

12.13.2022

ORIGINAL

ORDINANCE 2022-028

DELAWARE COUNTY COUNCIL

AN ORDINANCE DEFINING TERMS AND ESTABLISHING PROCEDURES FOR HIRING AND IMPLEMENTING SALARIES FOR COUNTY EMPLOYEES (EXCLUDING MERIT OFFICERS)

WHEREAS, the Delaware County Council ("Council") has the responsibility to fix the compensation of the officers, deputies and other employees, both full-time and part-time ("Employee or Employees"), payable from the Delaware County General Fund, Highway Fund, or any other fund from which the County Auditor issues warrants for salaries or other compensation; and

WHEREAS, the Council has approved salaries for County employees for calendar year 2022; and

WHEREAS, the Council desires to provide direction on the assignment and implementation of said salaries; and

WHEREAS, the Council further desires to maintain uniform procedures for the hiring of Employees; and

WHEREAS, the Council previously adopted Ordinance 2017-005 to provide the desired direction on the assignment and implementation of said salaries through uniform procedures; and

WHEREAS, the Council subsequently adopted a series of amendments to Ordinance 2017-005 and a complete restatement of those amendments and 2017-005 by the passage of Ordinance 2022-18; and

WHEREAS, the Council desires to further amend and restate the Salary Ordinance; and

WHEREAS, the Council intends that this Ordinance will repeal and replace 2022-018.

NOW, THEREFORE, BE IT ORDAINED by the Delaware County Council as follows:

**Section 1. Definitions.** For the purposes of this Ordinance, the following terms are defined as:

- a. Job Grade – the numerical (or other) classification assigned to a particular job by the Human Resources Department based upon its description and duties for the purpose of establishing its Position Base Salary under the current salary ordinance.
- b. Grade Demotion – a current Employee transferring to a job with a lower ranked Job Grade.
- c. Grade Promotion – a current Employee transferring to a job with a higher ranked Job Grade.
- d. Lateral Grade Transfer – a current Employee transferring to a job with the same ranked Job Grade.

12/13/2022

- e. Department Change – transferring from one Delaware County department or office to another.
- f. New Employee – an individual being hired into a full-time position with the County.
- g. Part-Time Employee – any Employee working in a position established as part-time under the terms of this or any other Ordinance, whose permitted hours of work do not exceed twenty-nine (29) hours per week.
- h. Position Base Salary – the salary amount shown for each position on the Base Salary Spreadsheet as adopted by the Council showing the base salary amount for each position, and as Base Salary Spreadsheet may hereafter be amended by the Council from time to time. Position Base Salary is not the same as the salary appropriated for the position in the Annual Budget. This amount does not include any longevity pay. This amount will be used to determine the salary in the event of Grade Promotion, Grade Demotion, Lateral Grade Transfer or Department Change, or a New Employee, subject to the Probationary Period provided in this Ordinance.

**Section 2. Application of Ordinance.** From and after the adoption of this Ordinance by the Council, salaries approved for each position in the Annual Budget are for the Employee in that particular position as of January 1 of the budget year. Should that individual vacate the position for any reason during the budget year, the salary for the New Employee hired for the position shall be determined based upon the procedures defined in this Ordinance and the then current Base Salary Spreadsheet.

**Section 3. Budget; Compensation by Line Item.** Full-Time Employees can only be paid from the line item in the Annual Budget specific to that Employee and only that Employee. Money from that line item cannot be used to compensate other Employees without approval for a transfer by the Council. A new line item must be established for the New Employee and approved by the Council. Part-time Employees can only be paid from line items in the Annual Budget for the department or office specifically established to compensate Part-Time Employees.

**Section 4. Current Employees.** In the event of Grade Promotion, Grade Demotion, Lateral Grade Transfer or Department Change involving a current Full-Time Employee, the salary for the position shall be the Position Base Salary as shown on the Base Salary Spreadsheet. If the Employee has served at least six (6) months in the prior position, he or she will not be required to have a Probationary Period.

**Section 5. Current Part-Time Employees.** In the event that a current Part-Time Employee fills a full-time position and has worked continuously for six (6) months prior thereto accomplishing the skills needed in the full-time position, the Employee will be exempt from the probationary period required under this Ordinance and shall receive the Position Base Salary for the position.

**Section 6. Re-hire of a Previous Employee.** If an Employee is hired for a full-time position that he or she previously held and fulfilled the probationary period for that position as provided herein, upon recommendation of the department head or office holder and with

approval of the Council, the Employee shall be exempt from the Probationary Period upon re-hire.

**Section 7. Process for Filling Any Vacant Position.** Upon a determination that any vacant position needs to be filled, the department head or office holder shall adhere to the following procedure:

- a. The department head or office holder shall adhere to all provisions of the Delaware County Employee Handbook as adopted by the Delaware County Commissioners or the Delaware County Circuit Court Personnel Policy Handbook.
- b. The department head or office holder shall notify the Human Resource Director of the vacancy and request that the vacancy be posted.
- c. The Human Resource Director shall post the vacancy and refer all applicants on file and all new applicants received to the department head or office holder for consideration.
- d. Upon selection of an individual to fill the vacancy, the department head or office holder shall submit the request to the County Auditor for approval by the Council as a new line item to the Annual Budget.
- e. The Council will review the request. The combined base salaries for the Employee who previously held the position and the New Employee hired for that position may not exceed the department or office appropriation for the position as approved in the Annual Budget.
- f. The following positions are exempt from the procedure in this Section 7 only:
  - i. Merit Officers in the Sheriff's Department; and
  - ii. Correctional Officers in the Sheriff's Department;provided, however, that all other provisions of this Ordinance shall apply to such positions.

