB Case No. 2014-MED-10-1416 and 2014-MED-10-1417). Additionally, the parties have added Section 23.08.

The parties agree that, unless otherwise specified in the agreement, the order of preference and approval of personal leave, compensatory time and vacation leave shall be governed by this Memorandum of Understanding. All prior practice, procedures and policies governing the order of preference and approval of leave shall be replaced by the following.

ARTICLE XX - PERSONAL LEAVE DAY

20.01 For each bargaining unit member hired after December 1, 2014, after reaching their first anniversary date of employment shall be entitled to a personal leave day annually, during each payroll year not to be deducted from sick leave. Employees hired prior to the execution of this agreement shall be entitled to such personal leave upon their six month anniversary. Requests to use the annual personal leave may be granted, with supervisor approval, if a request is made at least two (2) hours in advance.

20.02 Each employee may earn up to three (3) personal days per year on the following basis:

Employees who use no sick leave in a four (4) month period (January-April, May-August and/or September-December) shall earn a personal day. While leave may be earned for any of these four (4) month periods, employees are entitled to earn no more than three (3) personal days per year under this section. Requests to use earned personal leave will be granted if a request is made at least two (2) hours in advance provided overtime will not be required to replace the employee at the time the request is made. Earned personal leave requests made at least fourteen (14) days in advance will be granted, even if overtime is required to fill the requested shift, as long as another employee volunteers to work the overtime at least seven (7) days in advance of the requested time off. No employee will be ordered to work overtime to fill an earned personal leave request.

An earned personal leave day must be used within one (1) year of the time it is earned.

**ARTICLE XXI - OVERTIME PAY, CALL-IN PAY, OUT OF CLASSIFICATION
PAY, & COMPENSATORY TIME**

21.04 Employees shall be entitled to accrue up to eighty (80) hours of comp time earned and used per year in lieu of paid overtime upon notification to the Chief or his designee. Compensatory time off shall be granted at the rate of one and one-half (1½) hours of

compensatory time off for each hour of overtime worked. In the event the employee is receiving a wage supplement, such as shift differential or Officer-In-Charge, during the hours worked for which compensatory time is accrued, the employee shall receive payment for the supplement(s) earned beyond the employee's hourly rate for the appropriate number of hours worked. Use of compensatory time shall be subject to the approval of the Chief or front line supervisor in accordance with the provisions of the Fair Labor Standards Act. However, compensatory time off requests made at least fourteen (14) calendar days in advance will be granted even if the employee's use of compensatory time creates overtime. Compensatory time off requests made less than fourteen (14) calendar days in advance shall be approved if the employee's use of compensatory time does not create overtime or if the overtime resulting from the use of compensatory time is voluntarily worked by another employee. Additional compensatory time may be granted in lieu of paid overtime in accordance with the Fair Labor Standards Act.

ARTICLE XXIII - VACATION LEAVE

23.04 Vacation leave is to be taken at a time approved by the supervisor or department head; however, effort will be made to grant vacation time at the convenience of the employee if scheduling does not hamper the Department's work coverage. Any vacation leave of at least forty (40) hours requested by an employee as their designated first choice under section 23.06 below will be approved and is only subject to cancellation in the event of an emergency or by a shift change voluntarily requested by an employee that creates a conflict. Any conflicts between employees for the same vacation dates will be resolved by seniority except that forty (40) hour blocks will prevail over requests of less than forty (40) hours. Vacation requests must be made no less than thirty days in advance for vacations of more than eighty (80) hours and twenty-one (21) days in advance for vacations of eighty (80) hours or less than eighty (80) hours. The Employer shall attempt to approve or disapprove vacation requests of more than eighty (80) hours at least fourteen days in advance of the requested time off and requests of eighty (80) hours or less at least fourteen (14) days in advance of the requested time off. Vacation leave must be utilized in hour units. The overtime resulting from a vacation leave request made pursuant to this section will be posted for a minimum of five (5) days for employees to volunteer.

An employee's vacation leave request is not required to be approved in its entirety. In the event of a partially approved vacation leave request, the requesting employee will be given the option to cancel their leave request or work the uncovered overtime.

23.06 Departmental seniority shall govern for the purposes of this Article. Departmental seniority is defined as length of continuous service with the Circleville Police Department. The senior employee on any shift is entitled to first choice with respect to vacation selection in any calendar year (January 1 - December 31). After the senior employee utilizes his or her first choice by selecting any amount of vacation, every other employee on the shift is entitled to a vacation selection by seniority.

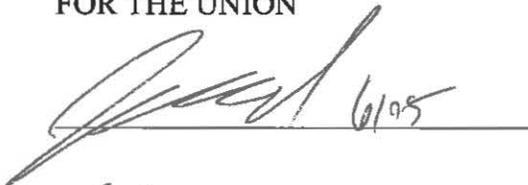
After each employee on the shift has utilized one vacation selection by seniority, the selection process is repeated by returning the choice of vacation to the most senior employee. This process is repeated each calendar year until all employees on a shift have either exhausted their vacation or the calendar year comes to an end.

Only one (1) employee per shift will be on vacation leave at one time, unless no overtime is required by the additional vacation leave, any overtime created is voluntarily covered by another employee, or approval is obtained by the Chief or his designee.

23.08 In an attempt to resolve conflicts resulting from multiple leave requests for the same shift on the same day and none of the aforementioned sections apply, the following order of priority shall apply:

1. A vacation request of forty (40) hours or more that the employee designates as their First Choice;
2. A vacation request of forty (40) hours or more that the employee has not designated as their First Choice;
3. An employee's personal leave request (both annual and earned personal leave);
4. An employee's compensatory time off request made with at least fourteen (14) days' advance notice;
5. An employee's compensatory time off request made with less than fourteen (14) days' advance notice.

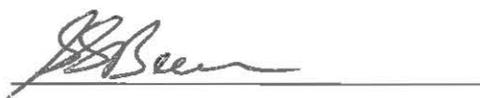
FOR THE UNION





FOR THE EMPLOYER





Date:

11/4/15