PASSED 9-0

ORDINANCE 92-41

TO AMEND CHAPTER 2.22 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "PERSONNEL DEPARTMENT" TO AUTHORIZE CURRENT PAID BENEFIT TIME GRANTED TO CITY EMPLOYEES

WHEREAS, the State Board of Accounts has asked municipalities to review their personnel practices to insure that paid benefit time granted to employees is authorized by ordinance of the Common Council when required by Ind. Code §5-10-6-1;

WHEREAS, there exist certain inconsistencies between the City of Bloomington's existing personnel ordinance (Chapter 2.22 of the Bloomington Municipal Code) and its longstanding practice with respect to certain forms of paid benefit time;

WHEREAS, it is desirable to eliminate those inconsistencies and to formally authorize forms of paid benefit time not currently covered by ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 2.22.020 Personnel Policies, subsection (1) Mileage Allowance shall be re-titled "Mileage and Travel Allowance" and shall be amended to add a second paragraph which shall read as follows:

> City employees who travel on official city business may be reimbursed for the reasonable costs of such travel. The Personnel Director with approval of the Mayor shall promulgate policies and procedures acceptable to the State Board of Accounts governing such travel and reimbursement.

SECTION II. Section 2.22.020 Personnel Policies, subsection (2) Vacations shall be repealed and re-enacted to read as follows:

> (2) Vacations. (a) Regular full-time employees who have worked for the City for more than six (6) continuous months, but less than twelve (12) continuous months, shall be entitled to one (1) work week vacation during their first calendar year of employment. Regular full-time employees who have worked for the City for more than twelve (12) continuous months, but less than five (5) continuous years, shall be entitled to two (2) work weeks vacation per year, with full pay, subject to proration after the first twelve (12) continuous months to adjust to the calendar year. Regular full-time employees who have worked for the City for more than five (5) continuous years shall be entitled to one (1) extra work day with full pay for each year worked over five (5) continuous years, and employees who have worked for the City for more than nine (9) continuous years shall be entitled to two (2) work days with full pay for each year over nine (9) continuous years, but under no circumstances shall the employee be entitled to more than four (4) work weeks of vacation. It is understood that eligibility for extra vacation days shall begin at the conclusion of the fifth and ninth year of work, respectively.
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> (b) Regular Part-time employees who are regularly scheduled to work a minimum of twenty (20) hours per week, and who have worked for the City for more than six (6) continuous months, but less than twelve (12) continuous months, shall be entitled to one work week paid vacation per calendar year. Regular Part-time employees who have worked for the City for twelve (12) continuous months or more shall be entitled to two (2)

work weeks paid vacation per calendar year. A week (5 days) shall equal the average number of hours worked per week over the course of six months. Vacation shall be subject to prorating to adjust to the calendar year.

(c) Vacation must be taken within the calendar year and will not accumulate from year to year except in extenuating circumstances. If an employee who has worked for the City for more than twelve (12) continuous months should resign and leave in good standing after giving proper notice, he/she shall be paid in full for unused vacation leave carried over from the prior year. He/she shall also be paid for unused vacation leave accumulated in the year of resignation, subject to proration based on the amount of time worked during the first six months of the calendar year. Provided, however, when an employee retires in good standing, only the first two (2) weeks of unused vacation time earned in the year of retirement shall be subject to proration.

(d) The Personnel Director, with approval of the Mayor, shall promulgate policies and procedures for the administration and enforcement of this vacation policy.

(e) All Department Heads shall be entitled to a vacation period of twenty (20) working days with pay. The vacation periods of Department Heads shall be arranged by and subject to the approval of the appropriate City board, and the Mayor.

SECTION III. Section 2.22.020 Personnel Policies, subsection (3) Sick Leave shall be repealed and re-enacted to read as follows:

(3) Sick Leave. Each employee shall be entitled to accumulate sick leave indefinitely. Regular Full-time employees shall receive one paid sick day for each calendar month worked, and Regular Part-time employees shall receive one paid sick day for each one-hundred sixty (160) hours worked, beginning on the most recent date of hire. Such sick leave shall not become effective, however, until the employee leaves probationary status. Sick days shall accumulate only while the employee is on active paid status. Sick days are intended for use only when the employee is medically ill or injured; provided, however, the Personnel Director, with the approval of the Mayor, is hereby authorized to implement and administer reasonable policies allowing limited use of accumulated sick leave due to family emergency or illness of a family member, or for major life events such as birth or adoption of a child by the employee. In order to be paid for more than two sick days in any given work week, or for more than four (4) consecutively scheduled work days, the employee may be required to present a physician's statement that he/she was unable to work. The Personnel Department shall establish and administer policies governing abuse of sick leave.

SECTION IV. Section 2.22.020 shall be amended to add the following:

(4) Other Paid Benefit Time. The Personnel Department with the approval of the Mayor may prescribe uniform rules and procedures which may permit employees to use the following kinds of paid benefit time subject to the conditions contained in such rules and procedures:

(1) Personal business days.
(2) Compensatory time for overtime work.
(3) Bereavement leave.

(4) Breaks.
(5) The first five days of normally scheduled work during which the employee is unable to work due to on-the-job injury, subject to reimbursement by the employee in the event he/she later receives Worker's Compensation Benefits for such time.
(6) A paid day off on the employee's birthday.
(7) Paid holidays, which shall be designated annually by the Mayor.
(8) Civic leave for attendance as a juror or witness, but only to the extent the employee is not reimbursed by the Court.

SECTION V. Section 2.22.020 Personnel Policies, subsection (4) Modifications and Additions shall be amended and renumbered as follows:

(5) Modifications and Additions. Modifications and additions to subsections 2.22.020(1) through 2.22.020(4) may be adopted by the several city boards, namely the Board of Public Works, the Board of Public Safety, Board of Parks and Recreation, and the Utilities Service Board concerning employees under their jurisdiction and with the approval of the Mayor.

SECTION VI. Section 2.22.030 Definitions, subsections (1) and (2) shall be amended to read "Regular" instead of "Permanent" wherever such appears in those subsections.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 7th day of October, 1992.

Pam Service

PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 8th day of October, 1992.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 9th day of October, 1992.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance updates the present Code to reflect actual (and longstanding) practices with respect to paid benefit time for City employees. Review and updating of the Code was recommended to all municipalities by the State Board of Accounts earlier this year.

Signed copies to:
Personnel. BMC File
4 Legal Clerk
CA/CA