

IC 5-10-6

Chapter 6. Vacations and Other Benefits for Certain Public Employees

IC 5-10-6-1

Vacation pay and paid holidays; sick leave

Sec. 1. (a) Retroactive to January 1, 1969, employees of the state who are compensated for their services on an hourly basis may be granted a vacation with pay and paid holidays by executive order of the governor.

*(b) Employees of the political subdivisions of the state may be granted a vacation with pay, sick leave, **paid holidays**, and other similar benefits by ordinance of the legislative body of a county, city, town, township, or controlling board of a municipally owned utility, board of directors or regents of a cemetery, or board of trustees of any library district.*

(c) Payment of vacation benefits so granted may be made in advance of any vacation taken by such an employee.

(Formerly: Acts 1961, c.237, s.1; Acts 1963, c.355, s.1; Acts 1965, c.166, s.1; Acts 1969, c.89, s.1; Acts 1975, P.L.43, SEC.1.) As amended by P.L.8-1987, SEC.8; P.L.8-1989, SEC.18.

Holidays/ Vacations/Leaves

I. Holidays

- A. All full-time employees are entitled to holiday pay at the regular rate for all holidays established annually by the Mayor.
- B. When any of these holidays occur on a Saturday or Sunday the proceeding Friday or following Monday will be observed as the holiday. This will be at the discretion of the Mayor.
- C. Employees must work their scheduled day before and their scheduled day after the holiday to receive the holiday pay.
- D. If the employee is called in to work on a holiday, he/she shall be compensated at 1.5 times their regular rate of pay in addition to holiday pay for all hours worked.
- E. When a paid holiday occurs during an employee's vacation, the employee shall receive holiday pay and will not be charged a vacation day for such holiday.

**CITY OF FRANKLIN FIRE DEPARTMENT
STANDARD OPERATING POLICIES AND PROCEDURES**

ARTICLE: IV

PAGES: 2 Pages

Leave Policy – Holiday Compensation

SECTION: 7

DATE: June 2, 2008

PURPOSE:

Holiday Compensation is paid by the City of Franklin to firefighters whose normal schedule has them working on designated holidays. This policy defines the designated holiday, who is eligible for the compensation, and how it is to be paid.

SCOPE:

Shift Firefighters

All firefighters working the 24-hour rotating shift are to be paid additional compensation when they are **physically present** for 24 hours on one of the designated holidays. Compensation to be paid will be based on the morning attendance by the officer in charge. Trading of time constitutes not being present for the full 24 hours.

PROCEDURE:

Holiday compensation will be paid at the time of normal payroll to those firefighters actually scheduled to work the designated holiday. As mentioned earlier in the document, time trade or not being present for the shift does not constitute being present to receive the additional holiday compensation. The only period of time not requiring time trade paperwork will be 30 minutes if a Franklin Firefighter is available for stand-in and on station.

Designated holidays are the days actually designated as the observed holiday on the calendar.

Holiday compensation will be forfeited if personal leave or trading of time takes place during the 24-hour period of a designated holiday.

Holidays for compensation purposes will begin at 0700 hours of the designated holiday and end at 0700 hours the following day.

Any firefighter who is on sick leave, either part of the shift or the entire shift will not receive holiday compensation.

CHAPTER SIX
VACATION, OVERTIME, COMPENSATORY
AND LEAVE TIME

PURPOSE: To outline the terms, limits and conditions under which those entitled shall utilize the authorized employee benefits described in this chapter. Further, it is the intent of this Board that employee benefits as noted in the CIVILIAN PERSONEL MANUAL (**Ordinance #02-04**), *passed by the Common Council 01/28/02*, not covered herein shall be afforded to members of the Franklin Police Department as authorized.

SECTION I – VACATION

Ia. OFFICERS AND DISPATCHERS ACCRUED TIME TABLE

Prior to one (1) year of continuing employment.....UP TO 05 days*
After one (1) year of continuing employment.....14 days
After five (5) years of continuing employment.....21 days
After ten (10) years of continuing employment.....28 days
After eighteen (18) years of continuing employment.....30 days
*Exact number is determined at a rate of 1.5 days per 30 days of continuing employment.

Ib. SCHEDULING

Scheduling is dependent upon the needs of the Department. Requests shall be made, in writing, to your immediate supervisor for full or half day increments. All vacation benefits shall be taken within the CALENDAR year, however, ADDITIONAL days earned by way of passing an anniversary date MAY NOT be taken until earned. In the event an employee is not able to utilize all authorized vacation days due to the needs of the department, or a late accrual date posted in November or December, the Chief shall allow the unused days to be carried over into the next calendar year. The carried over days shall be used within the first 70 days of the new CALENDAR year or be LOST.

SECTION II – OVERTIME

1. Each full-time officer's salary will be based on one hundred sixty (160) hours in each twenty-eight (28) day period.
2. Each full-time officer working over one hundred sixty (160) hours will be paid an additional hours wage per hour up to and including one hundred and seventy-one (171) hours.
3. Each full-time officer working over one hundred and seventy-one (171) physical hours (ACTUAL WORKED HOURS) will receive one and one-half (1 ½) times the hourly wage for each additional hour in that twenty-eight (28) day period.
4. Full-time officers required to assist the public with police related duties when off-duty for periods of more than fifteen (15) minutes shall add such time to their payroll formula.
5. Overtime will be computed in accordance with 29 CFR Part 553, Application of the Fair Labor Standards Act to Employees of State and Local Government Federal Register.

