

ORDINANCE 2018-20

**TO AMEND SECTION 36.010 OF THE ELLETTSVILLE
TOWN CODE**

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana:

Section 1. The following revisions are hereby made to Section 36.010 of the Ellettsville Town Code.

When an existing section of the ordinance is being amended, the text of the existing provision will appear in this style type, additions will appear **in this style type**, and deletions will appear ~~in this style type~~.

§ 36.010 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANNIVERSARY STATUS. The date of most recent hire when an employee becomes full-time.

AT WILL. The nature of the employment relationship, which means that the employee may resign at any time and the town may discharge the employee at any time with or without cause providing it is not an unlawful reason.

CONTINUOUS EMPLOYMENT. A term of employment, **including regular part-time employment**, with the town which has been uninterrupted and during which the employee has not ceased employment with the town for any period of time.

DATE OF HIRE.

(1) When used to calculate benefits, shall be the most recent date the person begins a period of continuous employment as a full-time employee with the town.

(2) In all other circumstances the date of hire shall be the most recent date the person begins a period of continuous employment with the town.

DATE OF TERMINATION. The last date an employee is in paid status.

DEPENDENT. The employee's spouse, child, stepchild or parent if the parent resides with the employee and requires the employee's care.

EMPLOYEE. A person employed by the town. The term does not include elected officials, volunteer firemen and police ~~reserves~~ **alliance members**.

FULL-TIME EMPLOYEES. Those who are not in a part-time or temporary status and who are regularly scheduled to work the town's full-time schedule. Full-time employees are eligible for the town's benefit package, subject to the terms, conditions and limitations of each benefit

program. Full-time town employees shall average working at least 40 hours per week or more, on an annual basis working throughout the year, not just on a seasonal basis.

HIPPA. The town is compliant with the applicable requirements and standards of the Health Insurance Portability and Accountability Act of 1996 (*HIPPA*), and has established guidelines regarding the privacy of individual health information accordingly. All town employees should direct their inquiries about HIPPA to their respective supervisors.

NEPOTISM. Undue favoritism in awarding public appointments to one's relations.

ON-CALL EMPLOYEE. Includes all full-time employees for the Utilities Department required to be available for response to after hours emergency calls and customer complaints.

PAID STATUS. An employee shall be in *PAID STATUS* when he or she is drawing earned compensation for employment, paid time off, paid sick leave, or any other paid time off. A lump sum P.T.O. payout, as described in § 36.121(A)(5) is not considered as being in *PAID STATUS*.

P.T.O. Paid time off hours.

PROPER NOTICE. Two weeks prior to the event date.

REGULAR PART-TIME EMPLOYEES WITH BENEFITS. Includes all employees who are regularly scheduled to work less than 40 hours per week and whose term of employment is intended to exceed six consecutive months. Regular part-time shall receive all legally mandated benefits (such as Worker's Compensation and Social Security benefits). Regular part-time employees **hired before January 1, 2019** shall earn one hour for each 24 hours worked to use as P.T.O. hours.

SUPERVISOR. Includes the main individual in charge of the Department. This title encompasses the Fire Chief, the Town Marshal, the Street Commissioner, the Utilities Supervisor and the Planning Director.

TEMPORARY FULL-TIME EMPLOYEES. Includes all employees who are regularly scheduled to work a minimum of 40 hours per calendar week and whose term of employment is intended to expire on or before the last day of the ninth consecutive month of employment. These employees are ~~not~~ eligible for benefits.

TEMPORARY PART-TIME EMPLOYEES. Includes all employees who are regularly scheduled to work less than 40 hours per calendar week and whose term of employment is intended to expire on or before the last day of the sixth consecutive month of employment. These employees are not eligible for benefits.

TOWN COUNCIL. A five member board elected by the citizens. They have the final decision on many issues concerning the town.

TOWN MANAGER. Individual hired by Town Council pursuant to § 31.50 *et seq.*, of the Town of Ellettsville Code of Ordinances.

Section 2. This ordinance shall take effect upon final publication as provided by law.

This Ordinance was adopted by the Ellettsville Town Council on the _____ day of August, 2018 at the Ellettsville Town Hall, Ellettsville, Indiana.

ELLETTSVILLE TOWN COUNCIL

Brian Scott Oldham, President

Attest:

Sandra Hash, Ellettsville Clerk-Treasurer