



## ORDINANCE 01-2024

### AN ORDINANCE AMENDING ORDINANCE 09-2023 WAGE AND SALARY ORDINANCE FOR THE TOWN OF LAPEL

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**WHEREAS** the Town Council of the Town of Lapel wishes to establish a fair and equitable schedule of salaries, wages, and other related benefits for those in the employ of the Town.

**NOW, THEREFORE, IT IS HEREBY ORDAINED** THAT THE FOLLOWING SALARY ORDINANCE SHALL BE EFFECTIVE UPON APPROVAL BY THE TOWN COUNCIL OF THE TOWN OF LAPEL.

#### **Section I.**

This wage and salary ordinance supercedes all previous wage and salary ordinances. All provisions contained herein shall supercede all other employee handbooks and standard operation procedures for the Town of Lapel.

#### **Section II.**

The general payroll period shall be weekly beginning on Sunday and ending on Saturday. Payroll periods will begin on the first Sunday of the calendar year and end on the final Saturday of the last full week of the calendar year. Payroll for all Exempt and Non-Exempt town employees and the Elected Clerk-Treasurer shall be paid weekly. All Elected Town Council Members shall be paid monthly on the third (3<sup>rd</sup>) Thursday of each month.

#### **Section III. *Establishment of Pay Grades:***

This Salary Ordinance establishes only the minimum and maximum rate of pay for the pay grades as presented in Exhibit A of this ordinance. Each position is assigned a pay grade as presented in Exhibit B of this ordinance. Employment of personnel in the positions indicated is governed by the approval of the Lapel Town Council in annual budgets and staffing levels established incidental thereto.

- No Town Employee will receive an annual increase in compensation that exceeds three percent (3%).
- The Lapel Town council will determine the rate of pay increase for all employees annually.
- No Department Head or Town Employee may add, delete, alter, or otherwise amend any job title or description without the approval of the Lapel Town Council.
- Newly Elected Officials will start at the Minimum Pay Rate for their position. Elected officials will receive annual increases at the same rate of increase for all town employees.
- Employees and Elected Officials that receive a promotion or demotion will have their pay rate adjusted based on the difference in minimum pay for the positions they are moving to or from.
- **Elected Officials Compensation shall be distributed from the General Fund and All Enterprise funds as specified in Exhibit F of this ordinance.**

**Section IV. Additions:**

- Longevity Pay: All regular full-time employees shall receive an additional \$100.00 per year of each full year of accredited service. This shall be paid on the first payroll period of December annually, not to exceed \$2000.00. Must be a current employee at the time of distribution.
- Police Certifications: The following additional pays are authorized at the discretion of the Police Chief. The requirements for these positions will be established by the Police Chief and outlined in the Standard Operating Procedures of the Lapel Police Department. Should an officer lose this designation or not maintain the required training or certifications, this additional pay would no longer be applicable.
- These are to be paid on the first payroll period of December annually. Must be a current employee at the time of distribution:

General Instructor	\$150.00 annually
Firearms Instructor	\$100.00 annually
Emergency Vehicle Operations Instructor	\$100.00 annually
Less Lethal Tactics Instructor	\$100.00 annually
Breath Test Operator*	\$75.00 annually
Field Training Officer	\$75.00 annually
Training Coordinator	\$75.00 annually
Property Room Custodian	\$75.00 annually
Fleet Manager	\$75.00 annually

\*If the Officer is a General Instructor, these Certifications are not applicable.

