

**VILLAGE OF YELLOW SPRINGS, OHIO**

**ORDINANCE 2024-07**

**AMENDING SECTION 201 OF THE PERSONNEL POLICY MANUAL TO UPDATE  
EMPLOYEE CLASSIFICATIONS AND TO CREATE NEW POSITIONS AND  
DECLARING AN EMERGENCY**

WHEREAS, from time to time it is necessary to update the Village Personnel Policy Manual to remain compliant with best practices, and

WHEREAS, this update to the Village’s Personnel Policy Manual is necessary to be passed as an emergency measure in order to allow the Village Manager to quickly fill newly created positions and most effectively serve the needs of the Village,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO  
DOES HEREBY ORDAIN THAT:**

**Section 1.** Section 201 of the Personnel Policy Manual entitled “Employment Categories and Classifications” of the Codified Ordinances of the Village of Yellow Springs, Ohio be amended as set forth in Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

**Section 3.** This ordinance is hereby declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the Village, wherefore, this ordinance shall be in effect immediately upon its adoption by Council.

\_\_\_\_\_  
Kevin Stokes, President of Council

Passed: 5-20-2024

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Kevin Stokes \_\_Y\_\_

Gavin DeVore Leonard \_Y\_

Brian Housh \_Y\_\_

Carmen Brown \_Y\_\_

Trish Gustafson \_Y\_\_

## EMPLOYMENT – STATUS AND RECORDS

### 201 Employment Categories and Classifications

The Fair Labor Standards Act (FLSA) is a federal law that sets minimum wage, overtime pay, recordkeeping, and child labor standards requirements for both employers and employees covered by the Act. As a federal law, it preempts state wage and hour requirements, unless the state guidelines are more beneficial to the employee.

The FLSA specifies that non-exempt employees must be paid at least the current federal minimum wage rate for the first 40 hours worked in a workweek (seven consecutive 24-hour periods) and must receive an overtime rate of at least time and one-half their regular rate of pay for all hours worked over 40 in a workweek.

Persons employed by the Village of Yellow Springs are nonexempt employees except for the following, who are exempt employees:

1. Persons appointed directly by elected officials (Clerk of Council, Clerk of Mayor's Court, Solicitor, Treasurer, Village Manager);
2. Chief of Police, Finance Director, Zoning Administrator, Public Works Director, Community Outreach Specialist, Assistant VM, **Electric/Water Distribution Superintendent; Water/Wastewater Superintendent.; Streets and Parks Superintendent; Digital Media Manager; AP and Payroll Manager; Public Works Director; Project Lead; Housing Specialist.**

Persons hired in exempt positions may be transferred, reassigned, laid off, disciplined or removed at the discretion of the Village Manager, subject to the procedure set forth in this manual, with the exception of employees listed in #1 above.