

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA  
Ordinance No. 2022 - 39

AN ORDINANCE AMENDING THE CITY EMPLOYEE HANDBOOK, SECTION 2-  
EXPECTATIONS & POLICIES and SECTION 3- BENEFITS

WHEREAS, the City of Hobart Common Council adopted an Employee Handbook as Ordinance 2013-44 on December 18, 2013 and adopted Amendments to the Handbook under Ordinance 2015-06 on April 1, 2015, Ordinance 2015-21 on August 5, 2015, Ordinance 2017-26 on November 15, 2017, Ordinance 2017-33 on December 20, 2017, Ordinance 2019-32 on November 6, 2019, Ordinance 2020-38 and Ordinance 2020-39 on December 16, 2020, and Ordinance 2021-31 on September 15, 2021; and

WHEREAS, the Employee Handbook establishes the policies and conditions of employment for City of Hobart employees; and

WHEREAS, the City of Hobart Common Council desires to amend said Employee Handbook in the following sections as recommended by the Common Council Employee Handbook sub-committee;

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as follows:

**SECTION ONE:** The City of Hobart Employee Handbook in Section 2, Expectations & Policies under the subheadings of *Police Officers*; *Non-Supervisory Employees*; and *Lunch Breaks* be amended by deleting the “~~strikeout~~” language and adding the language as shown in **bold** as follows:

~~Police Officers: In accordance with Section 7(k) of FLSA, 29 U.S.C. §207(k), as amended, the City of Hobart hereby establishes a work period for police officers of twenty eight (28) consecutive days in lieu of the seven-day work week for overtime pay purposes.~~

~~Salaries paid for non-supervisory police officers shall be considered fixed compensation for fluctuating hours during the work period, with such salary constituting compensation for not more than one hundred seventy-one (171) hours in a work period.~~

~~Police officers shall be compensated at their regular rate, computed hourly and by rank, in addition to salary, for hours worked between one hundred sixty (160) and one hundred seventy one (171) hours in a work period. Compensation (compensatory time or paid overtime, the choice of which shall be solely determined by the City) shall be at one and one-half (1½) times their hourly rate for all hours worked over one hundred seventy one (171) hours in a work period. Police Officers shall be compensated (compensatory time or paid overtime, the choice of which shall be solely determined by the City) at one and one-half (1½) times their hourly rate for all hours worked outside their regularly scheduled shift.~~

When computing overtime pursuant to this section, regular hourly rate shall be computed based upon two thousand eighty (2080) hours annually using salary plus rank plus longevity divided by two thousand eighty (2080) hours.

50 Benefit days and compensatory time off shall not be considered hours worked for purposes  
51 of one and one half (1½) overtime pay **when taken on the same day.**  
52

53 Officers shall be compensated for the actual time of Court appearances and call outs while  
54 off duty, but shall receive not less than two hours compensation for each call out or  
55 appearance. Officers assigned to the High Intensity Drug Trafficking Area (H.I.D.T.A.) will  
56 receive overtime at the rate of one and one-half regular time whenever overtime occurs  
57 irrespective of the officer's normal schedule of work. All of such overtime shall be  
58 compensated through H.I.D.T.A. (Ord. 2015-06, adopted April 1, 2015)  
59

60  
61 **Non-Supervisory Employees:** The salaries set for all full time salaried (**exempt**)  
62 employees and for full-time hourly employees (**non-exempt**) not covered under the  
63 provision of Section 2 "Salaried Supervisory Positions" and "firefighters" and "police  
64 officers" shall be considered compensation for forty hours of work during a seven-day work  
65 period.  
66

67 All hours worked over forty (40) hours during a seven (7) day work period shall be  
68 compensated (compensatory time or paid overtime, the choice of which shall be ~~the~~ solely  
69 determined by the City) at one and one-half (1½) times the hourly rate, including longevity,  
70 for all such employees. Benefit days and compensatory time off shall not be considered  
71 hours worked for purposes of overtime pay.  
72

73 The work period for employees covered under this section shall begin at 12:00 AM each  
74 Saturday and continue through 11:59 PM the following Friday.  
75

76  
77 **Lunch Breaks:** Civilian employees (this does not apply to sworn police or fire personnel)  
78 are provided one (1) hour for lunch. That time is paid ~~but is not~~ **and is counted** for the  
79 purposes of overtime or compensatory time off.  
80

81  
82 **SECTION TWO:** The City of Hobart Employee Handbook in Section 3, Benefits under  
83 the subheading of *Sick and Disability Leave for Full Time Employees* be amended by deleting the  
84 "strikeout" language and adding the language as shown in **bold** as follows:  
85