- Commercial Driver's License: Any Utility Department Employee with a Class B or above Commercial Driver's License shall receive an additional \$1.00 per hour. This would be applicable in addition to the maximum pay rate for their position. Should the employee lose or not renew this license, this additional pay would no longer be applicable.
- Cross Train Certifications: Any Utility Department Employee that completes the necessary training and receives a full certification for an area outside of their primary responsibility shall receive an additional \$1.00 per hour. This would be applicable in addition to the maximum pay rate for their position. Should the employee lose or not renew their certification, this additional pay would no longer be applicable. This applies only to certifications that are required by the Town of Lapel.
- Deputy Clerk: Any designate of the Clerk-Treasurer to receive the position of Deputy Clerk shall receive an additional \$1.00 per hour. This would be applicable in addition to the maximum pay rate for their position. Should the employee lose this designation, this additional pay would no longer be applicable.
- Utility Hourly Supervisor: The utility employee designated by the Town Council as the Utility Department Hourly Supervisor shall receive an additional \$5.00 per hour. This would be applicable in addition to the maximum pay rate for their position. Should the employee lose this designation, this additional pay would no longer be applicable.

**Section V. Overtime Provision:**

- Non-Exempt Hourly employees shall be paid time and one half for actual hours worked in excess of forty (40) hours per week.
- Non-Exempt Police Department Personnel shall be paid overtime at the rate of time and one half for actual hours worked in excess of forty-three (43) hours per week as outlined in the Code of Federal Regulations – Part 553.230.
- Scheduled Hours worked on town observed holidays for Non-Police Department Personnel shall be compensated at time and one half.
- Non-Exempt Police Department Personnel shall be paid time and one half for Scheduled Hours worked on the actual, not observed, holiday.

- Vacation, Sick/Personal Leave, and Holiday Pay will not count toward the calculation of overtime pay unless otherwise specified in this ordinance.

## **Section VI. *Vacation:***

- Vacation time accrued as of the first payroll period of the calendar year shall be as follows for eligible full-time employees.
- Vacation time accrual is outlined in Exhibit C of this ordinance.
- There shall be no compensation for unused vacation time.
- Unused vacation time will be paid out upon voluntary termination.
- Unused vacation time will not be paid out upon involuntary termination.
- Vacation time may not be carried over into the next calendar year. \*Effective January 1, 2023.
- All eligible employees must submit a vacation request form to their Department Head in advance to be eligible to receive vacation pay. Department Heads must submit a vacation request form to their Town Council Liaison. If three (3) to five (5) consecutive days off are requested, the proper form shall be submitted no less than ten (10) working days prior the desired date.
- If greater than five (5) consecutive days off are requested, the vacation request form must be submitted fifteen (15) working days prior to the desired date.
- The Department Head is responsible for maintaining proper scheduling coverage for their department.
- Vacation Pay is not eligible for use when the absence was unexcused.
- Vacation Pay can be used for an approved medical or personal leave of absence in accordance with the FMLA Act.
- Vacation time off is granted on a “First Come, First Served” Basis. The Department Head shall have the right to deny any request. While every effort will be made to accommodate all requests, adequate staffing shall be maintained in all departments at all times.
- Police Officer Vacation Requests received prior to February 28<sup>th</sup> of a calendar year will be awarded based on Seniority or Rank. Requests made after February 28<sup>th</sup> of a calendar year will be awarded on a “First Come, First Served” Basis.
- Requests for the following year may be submitted no earlier than December 1<sup>st</sup> of the current year.
- Vacation Pay will not count toward the calculation of overtime pay for Non-Exempt employees.
- Vacation Pay will count towards the calculation of overtime pay for Non-Exempt Utility Department Workers that are scheduled On-Call on the Saturday or Sunday of a holiday week.
- Should a Town Employee have a scheduled vacation get cancelled due to a Town emergency during the month of December, they will be allowed to carry over the cancelled vacation hours into January of the following calendar year. Cancellation of an employees scheduled vacation must be approved by the Department Head and their Town Council Liaison.

## **Section VII. *Holidays:***

- The Town of Lapel recognizes Holidays as outlined in Exhibit D of this ordinance.
- All full-time Non-Exempt Town employees are eligible to receive eight (8) hours holiday pay in addition to time and one half pay as outlined in Section V of this ordinance if scheduled to work on the holiday.
- Police Officers when scheduled for twelve (12) hour shifts shall receive 12 hours of holiday pay.
- Police Officers when scheduled for ten (10) hour shifts shall receive 10 hours of holiday pay.
- Police Officers when scheduled for eight (8) hour shifts shall receive 8 hours of holiday pay.

