

ORDINANCE 2018-28
TO AMEND SECTION 36.126 OF THE ELLETTSVILLE
TOWN CODE PAID SICK LEAVE

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

Section 1. The following revisions are hereby made to Section 36.126 of the Ellettsville Town Code regarding paid sick leave.

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~~.

§ 36.126 PAID SICK LEAVE.

(A) *Earned sick leave.* Employees shall be credited with one sick day for each calendar month of paid status. This credit will be made on the first day of the month following each month of paid status. Sick leave shall accumulate while on newly hired status and may be used after 120 days of full-time employment with the town. Overtime hours are not to be included in the calculation of sick leave. A sick day equals eight hours pay.

(B) *Sick leave used.* Sick days are intended for use only when the employee is medically ill or injured. Employees shall not be paid for sick days unless they notify their supervisor at home or the appropriate office before commencement of the employee's shift. If the illness extends beyond two consecutive days, the employee must request, in writing from the supervisor, an extended sick leave and support such request with a written statement from the employee's physician. An employee may not return from an extended sick leave without submitting to the supervisor a written release from the employee's physician permitting the employee to return to work. Sick leave will be granted with no less than a one hour minimum requested per occurrence, provided the employee has accumulated the requested amount of sick time.

(C) *Sick leave accumulation.* Sick leave shall be allowed to accumulate forever.

(D) *Absenteeism and abuse of sick leave.* The following shall be grounds for discipline up to and including termination:

(1) *Wrongful use.* Use of sick leave for reasons other than illness, doctor appointments or injury, except as expressly permitted by these policies and procedures.

(2) *Pattern of sick leave abuse.* This includes recurring use of sick days on Fridays or Mondays, days before or after town holidays or days before or after scheduled time off such as ~~vacations, personal business~~ **P.T.O.** days or compensatory days off. This also includes repeated use of sick days on days, which the employee reasonably should know to be important to the department by reason of workload, deadlines or other causes rendering absences particularly deleterious to the department. Any combination of the above may constitute a pattern of abuse of sick leave.

(3) *Exceeding accumulated sick leave.* If it is determined the employee has abused employee's sick leave then the employee will be subject to the following disciplinary action:

(a) First offense shall result in a written warning to be placed in the employee's personnel file.

(b) Second offense within one year of the first offense shall result in a written warning and may receive one to three days suspension without pay. In addition, the employee may be placed on disciplinary probation.

(c) Third offense within one year of the second offense may result in immediate termination.

(E) *Transferring days.* An employee may transfer accumulated sick days to another employee with the supervisor's approval providing the employee receiving the sick days has expended all time off due to illness or injury. Those days transferred shall be deducted from the employee who agrees to transfer the sick days and shall be credited to the employee who accepts such sick days. All transfers shall be in writing on forms prepared by the Town Clerk- Treasurer and shall be signed by the individual employee transferring the sick days and the employee receiving the sick days.

(F) *Non-payment for accumulated sick leave.*

(1) Employees shall not be allowed to use a combination of sick leave and P.T.O. to reach a known or pending date of separation from employment.

(2) Accumulated sick leave shall not be converted to wages upon separation from employment. An employee shall not receive cash or check for any remaining accumulated sick leave.

(3) Likewise, due to death of the employee, the employee's spouse or estate shall not be entitled to receive the monetary compensation.

Section 2. This ordinance shall take effect upon final passage.

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

ELLETTSVILLE TOWN COUNCIL

Brian Scott Oldham, President

Attest:

Sandra Hash, Ellettsville Clerk-Treasurer