86 **Sick and Disability Leave for Full-Time Employees:** Civilian employees with one (1)  
87 continuous year of service are provided up to five (5) days of paid sick leave. ~~If there is an~~  
88 ~~absence of five (5) consecutive days the employee will need to bring a Doctor's note to~~  
89 ~~their supervisor.~~ **Absences of five (5) consecutive days must be verified in writing by**  
90 **a qualified Doctor or Health Professional and reviewed by the employee's**  
91 **supervisor.** Unused sick days may be "banked" up to a maximum of forty-five (45) days  
92 **to cover additional days for catastrophic illness or disabilities.** ~~Beginning January 1,~~  
93 ~~2018,~~ Civilian employees who have a total of twenty (20) years of consecutive service to  
94 the City or seventy-five (75) points (comprised of years of consecutive service to the City  
95 plus age **in years of the employee**) may "bank" unused sick days up to a limit of fifty (50)  
96 **days for catastrophic illness or disabilities. Upon retirement prior to January 1, 2024,**  
97 **any remaining banked days may be used to extend employment at retirement.** ~~These~~  
98 ~~banked days may be used to extend employment at retirement but must be used to cover~~  
99 ~~additional days for catastrophic illness or disabilities.~~ **Employees terminated or retiring**  
100 **on or after January 1, 2024, will be compensated for any remaining banked**  
101 **catastrophic/disability days upon such termination or retirement and will not be**  
102 **used to extend employment.** After all paid time is used and if the employee chooses,  
103 the employee may speak with his/her Department Head to begin the process of requesting

104 extended paid leave. The Mayor has the ability at his or her discretion to grant paid or  
 105 unpaid additional days subject to this handbook and the Family and Medical Leave Act  
 106 (FMLA).  
 107

108 Police Officers with one continuous year of service, and a sickness or disability, are eligible  
 109 for a leave of absence without reduction in compensation up to a maximum of forty-five  
 110 (45) days. Absences of three (3) consecutive days require ~~a Doctor's note~~ **must be**  
 111 **verified in writing by a qualified Doctor or Health Professional and reviewed by the**  
 112 **employee's supervisor** for return to work. If a Police Officer uses zero (0) hours he/she  
 113 may "bank" five (5) days for the year up to a maximum of forty-five (45) days **for**  
 114 **catastrophic illness or disabilities**. Beginning January 1, 2018, Police Officers who have  
 115 a total of twenty (20) years of consecutive service to the City or seventy-five (75) points  
 116 (comprised of years of consecutive service to the City plus age in years of the employee)  
 117 may "bank" unused sick days up to a maximum of fifty (50) days **for catastrophic illness**  
 118 **or disabilities**. If a Police Officer uses one or more hours he/she may bank zero (0) days.  
 119 **Upon retirement prior to January 1, 2024 any remaining banked days may be used**  
 120 **to extend employment at retirement**. ~~These banked days may be used to extend~~  
 121 ~~employment at retirement but must be used to cover additional days for catastrophic illness~~  
 122 ~~or disabilities.~~ **Police Officers terminated or retiring on or after January 1, 2024, will**  
 123 **be compensated for any remaining banked catastrophic/disability days upon such**  
 124 **termination or retirement and will not be used to extend employment**. After all paid  
 125 time is used and if the Police Officer chooses, the Police Officer may speak with his/her  
 126 Department Head to begin the process of requesting extended paid leave. The Mayor has  
 127 the ability at his or her discretion to grant paid or unpaid additional days subject to this  
 128 handbook and the Family and Medical Leave Act (FMLA).  
 129

130 Firefighters with one continuous year of service, and a sickness or disability, are eligible  
 131 for a leave of absence without reduction in compensation up to a maximum of three  
 132 hundred sixty (360) hours, with a minimum of 12 hours use per call off. Absences of two  
 133 (2) consecutive shifts will require ~~a Doctor's note~~ **must be verified in writing by a**  
 134 **qualified Doctor or Health Professional and reviewed by the employee's supervisor**  
 135 for return to work. If a Firefighter uses zero (0) of these hours during the year he/she may  
 136 bank forty (40) hours for the year up to a maximum of three hundred sixty (360) hours.  
 137 Beginning January 1, 2018, Firefighters who have a total of twenty (20) years of  
 138 consecutive service to the City or seventy-five (75) points (comprised of years of  
 139 consecutive service to the City plus age in years of the employee) may "bank unused sick  
 140 time up to a maximum of four hundred (400) hours **for catastrophic illness or disabilities**.  
 141 If a Firefighter uses one or more hours he/she may bank zero (0) hours. ~~These banked~~  
 142 ~~days may be used to extend employment at retirement but must be used to cover additional~~  
 143 ~~days for catastrophic illness or disabilities.~~ **Firefighters terminated or retiring on or after**  
 144 **January 1, 2024, will be compensated for any remaining banked**  
 145 **catastrophic/disability days upon such termination or retirement and will not be**  
 146 **used to extend employment**. After all paid time is used and if the Firefighter chooses,  
 147 the Firefighter may speak with his/her Department Head to begin the process of requesting  
 148 extended paid leave. The Mayor has the ability at his or her discretion to grant paid or  
 149 unpaid additional days subject to this handbook and the Family and Medical Leave Act  
 150 (FMLA).  
 151

