

Montgomery County Board of Commissioners

Ordinance 2017-4

AN ORDINANCE AMENDING SICK TIME CARRY OVER AND PAID TIME OFF PROVISIONS IN THE EMPLOYEE HANDBOOK

Whereas, the Montgomery County Board of Commissioners periodically reviews the Montgomery County Employee Handbook to ensure the policies strictly comply with the practices of the County; and

Whereas, section 6 of the Employee Handbook contains provisions concerning sick time carry forward for 2017, and Department Heads have requested confirmation that for 2017 there is no limitation on the amount of sick time that may be carried forward by employees; and

Whereas, the Paid Time Off (PTO) policy for 2017 contained in the Employee Handbook does not make a distinction between employees who regularly work 37.5 hours per week and employees who regularly work 40.0 hours per week, and the Employee Handbook should be amended to account for this difference in the base work week such that employees who regularly work 40 hours per week receive more PTO than employees who regularly work 37.5 hours per week; and

Whereas, the Montgomery County Board of Commissioners, has the authority determine employee benefits; and

Whereas, the Board of Commissioners retains the authority to approve the Montgomery County Employee Handbook and in accordance with Indiana law.

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JENNIFER BENTLEY
Montgomery County Recorder IN
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Whereas, the Employee Handbook should be amended to confirm that there is no limitation on sick time which may be carried forward for 2017; and

Whereas, the Board of Commissioners finds that the Employee Handbook should be amended to confirm the County's policy regarding sick time carry forward for 2017 and to provide for a specific schedule for PTO for those employees who regularly work 40 hours per week.

Therefore, it is ordained that section 6 of the Montgomery County Employee Handbook shall be amended to read as follows:

6. LEAVE POLICIES

6.01 VACATION LEAVE

Until December 31, 2016, employees will receive paid vacation leave as follows:

Length of Employment	Paid Hours of Vacation
0 to 6 months	0
6 months to 1 year	37.5 hours
1 year to 10 years	75.0 hours
10 years to 20 years	112.5 hours
20 + years	150 hours

After December 31, 2016, employees will receive Paid-Time-Off (PTO), as provided in Section 6.03. Employees should take their vacation each year. If scheduling difficulties prevent the employee from using all his/her accrued vacation time, the employee may carry over to 2017 up to 37.5 hours of unused 2016 vacation pay. If an employee's employment is terminated for any reason in 2016, the County will pay the employee all of the unused and accrued vacation time.

6.02 HOLIDAYS

6.02.1 Determination of County Holidays: Holidays are determined by the Board of Commissioners on a yearly basis.

6.02.2 Administrative Employees: Administrative employees may request to work on a scheduled holiday and exchange it for another paid day off. The Department Head may approve or disapprove any such request in his or her discretion. All approvals must be in writing. If approved, this day must be used by the end of the year and it cannot be turned into PTO. Holidays are equal to the scheduled hours which would have been worked if not for the holiday. Department Heads who maintain offices in the courthouse must verify the availability of Courthouse Security prior to allowing work on a holiday.

6.02.3 Police Officers: Police officers who work on a County holiday will receive compensation at their normal rate and a paid day of holiday leave that can be used at any time during the calendar year of the award of the substitute holiday leave. The number of hours of such substitute holiday leave will be equal to number of hours actually worked on the scheduled work day that was a County holiday.

6.02.4 Termination Prior To Use of Substitute Time: If the employee earning substitute holiday leave has his or her employment terminated prior to using the substitute holiday leave, the employee will be compensated for this unused substitute holiday.

6.02.5 No Holiday Leave Earned: Employees on FMLA leave, disability leave or suspension do not earn holiday leave.

6.03 PAID TIME OFF (PTO)

6.03.1 Accrual of PTO: Beginning January 1, 2017, County employees will receive Paid Time Off (PTO) rather than paid vacation and sick leave.

A Paid Time Off (PTO) Bank will be created for each employee. The amount of PTO will vary depending upon whether the employee regularly works a 37.5-hour work week or a 40-hour work week. Beginning January 1, 2017, and each employee will receive the following PTO:

Years of Employment	Annual PTO for 37.5-hour work week	Annual PTO for 40-hour work week
0-1	75	80
2-5	109	116
6-10	128	137
11-15	147	157
16-20	165	176
20+	184	196

As used in this section, the phrase “regularly works” means the regularly scheduled work week for employees of the department. For example, employees of the

Highway Department currently are scheduled to work a 40-hour work week, and all other administrative employees are scheduled to work a 37.5-hour work week. The phrase does not mean the actual number of hours worked.

For existing employees, PTO will be awarded on January 1, 2017, with each employee's years of service rounded to the next year. Thereafter, PTO will be awarded on January 1st of each year.

