

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH RAY NOTARIAN FOR REPURCHASE OF SICK PAY UPON RECEIPT OF BENEFITS FROM THE BUREAU OF WORKERS' COMPENSATION

WHEREAS, the Police Chief has recommended in a memo dated May 12, 1997, 1997, a copy of which is attached hereto as Exhibit "A" that the Village enter into an agreement with Raymond Notarian to allow buy-back of sick pay upon receipt of Mr. Notarian's benefits from the Bureau of Workers' Compensation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Mayor and Finance Director be, and they hereby are, authorized and directed to enter into an agreement with Raymond Notarian for purchase of sick pay, a copy of which agreement is attached as Exhibit "B" and incorporated herein fully as if by reference.

SECTION 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 17, 1997

[Signature]
President of Council

Donald W. Larsen
Mayor

Dated: 6/19/97

ATTEST:
[Signature]
Clerk of Council



Richfield Police Department

P.O. BOX 387

4410 W. STREETSBORO ROAD

RICHFIELD, OHIO 44286-0387

216-659-9500

CHIEF, JOHN E. WALSH

Donald A Larsen, Mayor
Richfield Village
Richfield, Ohio

May 12, 1997

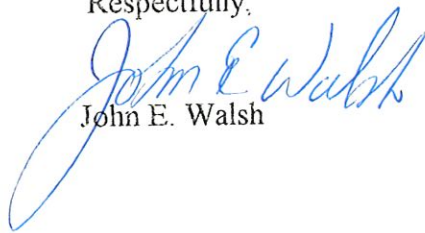
Dear Mayor Larsen:

Sgt. Raymond Notarian was injured while on duty as a Richfield Village Police Officer. His injury required a significant loss of sick time and resulted in a Workman's Compensation claim.

I ask that the Village of Richfield enter into an agreement with Officer Notarian that would allow him to buy back his lost sick time with the benefits that he receives from the Bureau of Workman's Compensation.

It is my understanding that many Ohio communities do allow their employees to purchase their sick time back again under these circumstances.

Respectfully,


John E. Walsh

AGREEMENT

Subject to the terms hereinafter set forth, the village of Richfield ("Village") does not oppose the motion of Raymond Notarian ("Notarian") in Claim No. 96-540163 to elect to receive in lieu of pay temporary total benefits from the Bureau of Workers' Compensation for injuries received by him on 11/10/96 and Notarian agrees to reimburse the Village of Richfield for sick pay received by him for the aforementioned injury in an amount equal to the benefits received by him from the Bureau of Workers' Compensation.

The above agreement is subject to the following terms and conditions:

1. This agreement relates only to the aforementioned injury of Notarian and only for those days on which Notarian was unable to work during the period between 11/10/96 and 01/31/97. It is understood that it is not the Village's policy to waive its objection to applications for Workers' Compensation benefits where the Village has previously provided sick leave benefits and that this waiver concerning Village's motion is an exception to that general rule. This agreement shall not be considered as a precedent for any other claim of Notarian or for any claim of any other employee of the Village.

2. It is agreed that Notarian was paid 472 hours of sick leave which cost the Village of Richfield the following amount:

Gross Wages Paid	\$ 9,312.56
PFDF (Village Portion)	<u>1,815.95</u>
TOTAL	11,128.51

This computes to an hourly cost of \$23.58. Additionally, Notarian accrued credit of an additional hours of sick leave based on $472 \times .05775 = 27.26$ hours of sick leave paid to him.

3. For each \$23.58 received from Notarian under this Agreement up to the maximum amount \$11,128.51, the Village will reinstate one hour of accrued sick time to his credit.

4. For each hour of accrued sick leave which the Village reinstates to Notarian in return for the payment of \$23.58, the Village will reduce Notarian's sick leave account by .05775 hour of sick leave.

5. The gross wages to be reported on Notarian's W-2 form shall not be reduced by the amounts received from Notarian pursuant to this Agreement.

6. The sick time purchased by Notarian under this Agreement shall be subject to the applicable law at the time the sick leave is used.

7. The Bureau of Workers' compensation shall pay the aforementioned benefits due Notarian directly to the Village up to the amount of \$11,128.51. In the event the Bureau of Workers' Compensation pays said benefits directly to Notarian, Notarian must pay these benefits to the Village within one week of receiving the benefits from the Bureau of Workers' Compensation.

Dated: July 20, , 19 97




Raymond Notarian

VILLAGE OF RICHFIELD

BY: 

Donald H. Larsen, Mayor

BY: 

Eleanor Lukovics, Finance Director