6. Falsely reporting or deliberate abuse of overtime may be cause for disciplinary action. Supervisors will be responsible for approving overtime. Supervisors shall assign, assist, or direct Subordinate Officers in the completion of incidents to eliminate as much overtime as possible. Officers are responsible for substantiating that their attendance is necessary prior to attending a court session (check calendar for City trials and call on County subpoenas as instructed).

SECTION III – COMPENSATORY TIME

1. Patrol Officers shall receive twelve (12) COMPENSATORY DAYS off per year in lieu of holidays. Should the MAYOR'S OFFICIAL list exceed twelve (12) holidays the Chief MAY grant additional in kind Compensatory Days. Compensatory Days may only be taken in full day increments, at a rate of one (1) within each twenty-eight (28) day pay period. Compensatory Days may not be carried over into the next year without just cause as determined by the Chief of Police.
2. All other officers shall receive holidays off, unless the needs of the Department require them to work, in which event they shall receive two (2) BANKED HOURS for every hour worked on said holiday.
3. **Full time Dispatchers shall receive (96) COMPENSATORY HOURS off per year in lieu of holidays. Should the MAYOR'S OFFICIAL list exceed twelve (12) holidays the Chief MAY grant additional in kind Compensatory hours. Compensatory hours may only be taken in 8 hour increments, at a rate of 8 hours each twenty-eight (28) day pay period. Compensatory hours may not be carried over into the next year without just cause as determined by the Chief of Police. Paragraph 3 omitted, correction made 12/12/06.**

SECTION IV – OFFICERS SICK DAYS AND LEAVE

IVa. SICK DAYS POLICY

1. Sick days are a benefit provided to officers in order to protect them from loss of income during short periods of minor NON-DUTY RELATED illness or injury. They MAY NOT be used for any other reason.
2. Officers are entitled to eight (8) Sick Days during the calendar year. Unused Sick Days will be converted into Floating Benefit Days to be used within the next calendar year. Conversion will be rounded down to the nearest half day.
3. Officers shall not engage in any conduct that could be considered inconsistent with their reported illness or injury, or engage in any activity that would give the department or public the impression that the officer is capable of working and possibly malingering.
4. Officers may use Sick Day benefit time in one hour increments.
5. Sick days MAY NOT be used for more than four (4) CONSECUTIVE WORK days, **after the fourth day sick leave should apply. Correction made 12/12/06.**
6. Officers who return to duty within three (3) days or less may do so without a medical release.
7. Officers who return to duty in excess of three (3) days MUST OBTAIN a full release from their attending physician or be counted ABSENT WITHOUT PAY.
8. Officers ARE REQUIRED to advise PROPER AUTHORITY no less than three (3) hours in ADVANCE of any sick day request, if possible.
9. Officers who fail to report for duty due to an off-duty injury or illness may be visited by property authority in order to confirm the reported illness or injury.

10. The terms of Chapter 6 section IVa, OFFICER RESPONSIBILITIES, SHALL APPLY to this section.

IVb. SICK LEAVE

1. Officers who are designated disabled as a result of a DUTY RELATED illness or injury shall remain on the payroll at regular salary until certified able to return to duty by the attending physician, or for a period of one (1) year from the date of disablement, whichever shall occur first.
2. Non-duty related illness or injury will be in accordance with city policy for disability.

IVc. RETURN TO DUTY FROM SICK LEAVE

1. Depending on the seriousness of the injury or illness and time spent on sick leave, the officer may be required to provide extensive medical documentation from his/her attending physician(s) and submit to further examination by the department physician or other qualified practitioner as directed prior to release.
2. In NO CASE will an officer return to duty without a FULL RELEASE from his/her attending physician.

IVd. OFFICER RESPONSIBILITIES

1. Officers on sick leave are still held accountable to the policies of the City and department.
2. Officers shall not engage in conduct that could be considered inconsistent with their reported illness or injury, or engage in any activity that would give the impression to the department or public that they are capable of working and possibly malingering.
3. Officers are required to update the department administration on any change in condition as it occurs.
4. OFFICERS MUST REPORT DUTY RELATED ILLNESS OR INJURY TO THE RANKING OFFICER ON DUTY. State form #34401 "Report of Injury or Illness" will be completed and forwarded to the Chief of Police no later than the next day. The Chief or Deputy Chief shall be advised at once of a duty related injury or illness.

IVe. PAID ADMINISTRATIVE LEAVE

1. **The department head may request up to 30 days of administrative leave for public safety personnel. Administrative leave will be considered non-punitive and with pay. Administrative leave may be used when situations arise that concern the health, safety, or welfare of the public or members of the department. *Adopted by the Franklin Board of Public Works and Safety 12/12/00.***

IVf. OTHER LEAVE

1. For entitlements to all other forms of paid and non-paid leave see the CIVILIAN PERSONNEL POLICY MANUAL.

SECTION V – OFF DUTY CALL-IN/ADDITIONAL DUTY

1. Officers ordered by proper authority to report for additional, non-scheduled duty, training, court or emergency shall be authorized a minimum of two (2) compensated hours.
2. Officers must PHYSICALLY REPORT FOR DUTY TO BE COMPENSATED.
3. The time shall be divided into physical and non-physical hours.
4. Duties which are an integral part of the officer's principal activity, such as completing reports at the end of a shift, or responding to calls just prior to coming on duty, etc., are not included in THIS FORMULA.
5. The rate of pay or compensatory time shall be calculated within existing guidelines (See Chapter 6, Sections II & III).