- All Non-Exempt town employees must work the scheduled day before, day of if scheduled, and the scheduled day after the holiday to be eligible to receive holiday pay.
- Holiday Pay will not count toward the calculation of overtime pay for Non-Exempt Police Officers or Non-Exempt Town Hall Personnel.
- Holiday Pay will count towards the calculation of overtime pay for Non-Exempt Utility Department Workers that are scheduled On-Call on the Saturday or Sunday of a holiday week.
- Exempt Town Employees are entitled to a scheduled day off in lieu of Holiday pay during the week of the actual holiday.

### **Section VIII. Sick/Personal Leave:**

- All full-time Non-Exempt employees shall be credited with sixty-four (64) sick/personal leave hours on the first payroll period of the year. Exempt employees shall be credited with 8 days sick/personal leave.
- New hires will be prorated after 90 days for the number of months left in the year.
- If paid leave is to be used as a personal absence, twenty-four (24) hours' notice is to be given to the Department Head except in verifiable emergency situations. Failure to give proper notice constitutes an unpaid, unexcused absence. Department Heads must submit notice to their Town Council Liaison.
- Sick/Personal Leave does not expire. Employees may accumulate up to 200 hours of sick/personal leave before a calendar year ends. If the employee has over 200 hours before the final pay period of the calendar year, their balance will be set to 200 before receiving their yearly credit of sixty-four (64) hours on the first pay period of the new calendar year. \*Effective January 1, 2023.
- Sixty-four hours of Sick/Personal leave is eligible to be paid out upon voluntary termination.
- Unused Sick/Personal Leave will not be paid out upon involuntary termination.
- Pre-approved use of personal time is limited to three (3) consecutive days.
- If an employee has used all of their available vacation pay, they may use Sick/Personal time for time off of greater than 3 days.
- Illness in excess of three (3) consecutive workdays may require a written statement from a physician prior to returning to work at the discretion of the Department Head.
- Illness in excess of seven (7) consecutive workdays will require an FMLA Approved Leave of Absence.
- For any sick leave absence, the employee must call his/her Department Head or the Town Hall by 7:30 a.m. or the absence will be considered unexcused, and the employee will not be paid for said absence. Exceptions may be made for verifiable emergency situations. Each day requires a separate call.
- Police Officers must contact the Chief of Police no less than 8 hours prior to their scheduled shift. Exceptions may be made for verifiable emergency situations. Each day requires a separate call.
- Sick/Personal Leave will not count toward the calculation of overtime pay.
- Sick/Personal Leave will count towards the calculation of overtime pay for Non-Exempt Utility Department Workers that are scheduled On-Call on the Saturday or Sunday of a holiday week when the personal day was scheduled off in advance and approved by the department head.

### **Section IX. Insurance Benefits:**

- Full-Time employees eligible for medical, life and vision insurance at no cost to the employee.
- An Elected Clerk-Treasurer authorized by the Town Council to serve as a Full Time Clerk Treasurer shall be eligible for medical, life and vision insurance at no cost to the Clerk-Treasurer.
- Eligible Full-Time employees shall pay 100% of the medical premium for dependents if desired.
- Optional Dental insurance is available to all full-time employees. Employees will pay 50% of the dental insurance premium.
- Only employees covered by another group health carrier are permitted to waive coverage.

- Employees are required to complete the appropriate form to waive their election and must provide verification of coverage from another provider.
- Elected Town Council Members and Part-Time employees are eligible to purchase insurance at 100% of the medical premium cost if desired.
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### **Section X. Bereavement:**

- All employees shall be permitted a maximum of three (3) paid bereavement days per occurrence for the purpose of arranging and attending a funeral of a spouse, child, stepchild, parent, stepparent, mother-in-law, father-in-law, brother, sister or immediate aunt, uncle, or grandparent.

