

1ST READING _11/21/23_____

2ND READING 12/05/23_____

Received electronically 11/14/2023

ORDINANCE NO. 2023-28

**AN ORDINANCE AMENDING THE PERSONNEL POLICY OF THE CITY OF
AUBURN REGARDING VACATION TIME**

SUMMARY

This ordinance amends and restates Chapters 40.36, 41.03, 42.03 and 43.03 of the Auburn City Code regarding Vacation Leaves regarding City of Auburn, Indiana Employees. Said amendment and restatement shall be codified in 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 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:

ORDINANCE NO. 2023-28**AN ORDINANCE AMENDING THE PERSONNEL POLICY OF THE CITY OF AUBURN REGARDING VACATION TIME**

WHEREAS, the City of Auburn, Indiana, has previously passed ordinances relating to Vacation Leave for employees of the City of Auburn; and

WHEREAS, the City of Auburn Vacation Leave is intended to provide a benefit for employees to be away from work with a paid benefit as further set forth herein; 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.

Chapter 40.36 of the Auburn City Municipal Code shall be amended as set forth below. Amendments are set forth in by striking language and inserting new language in blue as follows:

40.36 LEAVES**B) VACATION**

- 1) The official vacation period is calculated on date of hire.
- 2) During subsequent years of continuous full-time employment, the employee will receive paid vacation under the guideline set forth in Sections 41.00, 42.00 and 43.00.
- 3) Vacation time must be taken in the year when the employee is eligible. Except for special circumstances approved by the Board of Public Works and Safety, vacations must be actually taken. Vacation time does not accumulate from year to year, and unused time is lost at anniversary year's end. Any special requests to the Board of Works and Safety to carry over vacation into a new anniversary year must be before the year ends in which it was earned. ~~City employees receive no vacation time during the first year of employment. The first year that vacation is available to employees is in year two (2) of employment.~~
- 4) Vacation leave will be granted at a time, which is mutually acceptable to the employee, and the Department Head, consistent with the nature of the service provided by the department in which the employee is employed.

5) An employee's vacation time shall be considered as hours worked for the purpose of determining vacation leave eligibility.

6) An employee who has vacation benefits and has not received them because of resignation, termination, death, or other reason shall receive benefits upon separation. In case of death, benefits shall be paid to the estate of the employee as may be appropriate by the statutes of the State of Indiana.

Section 2.

Chapter 41.03 of the Auburn City Municipal Code shall be amended as set forth below. Amendments are set forth in by striking language and inserting new language in blue as follows:

41.03 LEAVES

A) VACATION

The full time employee will receive paid vacation leave as follows:

<u>Complete Years of Service</u>	<u>Weeks Per Year</u>
<u>< 1 year</u>	<u>1 day every other month (6 days)</u>
1 year	1 week <u>10 days</u>
<u>2 6</u> years	2 weeks <u>15 days</u>
<u>15 0</u> years	3 weeks <u>20 days</u>
<u>25 0</u> years	4 weeks <u>25 days</u>
30 or more years	5 weeks <u>30 days</u>

~~Each week is defined as five (5) working days or seven (7) calendar days.~~

- 1) Vacation leave will be granted at a time, which is mutually acceptable to the employee, and the Department Head, consistent with the nature of the service provided by the department in which the employee is employed.
- 2) Vacation time (non-exempt (hourly) employees) must be taken. in four (4) or eight (8) hour increments.
- 3) Vacation time (exempt (salary) employees) must be taken in increments of whole days or one work week.

Unless negotiated as a condition of their job offer, new full-time exempt and non-exempt employees will receive one (1) vacation day every other month during their first year of employment for a total of 6 days. The first day will accrue on the 1st day of the month following their hire date. If they are hired on the first of the month, they will immediately receive one (1) vacation day upon hire. Subsequent vacation days will accrue on the 1st of months 3, 5, 7, 9 and 11 following their hire date. Vacation days must only be requested through the City's time

keeping system after completing the 90-day introductory/probationary period and may not be carried over past the employee's one (1) year anniversary date.

