

1 ORDINANCE NO. 2011-507

First Reading Passage Requested
(L. Foster)

2
3 SPONSOR Mr. Pry

4
5 DATE December 5, 2011

COMMITTEE Personnel

6
7 **An Ordinance amending Section 169.22 of the Codified Ordinances of the County of**
8 **Summit, entitled "Leaves of Absence," to add mother-in-law and father-in-law to the**
9 **definition of "immediate family" for bereavement leave, for the Executive's Department of**
10 **Human Resources and the Human Resource Commission, and declaring an emergency.**

11
12 WHEREAS, this Council previously adopted Ordinance No. 2011-380, which amended
13 Sections 169.01, 169.02, 169.03, 169.05, 169.06, 169.08, 169.14, 169.15, 169.20, 169.21,
14 169.22, 169.23, 169.24, 169.25, 169.27, 169.28, 169.29 and 169.30 of the Codified Ordinances
15 of the County of Summit, repealed Section 169.19 of the Codified Ordinances and enacted new
16 Sections 169.19, 169.31 and 169.32 of the Codified Ordinances of the County of Summit; and

17
18 WHEREAS, in amending Section 169.22 of the Codified Ordinances, entitled "Leaves of
19 Absence," mother-in-law and father-in-law were inadvertently left out of the definition of
20 "immediate family" for bereavement leave; and

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22 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
23 that it is necessary and in the best interest of the County of Summit to amend Section 169.22 to
24 add mother-in-law and father-in-law to the definition of "immediate family" for bereavement
25 leave;

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27 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
28 of Ohio, that:

29
30 SECTION 1

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32 Sections 169.22 of the Codified Ordinances of the County of Summit, entitled "Leaves of
33 Absence," is hereby amended as follows:

34
35 **"169.22 LEAVES OF ABSENCE.**

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37 ***

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39 (4) Immediate Family. "Immediate family" is defined separately for purposes
40 of sick leave and bereavement leave.

41 A. Sick Leave. "Immediate family" for purposes of sick leave set
42 forth in Section 169.22(c)(3) includes:

- 43 1. Spouse
- 44 2. Child (Step)
- 45 3. Father (Step)
- 46 4. Mother (Step)
- 47 5. Grandparent
- 48 6. Grandchild
- 49 7. A legal guardian or other person who stands in place of a
50 parent.
- 51 8. Domestic Partner*
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SECTION 1 (cont'd.)

- 9. An individual over which whom an employee has a power of attorney.
- 10. Covered service member as defined under Family and Medical Leave Act Military Leave.
- 11. A legal guardian or an individual over which whom an employee has a legal guardianship.

B. Bereavement Leave. "Immediate family" for purposes of bereavement leave set forth in Section 169.22(c)(3) includes:

- 1. Spouse
- 2. Child (Step)
- 3. Father (Step)
- 4. Mother (Step)
- 5. Grandparent
- 6. Grandchild
- 7. Sister (Step/Half)
- 8. Brother (Step/Half)
- 9. Mother-in-Law
- 10. Father-in-Law
- 11. Sister-in-Law
- 12. Brother-in-Law
- 13. Daughter-in-Law
- 14. Son-in-Law
- 15. Aunt
- 16. Uncle
- 17. Niece
- 18. Nephew
- 19. Domestic Partner*
- 20. An individual over which whom an employee has a power of attorney.
- 21. Covered service member as defined under FMLA Military Leave.
- 22. A legal guardian or an individual over whom an employee has a legal guardianship.

*Domestic Partner is defined as a personal relationship between two adults who do all of the following: (1) share a residence; (2) are in an exclusive relationship and intend to remain so indefinitely; (3) neither person is married to or legally separated from another person; (4) share responsibility for each other's common welfare; and (5) are each at least 18 years of age and mentally competent and not related to each other to a degree of closeness that would prohibit marriage.

C. Proof of guardianship, power of attorney, and/or military service must be provided to the employer when leave is requested.

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1 ORDINANCE NO. 2011-507

2 PAGE THREE

3
4 SECTION 2

5
6 This Ordinance is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit, and for the further reason of immediately
8 amending Sections 169.22 to add mother-in-law and father-in-law to the definition of
9 "immediate family" for bereavement leave so that County employees can immediately use such
10 leave if necessary.

11
12 SECTION 3


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14 Provided this Ordinance receives the affirmative vote of eight members, it shall take
15 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
16 effect and be in force at the earliest time provided by law.

17
18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and of any of its committees that resulted in such formal action,
23 were in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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26
27 INTRODUCED December 5, 2011

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29 ADOPTED December 5, 2011

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34 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED December 6, 2011

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EXECUTIVE

ENACTED EFFECTIVE December 6, 2011
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Voice Vote:11-0: YES:Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro