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**ORDINANCE NO. 2023-25**

**AN ORDINANCE AMENDING AND RESTATING THE PERSONNEL POLICY OF THE CITY OF AUBURN REGARDING HOLIDAY PAY**

**SUMMARY**

This ordinance amends and restates the Chapter 40.35 and Fire Department and Police Department Holiday Pay Schedules in Chapters 42.02 and 43.02 of the Auburn City Code regarding Fire and Police Holiday Pay. Said amendment and restatement shall be codified in Chapters 40.35, 42.02 and 43.02 of the Auburn City Municipal Code of Ordinances and shall also be kept in a booklet form and be made available to members of the public on the City of Auburn’s web-site at [www.ci.auburn.in.us](http://www.ci.auburn.in.us) and a hard copy in booklet form with the Office of the Clerk-Treasurer during regular business hours.

_____ Recorder’s Office	_____ Publish Public Hearing
_____ Auditor’s Office	_____
_____ Clerk’s Office	_____ x _____ Publish O/R after adoption
_____ Other:	_____
_____	
_____	
_____	

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**AN ORDINANCE AMENDING AND RESTATING THE PERSONNEL POLICY  
OF THE CITY OF AUBURN REGARDING HOLIDAY PAY**

WHEREAS, the City of Auburn, Indiana, has previously passed ordinances regarding personnel matters, including Holiday Pay; and

WHEREAS, the City of Auburn recognizes that Holiday Pay is an important part of the employee policies of the City of Auburn, Indiana; and

WHEREAS, this Ordinance amends and restates the policy of the City of Auburn, Indiana as set forth below; and

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA**, the following amendment, and restatement to the Auburn City Code shall be passed as follows:

**SECTION 1.**

Holiday Compensation shall be amended and restated in section 40.35 as follows with the additions added in red and further amendments added in red underlined and blue underlined to the 40.35 as follows:

**40.35 COMPENSATION**

**G) HOLIDAY PAY**

1) The City of Auburn designates certain days to be observed as paid holidays. Temporary, seasonal, occasional part-time or full-time employees do not qualify for paid holidays. However, regularly scheduled part-time employees will receive holiday pay calculated by the average hours per day worked.

2) The following days shall constitute paid holidays:

- a) New Years' Day;
- b) Martin Luther King Day;**
- c) Memorial Day;
- d) Independence Day;
- e) Labor Day;
- f) Veteran's Day;**
- g) Thanksgiving Day;
- h) Day following Thanksgiving;

i) Christmas Eve;

j) Christmas Day;

k) New Year's Eve; and \_\_\_\_\_

l) Floating Holiday to be determined by the Mayor. Per City ordinance, a final list of dates of annual designated holidays (actual or observed) will be announced and posted prior to January 1 of each year. This list may not be altered and must include dates of the New Year's holidays (both current year and following year, i.e. 2025 and 2026).

3) To be eligible to receive holiday pay, the employee must be present on their scheduled working day preceding the paid holiday and on their first scheduled working day following the paid holiday. All categories of benefit days will count as being present the day before and/or after a holiday.

4) If any holidays fall on a Saturday, the preceding Friday shall be the observed holiday. If any holiday falls on a Sunday, the following Monday shall be the observed holiday. This practice may be altered if designated different by the Mayor prior to the holiday. If back to back holidays fall on Friday and Saturday, the one that falls on Saturday will be observed on the previous Thursday. If back to back holidays fall on Sunday and Monday, the one that falls on Sunday will be observed on the following Tuesday.

Holidays observed and holiday pay for fire protection are detailed in Chapter 42 and holiday observation and pay for law enforcement are detailed in Chapter 43.

Holiday pay: All regular full-time and regular part-time employees are eligible for holiday pay immediately upon hire with the City of Auburn. Part-time firefighters and part-time seasonal (temporary) employees are not eligible for holiday pay.

Exempt employees will receive full regular salary for any work week with a designated/observed holiday.