From time to time, in order to recruit the highest caliber of professional talent, it may be necessary to negotiate vacation leave as a condition of the job offer process. The City Common Council gives Department Heads, in collaboration with executive management and the HR Director, the authority to make such negotiations in regards to vacation leave with the following guidelines: salary exempt positions/candidates only, based on their level education/certification/licensing, years of direct professional vocational experience and other unique skills, knowledge and abilities, 2 or 3 weeks (10 – 15 days) maximum vacation leave, with a 90 – 120 day waiting period prior to requesting leave.

Section 3.

Chapter 42.03 of the Auburn City Municipal Code shall be amended as set forth below. Amendments are set forth in by striking language and inserting new language in blue as follows:

42.03 LEAVES

(See CODE SECTION 40.00 for general information on leaves)

A) FULL-TIME FIREFIGHTERS VACATION

During subsequent years of continuous full time employment, the employee will receive paid vacation leave as follows:

OFFICER & FIREFIGHTER PERSONNEL (24-hour scheduled shift)

<u>Complete Years of Service</u>	<u>Work Days per Year</u>
1 to 3 years	3 <u>4</u> scheduled days
4 to 6 years	5 <u>6</u> scheduled days
7 to 10 years	8 scheduled days
11 to 14 <u>9</u> years	11 scheduled days
<u>15 to 18 years</u>	<u>14 scheduled days</u>
<u>19 to 24 years</u>	<u>16 scheduled days</u>
<u>25</u> 0 plus years	<u>17</u> 2 scheduled days

SALARY/EXEMPT FIRE ADMINISTRATIVE PERSONNEL

<u>Complete Years of Service</u>	<u>Work Days per Year</u>
1 to 3 years	8 <u>5</u> working days
4 to 6 years	12 <u>12</u> working days
7 to 10 years	15 working days
11 to 14 <u>9</u> years	20 working days
<u>15 to 18 years</u>	<u>25 working days</u>
<u>19 to 24 years</u>	<u>30 working days</u>
<u>25</u> 0 plus years	<u>25</u> 33 working days

- 1) Vacation leave shall be on-duty days commencing at the end of the probationary year.

- 2) Vacation leave will be granted at a time that is mutually acceptable to the employee and the Fire Chief. Seniority will be used if a conflict exists in requests. The vacation request form is available at the Fire Station or electronically on the network system's common drive, which is available to all employees.
- 3) Vacation will be taken in 24-hour increments by personnel working the 24 hour shift.
- 4) Lateral firefighter transfers and exempt fire administrative who are hired from outside by the City of Auburn will receive vacation based on years of service in previous Fire Protection experience and determined as a condition of their job offer.
- 5) Fire administrative employees must request vacation time off through the City's time keeping system in full day, 8-hour increments only.

Section 4.

Chapter 43.03 of the Auburn City Municipal Code shall be amended as set forth below. Amendments are set forth in by striking language and inserting new language in blue as follows:

43.03 LEAVES

(See CODE SECTION 40.00 for general information on leaves)

A) POLICE VACATION

- 1) During subsequent years of continuous full time employment, the employee will receive paid vacation leave as follows:

<u>Complete Years of Service</u>	
1-4 years	12 working days
5-9 years	15 working days
10-14 years	<u>20</u> working days
15- <u>19 years</u> Plus	<u>25</u> working days
<u>20 or more years</u>	<u>30</u> working days

- 2) Vacation leave shall be on-duty days commencing at the end of the probationary year.
- 3) Vacation leave will be granted at a time that is mutually acceptable to the employee and the Police Chief. No vacations shall be scheduled over any special events as designated by the Police Chief or his designee.
- 4) Vacation time must be taken in a minimum of four hour increments.
- 5) Exempt (salary) employees will take vacation in full day or week increments (see Code Section 40.35)
- 6) Lateral transfers hired by the City of Auburn will receive vacation based on years of service in previous Law Enforcement experience and determined as a

condition of their job offer.

7) No vacations can be scheduled over any special events as designated by the Police Chief.

Section 5.

