

ORDINANCE 2022- 33

AN ORDINANCE OF THE TOWN COUNCIL OF THE
TOWN OF WHITESTOWN, INDIANA, ESTABLISHING
WAGES AND SALARIES FOR 2023

BE IT ORDAINED by the Town Council of the Town of Whitestown, Indiana that the following shall be the salaries or wages of the respective officers and employees of the Town of Whitestown, Indiana for the Calendar year 2023, and/or until otherwise adopted or modified by ordinance:

1. **Salary and Wages.** The positions and the salary and/or wages for the employees and officers of the Town of Whitestown are hereby set as detailed in the attached **Exhibit A** salary matrix which is incorporated herein by reference. The salary and/or wages in **Exhibit A** does not include all forms of compensation, and is therefore in addition to other forms of compensation and benefits as set forth in this Ordinance, other ordinances or policies, or applicable employment agreements. Additional information is also included in the Whitestown Employee Handbook.
2. **Council and Safety Board Pay Schedule.** Town Council members of the Town of Whitestown and the Safety Board members of the Town of Whitestown shall be paid their salary in twelve (12) equal installments on the last payday of each month.
3. **Plan Commission Pay Schedule.** Members of the Whitestown Plan Commission shall be paid their salary in twelve (12) equal installments on the last pay date of each month. Notwithstanding anything to the contrary, only members of the Whitestown Plan Commission that do not otherwise hold a lucrative office for purposes of Article 1, Section 9 of the Indiana Constitution may receive a salary under the Salary Ordinance.
4. **Biweekly Payments.** With the exception of Town Council Members, Town Safety Board Members, and members of the Whitestown Plan Commission, all other officers and employees of the Town of Whitestown shall be paid on a biweekly pay schedule. Maximum salaries and not to exceed amounts set forth in **Exhibit A** are prorated for the respective pay period, such that the maximum amount that may be paid in any pay period is the pro-rata share of the maximum salary for such period, and the maximum amount that may be paid is reduced pro-rata by the maximum amount available at each pay period regardless of whether or not paid during such period.
5. **Overtime.** Non-Exempt employees may be required to work overtime (OT) hours. With the exception of Firefighters, non-exempt employees will be paid overtime pay at the rate of one and one half (1.5) times their regular rate of pay for all hours worked in excess of forty (40) in a work week. Non-exempt firefighters work a 21-day, 159 hour pay period. Non-exempt firefighters will be paid overtime pay at the rate of one and one-half (1.5) times their regular rate of pay for all hours worked in excess of 159 in a 21-day pay period.

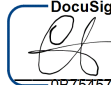
Employees may request compensatory time off in lieu of OT which shall be at the discretion of the department head. Compensatory time off, if granted, shall accrue at the rate of one and one-half (1.5) hours for each hour of overtime work. All OT must be approved by the department head or Town Manager prior to OT hours being worked. Any OT shall be in addition to the base salary and wage amounts referenced in **Exhibit A**.


6. **Exempt Employees.** Exempt-Salaried employees, such as Department Heads, Managers, Supervisors or other Professional Personnel are required to work whatever additional time may be necessary to meet the responsibilities of their job descriptions and are not eligible for OT pay, except as for an emergency declaration set forth in Section 7 below.
7. **Emergency Differential Pay for Exempt Employees.** Exempt-Salaried employees will receive emergency differential pay during a declared emergency for each hour worked greater than forty (40) hours in the applicable payroll week, provided that the employee was required to work the additional hours during and as the result of a declared emergency. For purposes of this section, a declared emergency includes dates (i) during which the Town Council President or Vice-President has declared in writing an emergency for the Town of Whitestown (whether for some or all employees), and/or (ii) during which the employee is activated as a member of the National Urban Search and Rescue Response System (e.g., Indiana Task Force 1) or other similar federal or state emergency response unit approved by the Town Council. Emergency differential pay will be calculated as the employee's average hourly salary (total bi-weekly salary divided by eighty (80)) times one and one half (1.5), for each hour worked during the declared emergency in excess of forty (40) hours in a payroll week.
8. **Stay Home Pay During a Declared Emergency.** The Town Council President may declare an emergency requiring some (e.g., non-critical) or all employees to refrain from coming to their work stations during such declared emergency. As part of such declaration, the Town Council President may provide that employees directed to refrain from coming to work receive pay (hourly and/or salaried) for their regularly scheduled non-overtime work hours ("Emergency Stay Home Pay"), subject to the following conditions:
 - a. If some or all of the employee's job functions can be performed from home, the employee is expected to perform those job functions from home during the employee's regularly scheduled non-overtime work hours;
 - b. During the employee's regularly scheduled non-overtime work hours during the emergency, the employee is considered "on-call" and, therefore, must be available by phone to respond to calls from other Town officials and must be available to return to their work station within two (2) hours of notice from their supervisor, Town Manager, or his/her designee;

- c. The employee may not work or earn compensation from any other source during the employee's regularly scheduled non-overtime work hours (i.e., for which the employee would earn Emergency Stay Home Pay); and
 - d. Emergency Stay Home Pay may not exceed two (2) weeks (ten (10) business days) without approval of a majority of the individual members of the Town Council, either by vote during a meeting of the Council or by individual written/electronic approvals.
- 9. **Additional Certification or Licenses.** If an employee receives or earns a certification or license from education that benefits the Town in the employee's area of employment, the Department Head or Town Manager **may** request an increase in the salary or wages, as applicable, for the employee of up to three percent (3%). The Town Council may approve or deny all such requests.
- 10. **Mileage.** Any employee using their personal vehicle in service for the Town while on official Town of Whitestown business is eligible to be paid mileage at a rate approved by the State of Indiana upon submission of said claim on a State Board of Accounts approved mileage claim form and subject to the claim approval process.
- 11. **Benefits.** All full time employees and elected officials are eligible to participate in the Town's Health Care Benefit Plan and Retirement Plans.
- 12. **Added Duty Bonuses.** Except as otherwise provided by Contract, the Town Council may award and pay employees bonuses up to a maximum of 10% of the employee's current salary or annual wages for taking on additional duties when another position is vacated.
- 13. **Discretionary Merit Payments.** Except as otherwise provided by Contract, the Town Council may award and pay a merit payment to any employee in recognition of special circumstances or meritorious services as determined by the Town Council, up to a maximum of 5% of the employee's current salary or annual wages.
- 14. **Calendar Period.** For the avoidance of any doubt, salaries set forth in this Ordinance are to be paid on an accrual basis according to the applicable period in which the work is performed, regardless of the period in which the salary is paid.
- 15. **Superseding Clause.** All other ordinances or parts thereof in conflict with this Ordinance are hereby repealed and abolished.
- 16. **Effective Date.** This Ordinance shall take effect on January 1, 2023, and shall remain in effect until otherwise adopted or modified by ordinance.

Adopted by the Town Council of the Town of Whitestown, Indiana, on November 9, 2022, by a vote of 4 in favor and 0 against.

THE TOWN COUNCIL OF THE TOWN
OF WHITESTOWN, INDIANA

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Clinton Bohm, President

ATTEST:
DocuSigned by:

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Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

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