Non-exempt full-time employees will receive eight (8) hours for each designated holiday paid at the employee's regular rate or overtime rate, if applicable. Holiday hours are considered hours worked for the purpose of determining overtime pay. To receive holiday pay, an eligible hourly employee must work or take approved paid vacation, personal, or sick leave on the scheduled workdays immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury, the City may require verification of the reason for the absence before approving holiday pay.

Non-exempt regular part-time employees are eligible for holiday pay only if the designated/observed holiday falls on their regularly scheduled workday. They will receive the same number of hours of holiday pay as they would normally work.

Religious observances. Employees who need time off to observe religious practices or holidays not already scheduled by the City, should speak with their Department Head. The employee may request paid vacation or personal leave in these circumstances. The City will seek to reasonably accommodate individuals' religious observances.

## **SECTION 2.**

Holiday Compensation pay for the fire department is modified as further set forth below.

### **42.02 COMPENSATION**

#### **C) FIRE DEPARTMENT HOLIDAY PAY**

- 1) This applies to all full time and part-time (in order to incentivize our part-time firefighters) fire protection personnel working a 12 or 24 hour shift in the combat division on a holiday.
- 2) Fire protection personnel working a twelve or twenty-four (24) hour shift will be paid at the rate of one and a half times their hourly rate.
- 3) Payment will be made from the start of the holiday to the end i.e., seven half-hours to the shift working 00:00 hours to 07:30 hours, and 16 half-hours for the shift working 07:30 to midnight of the holiday. The firefighter/officer will be required to work the entire 12 or 24 hour shift to receive this benefit.
- 4) All other fire department exempt administrative and hourly civilian personnel will be the same as civilian employees (see Code Section 41.00 - Civilian).

## **SECTION 3.**

Holiday Compensation pay for the police department shall not change and remains in its current format.


### **43.02 COMPENSATION**

#### **B) POLICE DEPARTMENT HOLIDAY PAY – NO CHANGES NECESSARY**

**SECTION 4.**

The following amendments and restatements of the above referenced chapters and sections of the Auburn City Municipal code are hereby passed, shall be published in a paper of regular circulation in Dekalb County, Indiana, shall be codified as set forth in Exhibit "A" in the Auburn Municipal code at [www.ci.auburn.in.us](http://www.ci.auburn.in.us), and a hard copy and booklet form of the updated City Code shall be made available to the public during regular business hours at the office of the Clerk-Treasurer of the City of Auburn, Indiana.

**PASSED AND ADOPTED** by the Common Council of the City of Auburn, Indiana, this 5 day of December, 2023.

  
\_\_\_\_\_  
**James Finchum**  
Council Member

ATTEST:

  
\_\_\_\_\_  
**PATRICIA M. MILLER**  
Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 5 day of December, 2023.

  
\_\_\_\_\_  
**PATRICIA M. MILLER**  
Clerk-Treasurer

**APPROVED AND SIGNED** by me this 5 day of December, 2023.

  
\_\_\_\_\_  
**MICHAEL D. LEY, Mayor**

**VOTING:**

**AYE**

**NAY**

Natalie DeWitt, Council President

Kevin Webb



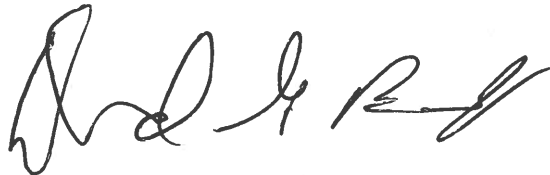
Dennis "Matthew" Kruse



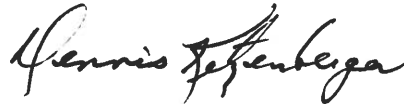
James Finchum



Dave Bundy



Dennis Ketzenberger



Emily Prosser



**Exhibit "A"**

Insert into Chapter 40.35 of the Auburn Municipal Code regarding the Personnel Policy this codified version:

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- h) day after Thanksgiving;
- i) Christmas Eve;
- j) Christmas Day;
- k) New Year's Eve; and
- l) Floating holiday to be determined by the Mayor per ordinance, a final list of dates of annual designated holidays (actual or observed) will be announced and posted prior to January 1 of each year. This list may not be altered and must include dates of the New Year's holidays (both current year and the following year i.e. 2025 and 2026.

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