ORIGINAL

ORDINANCE 2020-08

AN ORDINANCE AMENDING THE WHITESTOWN EMPLOYEE MANUAL CONCERNING A FITNESS MEMBERSHIP REIMBURSEMENT PROGRAM

WHEREAS, on June 21, 2017, the Town Council of the Town of Whitestown, Indiana ("Town Council"), adopted Ordinance No. 2017-22, an Ordinance Adopting An Updated Employee Manual ("Manual") for the Town of Whitestown ("Town"); and

WHEREAS, the Town Council may from time to time amend the Manual; and

WHEREAS, the Town Council now desires to amend the Manual in order to provide for a Fitness Membership Reimbursement Program.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whitestown, Indiana, as follows:

Section 1: Fitness Program. Section 5 "Employee Benefits" of the Manual is hereby amended to add the Fitness Membership Reimbursement Program attached hereto as Exhibit A.

Section 2: Execution of Amendment. Upon adoption of this Ordinance, the Town Clerk-Treasurer in conjunction with the Town Manager shall make all amendments stated herein to the Manual (including updating the table of contents as needed).

Section 3: Severability. The terms, paragraphs, sentences, words, policies, and procedures of this Ordinance, the Exhibits, and the Manual are separable, and if a court of competent jurisdiction hereof declares any portion of this Ordinance, the Exhibits, or the Manual unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions thereof.

Section 4: Superseding Clause. The amendments stated herein supersede all prior inconsistent portions of the amended sections and subsections of the Manual, and all prior inconsistent portions of the Manual which do not include the amendments approved herein are similarly superseded by this Ordinance. All other provisions of the Manual remain unchanged. This Ordinance also supersedes Resolution 2017-3.

Section 5: Effective Date. This Ordinance is effective immediately upon passage.

Introduced on February 12, 2020, and adopted by the Town Council of the Town of Whitestown, Indiana, on this 12 day of February, 2020.

THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA	YAY/NAY
Clinton Bohm, President	YAY
Susan Austin, Vice-President	Ys
Eric Miller	Yes
Jeffrey Wishek	Yes
Rob Worl	Yes

ATTEST:

Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

3806686

Exhibit A

Fitness Membership Reimbursement Program

Full-time employees of the Town may qualify for monthly fitness/gym membership reimbursement. The employee must submit a reimbursement request in a form approved by the Town Manager, obtain pre-approval for the program, and meet applicable requirements to become eligible for any reimbursement. All memberships for which an employee will seek reimbursement must be pre-approved for reimbursement by the Town Manager or his/her designee before the employee incurs the membership expense. If membership is approved for the reimbursement program, the Town will reimburse future fitness/gym membership fees that were pre-approved up to $40 per month upon completion and proof of requirements set forth below. Additional requirements and procedures for the program are set forth below.

A. Employee Eligibility

Only current, regular, full-time employees who have been continuously employed by the Town for six (6) months or more are eligible to receive reimbursement for eligible membership fees. Employees are ineligible if they are part-time employees, are on a leave of absence, are no longer employed with the Town at the time of reimbursement, or have received any written disciplinary action within a six month period prior to the date of the membership for which they are seeking reimbursement.

B. Eligibility of Membership

1. Membership must be with a credible fitness center / gym that is generally open to the public at large.

2. Visits to the fitness center must be taken outside of scheduled working hours.

3. The employee must maintain an acceptable level of job performance throughout the membership.

C. Application for Reimbursement

1. To be eligible for reimbursement, the membership must be approved prior to the employee incurring the expense for which it seeks reimbursement. That is, the employee cannot seek reimbursement for expenses he/she incurred prior to being pre-approved as an eligible membership.

2. The employee must submit a written Fitness Reimbursement Request Form to the Town Manager or his/her designee, and provide (i) proof of payment of the membership fee and (ii) proof from the fitness center demonstrating that

the employee engaged in physical activities at the gym for at least thirty (30) minutes on at least eight (8) separate days during the calendar month for which the employee seeks reimbursement.

3. The request for reimbursement must be submitted no later than sixty (60) days after the calendar month for which the reimbursement is sought.

4. Employees may only be reimbursed for actual membership fees incurred by the employee, and only for one membership per month. The maximum amount that may be reimbursed for any employee is $40 per calendar month.