**Section 8. Probationary Period.** Except as provided elsewhere in this Ordinance all New Employees, upon hire, shall have a Probationary Period, as follows:

- a. The Probationary Period for all New Employees shall be ninety (90) days from the first day of work.
- b. After the Probationary Period is completed, the department head or elected official shall complete a written evaluation and performance review of the Employee.
- c. Upon successful completion of the Probationary Period, the department head or office holder shall send the evaluation and performance review to the Human Resource Director.

**Section 9. Part-Time Job Classification Levels.** The following Part-Time Job Classifications and rates of pay are hereby established:

- a. Part-Time Level 1.
  - i. Pay rate of \$12.00 per hour.

- ii. Types of jobs: General labor, filing, sorting, general office experience, basic computer experience, data entry, mailing, stuffing envelopes, answering telephones, basic maintenance, seasonal, runner/courier, general filing and distribution, transferring files between offices.
    - iii. Must have a high school diploma or Indiana HSE.
  - b. Part-Time Level 2.
    - i. Pay rate of \$14.00 per hour.
    - ii. Types of jobs: Highway Department positions that do not require a CDL, positions that need significant and specific training/requirements (not including a CDL), on-call availability, Election Room Deputy Commissioners, Custodial and comparable positions.
    - iii. High school diploma or Indiana HSE required in addition to specific training and/or certifications.
  - c. Part-Time Level 3.
    - i. Pay rate of \$15.00 per hour.
    - ii. Types of jobs: Accounting, bookkeeping, payroll, legal secretaries, court-related clerical positions requiring advanced computer skills, positions that affect County liabilities.
    - iii. High school diploma or Indiana HSE required, advanced education and/or degree, minimum of 2 years previous applicable experience required.
  - d. Part-Time EMT and Paramedic Rates.
    - i. Emergency medical technicians at \$16.00 per hour. Paramedics at \$20.00 per hour.
    - ii. High school diploma or Indiana HSE required, advanced education and/or degree, minimum of 3 years previous applicable experience required.
  - e. Part-Time Correctional Officers
    - i. Pay rate of \$15.00 per hour and shall remain at this rate until they have completed the Sheriff's required initial training program. Upon completion of the initial training program and with the recommendation of the Sheriff, the pay rate for the Part-Time Correctional Officer shall be increased to \$16.00 per hour.
  - f. Part-Time Communications Center Employees:
    - i. Starting in training: \$16.00 per hour for 29 hours per week;
    - ii. Certified on one console (basic self-sufficient): \$17.00 per hour for 29 hours per week;

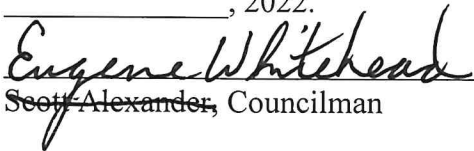
- iii. Certified to work all consoles (usually takes 9 months to one year): \$18.00 per hour for 29 hours per week.
- g. Coroner Part-Time Services.
  - i. \$100.00 per person per call on Coroner's cases.
  - ii. \$25.00 per person per call on non-Coroner's cases.

**Section 10. Part-Time Positions; Hours; Full-Time Employees; Overtime.**

- a. Departments or offices requesting part-time positions shall file their request with the Human Resource Director and identify which Part-Time Level the proposed position will fall under. Upon review of the requirements for the job and the duties, the Human Resource Director shall confirm the appropriate level.
- b. A Part-Time Employee shall be allowed to work up to twenty-nine (29) hours per work week.
- c. A Full-Time Employee shall be entitled to receive benefits as determined and approved in the Personnel Handbook by the County Commissioners, subject to appropriation by the Council.
- d. FLSA compensatory time may be awarded in lieu of monetary payment for overtime at the discretion of the department head. Employees shall *only* be provided compensatory time at the rate of 1 ½ hours for each hour worked over 40 hours in a 7-day workweek, regardless of the number of hours the employee is regularly scheduled to work. No employee may accrue more than 80 total hours of compensatory time.

**Section 11. Repeal.** This Ordinance, upon its adoption, shall repeal, replace and supersede the following Ordinances: Ordinances 2022-018.

ADOPTED BY THE DELAWARE COUNTY COUNCIL THIS 13 DAY OF \_\_\_\_\_, 2022.

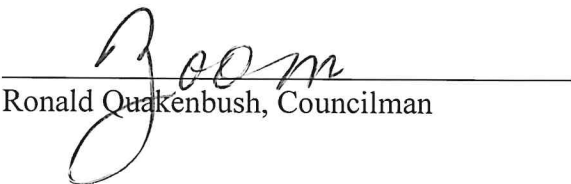
  
 Eugene Whitehead, Councilman

  
 Ryan M. Ballard, Councilman

\_\_\_\_\_  
 Ryan Webb, Councilman

  
 Jessica Piper, Councilwoman

  
 Mary Chambers, Councilwoman

  
 Ronald Quakenbush, Councilman

  
 Jane Lasater, Councilwoman

Attest:

  
\_\_\_\_\_  
Steven Craycraft, Auditor  


This Ordinance is approved in form by:

  
\_\_\_\_\_  
Legal Counsel