

COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA

ORDINANCE NO. 2021-11

**AN ORDINANCE AMENDING THE 2021 SALARY ORDINANCE
OF THE CITY OF AUSTIN, INDIANA**

WHEREAS, on October 13, 2020, the Common Council of the City of Austin, Indiana (“Council”) adopted Ordinance 2020-11, an ordinance establishing wages and salaries for 2020, which may be amended from time to time (“2021 Salary Ordinance”); and

WHEREAS, the Council now desires to amend said 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 now extended said emergency through August 30, 2021 pursuant to Executive Order 21-19; and

WHEREAS, COVID-19 cases are unfortunately on the rise again due to the Delta variant, Scott County has now been moved to “orange” on the State coding system, and Scott County School District 1 is moving to e-learning temporarily; 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 2021 Salary Ordinances 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 2021 Salary Ordinances are 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 workstation 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, the Mayor may approve Emergency Stay Home Pay for any employee that has tested positive for COVID-19, or has been exposed to a person who has tested positive for COVID-19, and is now being ordered by a medical professional to quarantine.
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. Any Emergency Stay Home Pay authorized by the Mayor prior to the effective date of this Ordinance is hereby ratified and deemed appropriate.
5. The amendments set forth above supersede any inconsistent provisions in the 2021 Salary Ordinance. All other portions of the 2021 Salary Ordinance shall remain in full force and effect.
6. This Amendment to the 2021 Salary Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana, this 10 day of August, 2021 by a vote of 5 ayes and 0 nays.



ROGER HAWKINS, Mayor
Presiding Officer

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, this 10 day of August, 2021 at 6:30 7.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), this 10 day of August, 2021 at 6:30 7.m.



Roger Hawkins, Mayor

Attest:



Chris Fugate, Clerk-Treasurer