152 Any employee who has already accumulated or "banked" a certain number of unused sick  
 153 days under the City's policy as it existed prior to the taking effect of the most recent  
 154 amendments to the rules contained in this section shall be entitled to retain them after  
 155 January 1, 2018 and to use them in accordance with the policy stated above.  
 156 (As Amended by Ord. 2017-26, Adopted November 15, 2017; As Amended by Ord. 2019-32, Adopted  
 157 November 6, 2019)  
 158

159 **SECTION THREE:** The City of Hobart Employee Handbook in Section 3, Benefits under

160 the subheading *Personal Leave* be amended by deleting the "strikeout" language and adding the  
161 language as shown in **bold** as follows:

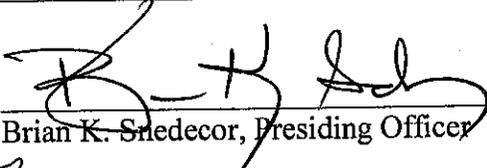
162  
163 **Personal Leave:** Members of the Police Department are granted a maximum of ~~four (4)~~  
164 **nine (9)** days of personal leave per calendar year, members of the Fire Department are  
165 granted a maximum of ~~four (4)~~ **seven (7)** 24-hour shifts per calendar year, and all other full  
166 time employees are granted ~~four (4)~~ **nine (9)** days per calendar year, non-cumulative  
167 personal leave without reduction in compensation. For employees hired during the  
168 calendar year, ~~three (3)~~ **six (6)** days will be granted if hired before April 1<sup>st</sup>, ~~two (2)~~ **four (4)**  
169 days if hired before July 1<sup>st</sup>, and ~~one (1)~~ **two (2)** days if hired before October 1<sup>st</sup>. **The use**  
170 **of personal leave shall be subject to approval of the department head.**

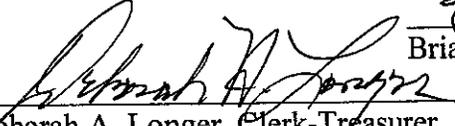
171  
172 ~~For the year 2021 only, commencing January 1, 2021 through December 31, 2021, all~~  
173 ~~Sworn Personnel of the Police Department and employees of the Department of Public~~  
174 ~~Works and Safety represented by the Teamsters Local 142 shall be granted an additional~~  
175 ~~four (4) personal leave days, to be used exclusively in the year 2021, to acknowledge the~~  
176 ~~challenges for these employees resulting from the pending COVID-19 health crisis.~~

177  
178 **SECTION FOUR:** This Ordinance shall be in full force and effect on January 1, 2023.

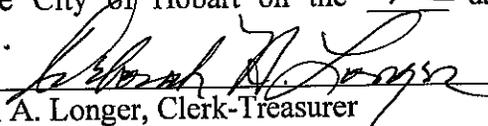
179  
180 **SECTION FIVE:** All other provisions of Ordinance 2013-44 (as amended) shall remain  
181 in full force and effect.

182  
183 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of  
184 Hobart, Indiana on this 7<sup>th</sup> day of December, 2022.

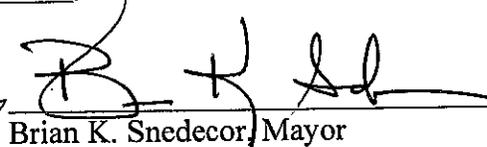
185  
186  
187   
188 Brian K. Snedecor, Presiding Officer

189 ATTEST:   
190 Deborah A. Longer, Clerk-Treasurer

191  
192  
193 PRESENTED by me to the Mayor of the City of Hobart on the 7<sup>th</sup> day of  
194 December, 2022 at the hour of 7:30 PM.

195   
196 Deborah A. Longer, Clerk-Treasurer

197  
198  
199 APPROVED, EXECUTED and RETURNED by me to the Common Council of the City  
200 of Hobart on this 7<sup>th</sup> day of December, 2022.

201  
202   
203 Brian K. Snedecor, Mayor

204 ATTEST:   
205 Deborah A. Longer, Clerk Treasurer

206  
207