

ORDINANCE 77-90

To Repeal Ordinance 76-45 and Enact
New Residency Standards for City Employees

WHEREAS, City of Bloomington employees who reside in the City have a greater stake in the quality of their work; and

WHEREAS, more jobs should be provided for persons who are members of families that are below the poverty level and for residents of the City of Bloomington; and

WHEREAS, persons who own or rent property or own businesses in the City, as well as City residents, pay property taxes and thus support the Bloomington City government; and

WHEREAS, the Residency Review Board has recommended that Ordinance 76-45 be repealed because of administrative difficulties due to its strict requirements for City employees;

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

SECTION I. Ordinance 76-45 is hereby repealed.

SECTION II. Definitions. As used in this ordinance:

- (a) "Families below poverty level" shall mean any family, one or more of whose members is and has been eligible for any form of federal, state or local financial assistance for a period of at least one year immediately preceding the date of application for employment with the City.
- (b) "Final earned rating" means the score assigned by the Personnel Director to an applicant for a non-laborer position; this score has a possible total of 100 points and will reflect the objective criteria required for the position, such as prior job-related work experience and education, and required knowledge, skills, and abilities.
- (c) "Financial assistance" includes, but is not limited to, the following: "General Assistance programs (Food Stamps, Aid to Families with Dependent Children), Social Security Assistance and Supplemental Security Income. Proof that an applicant's family is below poverty level shall be made by submitting documents showing that the applicant or his family is and has been eligible for these forms of financial assistance.
- (d) "Laborer jobs" means those jobs for which there are no particular qualifications, such as custodians, general laborers, kennel workers, and plant maintenance helpers.
- (e) "Residents of the City of Bloomington" includes those persons who reside within the City limits of Bloomington and those persons whose immediate families either rent or own property or own businesses in the City.

SECTION III. Preference to certain persons in hiring - Laborer jobs. Among applicants for City laborer jobs who apply after the enactment of this ordinance, preference shall be given in the following order: (a) to persons who are residents of the City and whose immediate families are below poverty level; (2) to other City residents. The first person hired each week for unskilled positions shall be a City resident whose immediate family is below poverty level, and thereafter every other person hired by the City shall be a member of this group if such persons have applied and are not precluded from employment with the City by an unsatisfactory employment history.

SECTION IV. Preference to certain persons in hiring - Non-Laborer jobs. Among equally qualified applicants for City non-laborer jobs who apply after enactment of this ordinance, preference shall be given in the following order: (1) to persons who are residents of the City and whose immediate families are below poverty level; (2) to other City residents, who shall have ten bonus points added to their final earned rating for employment.

SECTION V. Applicants under Preference Sections - Maintaining Residency in City. Those applicants who apply for positions with the City under the preference provisions of sections three and four shall agree to maintain residency in the City for a period of at least three years.

SECTION VI. Scope of ordinance - Affidavits. The provisions of this ordinance shall apply only to those employees who are hired after the date of enactment. Upon its enactment, each applicant for positions with the City who is applying under the preference provisions of sections three and four shall make an affidavit stating: his address; the length of time he has resided there; that he will report any changes of address to the City if he is hired; and that he will maintain residency in the City for a period of at least three years if he is hired. Each applicant who files such affidavit shall swear under penalty of perjury as to the veracity of the statements made. Failure to comply with this section shall result in rejection of the employment application or termination of employment.

SECTION VII. Residency Review Board. A Residency Review Board made up of the Mayor, a member from each of the Common Council, the Utilities Service Board, the Board of Public Safety, and a representative of an employees' union may review the decisions of the Director of Personnel regarding the rejection of applications or the dismissal of employees who have failed to comply with section five of this ordinance.

SECTION VIII. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections of the ordinance.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this day of , 1977.

Thomas O Middleton, President
Bloomington Common Council

ATTEST:

Karel Dolnick, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this day of , 1977.

Nora M. Connors, Deputy City Clerk

SIGNED and APPROVED by me upon this day of , 1977.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

Ordinance 77-90

To Repeal Ordinance 76-45 and Enact
New Residency Standards for City Employees

The Common Council in 1976 adopted a residency ordinance, Ordinance 76-45, which required City employees to be City residents. Because of administrative difficulties with the ordinance, the Residency Review Board has recommended that it be repealed. This ordinance would repeal the earlier residency ordinance and establish a preference system in which City residents and members of families below the poverty level would be given special preference in hiring for City jobs. Those applicants who choose to be hired under the preference sections would be required to reside in the City for three years. The Residency Review Board would still exist, but would only hear appeals from applicants under the preference sections. City employees who were hired before the ordinance goes into effect will be unaffected by it.

Defeated: Nays 7
3/1/78 Ayes 2 (Jowell, Kenzer)

I HEREBY MOVE THAT ORDINANCE # 97-90
BE INTRODUCED AND READ FOR FIRST READING BY TITLE
ONLY AT THE COUNCIL MEETING HELD ON Nov. 3 '77

[Signature]
(Signature)