

ORIGINAL

Ordinance 2021-19

AN ORDINANCE ADOPTING VACATION WITH PAY AND SICK LEAVE POLICIES

WHEREAS, the Town Council of the Town of Dayton is the municipal legislative body of the unit; and

WHEREAS, Indiana Code 5-10-6-1(b) states, "Employees of the political subdivisions of the state may be granted a vacation with pay, sick leave, paid holidays, and other similar benefits by ordinance of the legislative body of a county, city, town, township, or controlling board of a municipally owned utility, board of directors or regents of a cemetery, or board of trustees of any library district.

WHEREAS, vacation with pay and sick leave polices are included in the Town of Dayton Employee Policy and Procedure Manual ("Manual")

WHEREAS, the Town Council desires to amend the vacation and sick leave policies by adopting this ordinance.

WHEREAS, after the adoption of this ordinance, paragraphs (A.), (B.), (C.), (D.), (E.), (F.) and (G.) under the heading "II. Vacation" on page 50 of the Manual shall be deleted in its entirety and replaced with the policy adopted by this ordinance.

WHEREAS, after the adoption of this ordinance, paragraphs (A.), (B.), (C.), (D.), (E.), (F.), (G.), and (H.) under the heading "V. Sick Leave" on page 51 of the Manual shall be deleted in its entirety and replaced with the policy adopted by this ordinance.

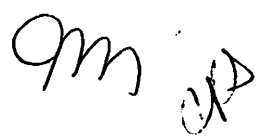
Section One - Vacation with Pay

A. A full time employee shall be entitled to annual vacation leave with pay according to the following:

1. Full time employees will receive 40 hours of vacation on his/her anniversary.
2. Full time employees who have completed two (2) years but less than ten (10) years will receive 80 hours of vacation each year on Jan 1.
3. Full time employees who have completed ten (10) years of service will receive 120 hours of vacation on Jan 1 and every year thereafter up to their 20th anniversary.
4. Full time employees who have completed twenty (20) years of service will receive 160 hours of vacation on Jan 1 and every year thereafter.

B. Vacation days may be taken in one-half (½) day increments. This is equivalent to four (4) hours in an eight (8) hour shift.

C. Vacation leave is credited for all continuous service in active pay status. Vacation is not earned while an employee is in a non-paid status (i.e. leave of absence without pay, disciplinary suspensions, and short term disability leave).



D. Vacations are scheduled in accordance with workload requirements of the individual department or office. For this reason, it is essential that full week vacation requests be made, in writing, at least ten (10) days in advance of the proposed starting date. The supervisor has the authority to approve or deny vacation requests.

E. Vacation days must be used by Dec 31 of the calendar year awarded and may not be carried over to the following year without approval of the Town Council.

F. An employee who has earned vacation benefits and has not received them and leaves employment with the town in good standing shall be paid accrued benefits upon separation. In case of the death of the employee, benefits shall be paid to the estate of the employee or if none to the person collecting on behalf of the estate upon presentation of an appropriate affidavit.

G. Any employee who has earned but unused vacation benefits and is terminated for just cause will not receive payment for unused time.

H. The Town Council has the option to consider the vacation with pay benefits of a newly hired full time Marshal or Deputy Marshal who have experience directly related to their position. The council may offer Salary and Paid Time Off benefits in accordance with that experience and with consideration of the time of year of starting employment and other factors as deemed good for the town as set forth in the Salary Ordinance and this Vacation with Pay and Sick Leave Ordinance as amended at the time of hire. If the Town Council approves vacation with pay benefits for a newly hired full time Marshal or Deputy Marshal, this Vacation with Pay and Sick Leave Ordinance shall be amended to reflect the number of vacation with pay hours for the remainder of the year of hire and for each year thereafter.

Section Two - Sick Leave

A. Sick leave is limited time off with-pay granted for employee illness or injury, or when employee's presence might jeopardize the health of fellow workers. Sick leave may not be used to care for a sick family member.

B. After the employee has worked 90 days, he/she will receive six (6) sick days that may be used until the end of his first calendar year. Thereafter six (6) sick days will be awarded to each employee on Jan 1 of each year. A sick day is defined as an 8 hour day; sick leave is not accrued or carried over.

C. An employee who has no accrued sick time may use vacation or take time off without pay. A sick day is defined as an 8 hour work day. Salaried personnel will forfeit 8 hours of pay or vacation when using this option.

D. The employee, or someone on his/her behalf, shall notify the supervisor or department head of the absence of the employee as soon as possible prior to the scheduled hours of work.

E. The presentation of a written certification of illness by a physician nurse or other licensed medical practitioner may be required if:

1. The employee is off of work for three or more consecutive days

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2. Less than three-day s are claimed and the supervisor deems a certificate necessary because of suspected sick leave abuse.
3. The supervisor reserves the right to request a doctors statement after one day off
4. Sick occurrences of more than 3 per year will be considered abuse and will be documented by a supervisor. Excess abuse of sick occurrences will lead to disciplinary action and possible termination.
5. Concurrent sick days are considered a single occurrence.

F. Upon termination of employment, the employee will NOT be paid for unused sick days.

G. Sick leave must be used in at least one (1) hour increments for hourly employees. Salaried employees will use sick time in 8 hour increments.

H. The supervisor of each department will keep an individual up-to-date record of all employees.

I. The Marshal and Deputy Marshal can accumulate and accrue unused sick days from year to year up to a maximum of twenty (20) days. Upon termination of employment for any or no reason, the Marshal and Deputy Marshal will not be paid for accumulated and accrued unused sick days.

J. The Utility Superintendent can accumulate and accrue unused sick days from year to year up to a maximum of twenty (20) days. Upon termination of employment for any or no reason, the Utility Superintendent will not be paid for accumulated and accrued unused sick days.

This ordinance shall be in full force and effect upon its passage and signing and publication as required by law.

Introduced on the First Reading on the 12th day of October, 2021.

MOTION TO ADOPT ON FIRST READING BY MADE BY TOWN COUNCIL MEMBER Jin Manly AND SECONDED BY TOWN COUNCIL MEMBER Carla Snodgrass

ADOPTED AND PASSED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA THIS 12th DAY OF October, 2021.





Ayes

Jan M. ...
[Handwritten signatures on lines]

Nays

[Empty lines for Nays]

Attest:

Michelle [Signature]

Michelle Frewerd, Clerk-Treasurer