

**COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA**

**ORDINANCE NO. 2022-03**

**AN ORDINANCE AMENDING THE 2022 SALARY ORDINANCE  
OF THE CITY OF AUSTIN, INDIANA**

**WHEREAS**, on October 13, 2021, the Common Council of the City of Austin, Indiana (“Council”) adopted an ordinance establishing wages and salaries for 2022, which may be amended from time to time (“2022 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 March 4, 2022 pursuant to Executive Order 22-02; and

**WHEREAS**, COVID-19 cases have unfortunately risen recently due to the Omicron variant and Scott County has now been moved to “red” on the State coding system; 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 2022 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 2022 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 one (1) week (five (5) 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 2022 Salary Ordinance. All other portions of the 2022 Salary Ordinance shall remain in full force and effect.
6. This Amendment to the 2022 Salary Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Common Council of the City of Austin, Indiana, this 8 day of March, 2022 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 8 day of March, 2022 at 6 : 25 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), this 8 day of March, 2022 at 6 : 25 P.m.

  
\_\_\_\_\_  
Roger Hawkins, Mayor

Attest:

  
\_\_\_\_\_  
Chris Fugate, Clerk-Treasurer