

## ORDINANCE 854

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF OGDEN DUNES, PORTER COUNTY, INDIANA, AMENDING TOWN CODE

IT AND IT IS HEREBY ORDAINED by the Ogden Dunes Town Council as follows:

**SECTION 1.** Section 34.22 of the Ogden Dunes Town Code shall be amended and hereafter read as follows:

#### **Section 34.22. SICK LEAVE**

##### *(A) Entitlement.*

- (1) Only full-time employees are entitled to paid sick leave.
- (2) Sick leave will be earned at a rate of ten (10) day a year, beginning on the employee's first anniversary of employment and awarded upon each work anniversary as a lump sum.
- (3) Paid sick leave is intended for use in instances of a bona fide illness or injury of the employee, or for use for the care of a spouse, child, or parent of the employee who has a bona fide illness or injury.

##### *(B) Sick Bank and Extended Sick Leave.*

- (1) Unused sick leave will accrue and accumulate in a "sick leave bank" up to a maximum of thirty (30) days, which may be used by the employee in the event of an extended illness with the approval of the Town Council.
- (2) In the event of an extended illness, an employee may make a request to the Town Council for paid leave utilizing the employee's accumulated sick leave from the employee's "sick leave bank."
- (3) In order to qualify for use of paid leave from the employee's "sick leave bank," the employee must meet the following eligibility requirements:
  - (a) Application must be made in writing by the employee to the Town Council or through the applicable department head or elected official; and
  - (b) All other current sick days, vacation leave days, compensatory time off and personal days previously accrued by the applicant must be exhausted prior to making the request;
  - (c) The employee must submit proof from the employee's physician verifying the need for the extended sick leave and indicating the employee's anticipated return to work; and

(d) The extended sick leave must be for a period not less than seven (7) work days.

(4) The request for use of the employee's "sick leave bank" will be reviewed within forty-eight (48) hours from the receipt of the request by the Town Council's liaison to the employee's department, along with the Town Council President and the designated department head, who shall forward a recommendation on the request to the Town Council. The Town Council shall take official action on the request.

(5) In determining the employee's eligibility for extended sick leave, the Town Council will consider the following factors as they apply to the employee:

(a) The nature of the sickness or illness;

(b) The employee's prognosis;

(c) The anticipated length of time the employee is to be off work; and

(d) The employee's work history (as provided by the employee's department head).

(6) Employees may, with the approval of the Town Council, transfer their own accrued "sick leave bank" to another employee.

*C. Proof of Illness or Injury.*

(1) The responsible elected official or designated department head may request that an employee utilizing sick leave under this section for more than three (3) consecutive days substantiate their illness or injury, or that of a child parent, or spouse.

(2) To substantiate an illness or injury, the responsible elected official or department head may require that the employee produce a written medical excuse from the employee's physician.

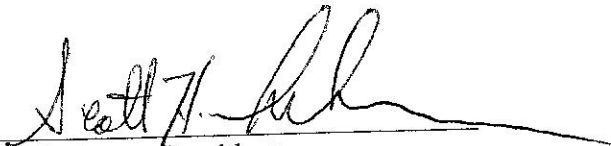
*D. Dismissal or Termination.*

(1) The use or attempted use of sick leave in violation of this policy by any employee may result in discipline up to and including termination from employment.

(2) Employee will not be paid for accumulated sick leave or accumulated sick leave bank upon termination from employment for any reason.


**SECTION 2.** This Ordinance shall be in full force and effect from and after its adoption as required by law.

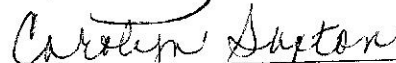
ALL OF WHICH IS PASSED AND ADOPTED this 4<sup>th</sup> day of  
NOVEMBER, 2019.


  
Scott Lehman, President

ABSENT


Michael Webber

  
Doug Cannon

  
Carolyn Saxton

  
Nate Ball

ATTEST:

  
Jean Manna, Clerk-Treasurer