### **Section XI. Utility Department On-Call Compensation:**

- Any Non-Exempt Employee called back to work, either by the answering service or the on-call employee, will receive a minimum of two (2) hours of compensation at one and one-half times their straight time rate.
- Compensation will be the greater of two (2) hours or actual time worked. Additional calls during the initial two-hour time period or the extended period of actual work will be compensated as additional actual time worked. Example 1: If an employee is scheduled to leave work at 3:30pm, and they have not yet left for the day and receive an afterhours call out at 4:30pm, they would not be eligible to receive On-Call Compensation as they are already on the clock. Example 2: If an employee receives an after hours call out at 6:00pm, their 2 hours of On Call Compensation would be for any call outs that occur between 6:00pm and 8:00pm. Example 3: If an employee has been called out after hours as described in Example 2 and receives another after hours call out at 7:50pm, they would be compensated for actual time worked. If they receive an after hours call out at 8:10pm, this will begin a new 2 hours of On Call Compensation.
- On Call Compensation will begin at the time the Employee is contacted by the Call Center, for calls that require the employee to physically return to work.
- Non-Exempt Utility Department Employees that receive after hours phone calls for town related business shall be compensated a minimum of 15 minutes, and up to the actual length of the phone call, at time and one-half for calls that do not require the employee to physically return to work. If an employee is already in a 2 hour On-Call Compensation from a previous call, they will not receive additional compensation for these calls. The employees must document the beginning and ending time of the call, who the call was with, and the subject of the call. This must be turned in daily to the Deputy Clerk Treasurer.
- The written records of the answering service will be used as documentation of the events.
- Department Heads will be required to complete an on-call schedule no less than 1 month in advance.
- On Call Schedule can be adjusted once posted to cover for illness, leave or termination. If a schedule change is needed outside of these reasons, employees may swap shifts with Department Head Approval.

### **Section XII. Employment of New Personnel:**

- Town Council approval is required for all newly created positions.
- All approved positions shall be filled according to the procedure outlined in the Employee handbook.
- The Department Head and Town Council Liaison shall set the salary or wages within the position ranges specified in this ordinance.
- New Hires or Lateral Transfers with experience may be hired at no higher than the 25<sup>th</sup> percentile of the established pay range for that position. Requests to hire at a pay rate greater than the 25<sup>th</sup> percentile must be approved by the Lapel Town Council.
- The Department Head and Town Council Liaison *may* offer New Hires or Lateral Transfers with experience one (1) additional week of vacation beyond that which a new hire is entitled to in their first year of employment. This is outlined in Exhibit C of this Ordinance.

- Deputy Clerk-Treasurer, Utility Billing Clerk, and Accounts Payable Clerks are Employed by and Serve at the pleasure of the Clerk-Treasurer. The Clerk-Treasurer has the authority to Hire and Fire these positions without approval of the Lapel Town Council.

**Section XIII. *Employee and Elected Officials Compensation***

- All Town Employees and Elected Officials weekly/monthly or hourly compensation shall be approved by the Town Council of the Town of Lapel.
- Compensation will be established in accordance with Exhibit E of this ordinance.

This Ordinance shall become effective on the \_\_\_\_ day of \_\_\_\_\_, 2024.

[Signature Page Follows]

Passed and adopted by the Town Council of the Town of Lapel, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

**TOWN OF LAPEL, INDIANA, BY ITS TOWN COUNCIL**

Voting Affirmative:

Voting Opposed:

ATTEST:

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2024 Salary Ordinance Exhibit F

Elected Official Pay Distributions

Clerk-Treasurer

Water Utility	32%
Gas Utility	32%
Sewer Utility	32%
General Fund	4%

Town Council - All Members

Water Utility	32%
Gas Utility	32%
Sewer Utility	32%
General Fund	4%