For new employees, PTO will be awarded on a pro-rata basis, as follows:

Month of Hire	PTO Hours Awarded --37.5-hour work week	PTO Hours Awarded -- 40-hour work week
January	68.75	73.33
February	62.50	66.67
March	56.25	60.00
April	50.00	53.33
May	43.75	46.67
June	37.50	40.00
July	31.25	33.33
August	25.00	26.67
September	18.75	20.00
October	12.50	13.33
November	6.25	6.67

On January 1 of the year following hiring, the new employee will be treated as having two years of service and will be awarded 109 hours of PTO if the employee regularly works a 37.5-hour work week and 116 hours of PTO if the employee regularly works a 40-hour work week.

Although PTO will be awarded on January 1, or for a new employee on the date of hiring, PTO for all employees accrues on the first day of each month in an amount equal to 1/12th of the annual amount shown above. Therefore, if an employee leaves his or her employment, due to resignation, termination, death or any other reason, he or she will receive payment for accrued PTO which has not been used. If the employee has used more PTO than has been accrued, the Auditor will withhold from the employee's final paycheck an amount equal to the number of hours used in excess of accrual multiplied times the employee's normal hourly rate of pay.

Employees of the Sheriff's Department will receive PTO rather than paid vacation and sick leave pursuant to a leave plan approved by the Sheriff and the Board of Commissioners. This leave plan will be contained in the Standard Operating Procedures of the Sheriff's Office.

6.03.2 Use and Approval of PTO: PTO hours may be used/scheduled for any reason and requests to use PTO hours must be approved by the employee's

supervisor on the PTO form prior to use. Supervisors may require employees to use PTO hours. In the event that County operations prevent an employee from using PTO, their Department Head may approve the carryover of up to 40 hours of PTO to the next year.

6.03.3 Termination of Employment: If an employee terminates his or her employment before the end of the year, his or her PTO balance will not be paid out except for what has been earned. All PTO that is used before it is earned prior to termination will be deducted from employee's final paycheck. Unused PTO shall be paid out upon termination within 30 days of separation. Payment shall be in a separate check.

6.04 SICK LEAVE

6.04.1 Sick Leave: In 2016, all employees will receive 90 hours of paid sick leave each year, with 7.5 hours accruing each calendar month worked. Consistent with the County's current policy, employees using a sick day in any given month do not accrue a sick for that month.

6.04.1.1 Accrued Sick Leave: Employees may not accumulate more Than 157.5 hours of sick time. This limitation will not apply after December 31, 2016.

6.04.1.2 Documentation for Sick Leave: If an employee uses more than 15 hours of sick time in consecutive days, he or she will provide to his or her Department Head written documentation from a physician supporting the leave.

6.04.1.3 Termination of Employment: Upon termination of employment, no compensation will be paid to the employee for accrued, unused sick time.

6.04.2 Sick Bank: Beginning January 1, 2017, employees with unused, accrued sick time as of December 31, 2016, will be allowed to retain all of those hours and use them for sick leave in addition to PTO. The limitation of accrued sick time contained in 6.04.1.1 does not apply in 2017 and later years. Employees may carry forward to 2017 all unused sick time which existed on December 31, 2016.

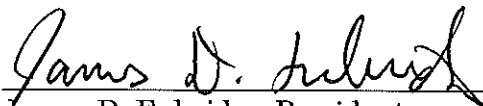
6.04.3 Implementation of PTO: Beginning January 1, 2017, no sick leave will be granted. However, employees will be able to use any and all unused sick time which existed on December 31, 2016 as provided for in the Sick Bank provisions contained in 6.04.2."

It is further ordained that in order to implement these changes for 2017, this ordinance is effectively retroactively to January 1, 2017.

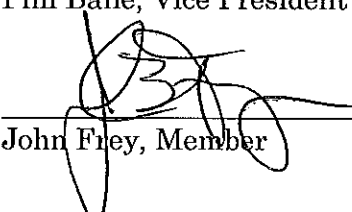
It is further ordained that all other provisions of the Montgomery County Employee Handbook which were not specifically amended by this ordinance shall remain in full force and effect, as written.

Adopted this 13 day of March, 2017.

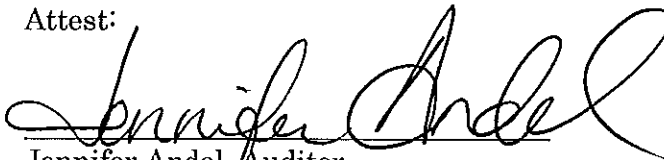
Montgomery County Board of Commissioners


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Attest:


Jennifer Andel, Auditor