

**ORDINANCE 2020-05**

**AN ORDINANCE AMENDING THE 2020 SALARY ORDINANCE  
OF THE CITY OF AUSTIN, INDIANA**

**WHEREAS**, on October 18, 2019, the Common Council of the City of Austin, Indiana (“Council”) adopted Ordinance 2019-06, an ordinance establishing wages and salaries for 2020, which may be amended from time to time (“2020 Salary Ordinance”); and

**WHEREAS**, That on March 6, 2020, Governor Eric Holcomb signed an executive order declaring a statewide emergency related to the COVID-19 or corona virus; and

**WHEREAS**, that the Governor has asked employers to encourage employees not to work while sick, including instituting supportive sick leave policies that do not penalize staff for missing work while they are ill; and

**WHEREAS**, that the Scott County School Districts 1 and 2 have closed beginning Monday, March 16, 2020, until Monday, April 6, 2020; and

**WHEREAS**, the City understands the importance of safe practices in order to help slow or prevent the spread of COVID-19 and desires to take all steps possible in order to preserve the safety of City employees and all residents of the City; and

**WHEREAS**, the Council desires to amend the 2020 Salary Ordinance to provide for pay for employees in certain emergency circumstances.

**THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUSTIN** as follows:

The 2020 Salary Ordinance is hereby amended to add the following additional section:

**EMERGENCY STAY HOME PAY.**

1. The Mayor 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 Mayor 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 City officials and must be available to return to their work station within two (2) hours of notice from their supervisor, Department Head, or the Mayor; and
  - 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).
2. In addition, effective immediately, the Mayor or a Department Head may approve Emergency Stay Home Pay for any employee that is sick or has been exposed to a person who is exhibiting symptoms of COVID-19.
  3. Any granted Emergency Stay Home Pay may not exceed two (2) weeks (ten (10) business days) without approval of a majority of the Council.
  4. The amendments set forth above supersede any inconsistent provisions in the 2020 Salary Ordinance. All other portions of the 2020 Salary Ordinance, shall remain in full force and effect.

5. This Amendment to the 2020 Salary Ordinance shall take effect immediately upon its adoption. Increases or changes in the payment schedule, when implemented, will be pro-rated prospectively.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana on March 16, 2020 by a vote of 5 to 0.

Common Council City of Austin, Indiana

  
Jimmy Turner, President

Attest:

  
Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, on March 16, 2020 at 3 : 56 p.m.

  
Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), on March 16, 2020 at 3 : 56 p.m.

  
Roger Hawkins, Mayor

Attest:

  
Chris Fugate, Clerk-Treasurer

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