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, 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

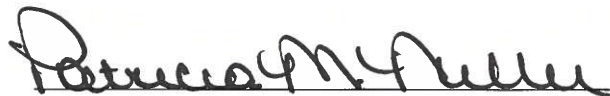
ATTEST:



PATRICIA M. MILLER
Clerk-Treasurer

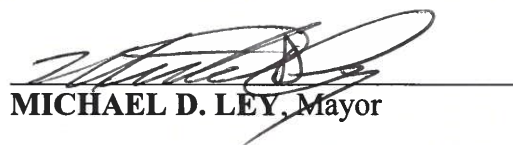
Presented by me to the Mayor of the City of Auburn, Indiana, this 5 day of

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

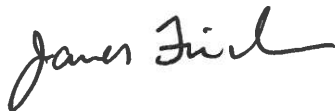
Kevin Webb



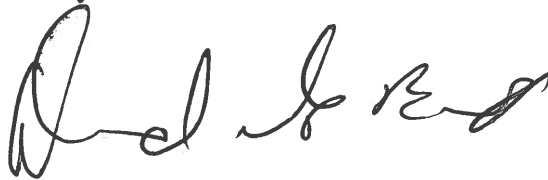
Dennis "Matthew" Kruse



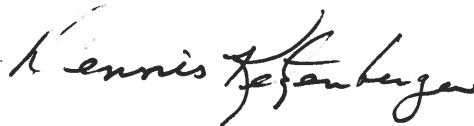
James Finchum



Dave Bundy



Dennis Ketzenberger



Emily Prosser



EXHIBIT "A"

40.36 LEAVES

B) VACATION

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- 4) Vacation leave will be granted at a time, which is mutually acceptable to the employee, and the Department Head, consistent with the nature of the service provided by the department in which the employee is employed.
- 5) An employee's vacation time shall be considered as hours worked for the purpose of determining vacation leave eligibility.
- 6) An employee who has vacation benefits and has not received them because of resignation, termination, death, or other reason shall receive benefits upon separation. In case of death, benefits shall be paid to the estate of the employee as may be appropriate by the statutes of the State of Indiana.

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<u>Complete Years of Service</u>	<u>Weeks Per Year</u>
< 1 year	1 day every other month (6 days)
1 year	10 days
6 years	15 days
15 years	20 days
25 years	25 days
30 or more years	30 days

- 1) Vacation leave will be granted at a time, which is mutually acceptable to the employee, and the Department Head, consistent with the nature of the service provided by the department in which the employee is employed.
- 2) Vacation time (non-exempt (hourly) employees) must be taken. in four (4) or eight (8) hour increments.
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During subsequent years of continuous full time employment, the employee will receive paid vacation leave as follows:

OFFICER & FIREFIGHTER PERSONNEL (24-hour scheduled shift)

<u>Complete Years of Service</u>	<u>Work Days per Year</u>
1 to 3 years	4 scheduled days
4 to 6 years	6 scheduled days
7 to 10 years	8 scheduled days
11 to 14 years	11 scheduled days
15 to 18 years	14 scheduled days
19 to 24 years	16 scheduled days
25 plus years	17 scheduled days

SALARY/EXEMPT FIRE ADMINISTRATIVE PERSONNEL

<u>Complete Years of Service</u>	<u>Work Days per Year</u>
1 to 3 years	8 working days
4 to 6 years	12 working days
7 to 10 years	15 working days
11 to 14 years	20 working days
15 to 18 years	25 working days
19 to 24 years	30 working days
25 plus years	33 working days

- 1) Vacation leave shall be on-duty days commencing at the end of the probationary year.
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43.03 LEAVES

(See CODE SECTION 40.00 for general information on leaves)

A) POLICE VACATION

- 1) During subsequent years of continuous full time employment, the employee will receive paid vacation leave as follows:

<u>Complete Years of Service</u>	
1-4 years	12 working days
5-9 years	15 working days
10-14 years	20 working days
15-19 years	25 working days
20 or more years	30 working days

- 2) Vacation leave shall be on-duty days commencing at the end of the probationary year.
- 3) Vacation leave will be granted at a time that is mutually acceptable to the employee and the Police Chief. No vacations shall be scheduled over any special events as designated by the Police Chief or his designee.
- 4) Vacation time must be taken in a minimum of four-hour increments.

1ST READING _11/21/23_____

2ND READING _____

- 5) Exempt (salary) employees will take vacation in full day or week increments (see Code Section 40.35)
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