

SPECIAL ORDINANCE NO. 21, 2012

AN ORDINANCE AMENDING SPECIAL ORDINANCE NO. 31, 2011, SETTING THE SALARIES AND ESTABLISHING CERTAIN BENEFITS FOR THE FIRE DEPARTMENT FOR THE CITY OF TERRE HAUTE, INDIANA, FOR 2012, TO TAKE EFFECT ON JANUARY 1, 2012.

WHEREAS, Special Ordinance No. 31, 2011 was passed on September 28, 2011, prior to the negotiation and acceptance of the City of Terre Haute - International Association of Firefighters Local #758 fire department collective bargaining agreement. Such agreement was executed on November 28, 2011; and

WHEREAS, the collective bargaining agreement provides for a one percent (1%) raise for firefighters in calendar year 2012 and certain other additional benefits; and

WHEREAS, the Special Ordinance No. 31, 2011 must be amended to provide the one percent (1%) salary increase for firefighters to be effective January 1, 2012 and certain other additional benefits.

THEREFORE, Special Ordinance No. 31, 2011 is hereby amended by deletion of the stricken text and insertion of the underlined text as follows:

...

SECTION 1. Commencing on January 1, 2012, the following salary schedule shall be in full force and effect for the members of the Fire Department of the City of Terre Haute, Indiana. These salary amounts represent a figure that includes the One Thousand One Hundred Twenty Five Dollar (\$1,125) 1st Class Firefighter allotment and the Five Hundred Dollar (\$500) EMT-B certification.

FIREMEN of the rank of Private, who have served less than one (1) year from the date of their respective appointments shall be paid an annual salary of ~~\$39,992~~ \$40,392.

FIREMEN of the rank of Private, who have served more than one (1) year from the date of their respective appointments shall be paid an annual salary of ~~\$44,167~~ \$44,609.

FIREMEN of the rank of Lieutenant shall be paid an annual salary of ~~\$45,723~~ \$46,180.

FIREMEN of the rank of Captain shall be paid an annual salary of ~~\$49,061~~ \$49,552.

FIREMEN of the following ranks shall be paid an annual salary of ~~\$52,385~~ \$52,909.

- Assistant Chief (3)
- Battalion Chief (3)
- Assistant Chief of EMS

FIREMEN of the rank of Deputy Fire Chief shall be paid an annual salary of ~~\$55,315~~
\$55,868.

The following positions shall hold the rank of Deputy Fire Chief:

Operations
EMS

FIREMEN of the rank of Fire Chief shall be paid an annual salary of ~~\$65,201~~ \$65,853.

SECTION 2. The City of Terre Haute agrees that all employees of the Fire Department shall receive seventy-two (72) personal hours to be used at the employee's discretion within one (1) calendar year.

SECTION 3. Employees hired before January 1, 2007 with the following seniority shall receive:

0-5 years will receive fifteen (15) days of paid time off
6-9 years will receive sixteen (16) days of paid time off
10-19 years will receive nineteen (19) days of paid time off
20 + years will receive twenty-two (22) days of paid time off

Employees hired on or after January 1, 2007 shall receive the following:

0-5 years will receive twelve (12) days of paid time off
6-9 years will receive sixteen (16) days of paid time off
10-19 years will receive nineteen (19) days of paid time off
20+ years will receive twenty-two (22) days of paid time off
Each day of Paid Time Off shall represent one full duty shift day of twenty-four hours.

SECTION 4. Firefighters shall receive a maximum of four (4) paid sick days in any calendar year unless proven to be under ongoing care by a doctor. Additional sick days will be without pay. If there is a break in the work cycle with a sick day and overtime is worked, it will be at straight time rates until work hours meet the number of hours missed per work cycle.

Any firefighter injured or becoming ill as a result of on duty work and resulting in the firefighters inability to perform their job will be considered as reporting off of work with a line of duty injury or illness. Any firefighter receiving an injury or illness from an on the job accident or exposure is entitled to leave with full pay for up to twelve (12) months. This will require a doctor's statement to be given to the employee's immediate supervisor to forward to the Battalion Chief. The doctor's statement shall include an expected date of return, and specify any limitations of duty. In addition, the firefighter shall have up to an additional six (6) months, at the end of the twelve (12) months, of light duty with full pay to fully recover. The twelve (12)

months off leave will renew annually or per occurrence whichever occurs first. The provisions contained herein supersede any limitations on sick days contained in any other section in this ordinance.

Any firefighter who is injured or becomes ill from an off duty incident shall be given up to six (6) months of full leave with full pay and up to six (6) months of light duty with full pay. This will require a doctor's statement to be given to the employee's immediate supervisor to forward to the Battalion Chief. The doctor's statement shall include an expected date of return, and specify any limitations of duty. The six (6) months leave will renew annually or per occurrence whichever comes first. The provisions contained herein supersede any limitations on sick days contained in any other section in this ordinance.

The prior practice of sick leave banks is eliminated for all contract years beginning January 1, 2007 and forward. All prior sick leave banks as accumulated for all firefighters are eliminated from any banks, except for those firefighters who have enrolled in the "PERF Drop Program" before January 1, 2008.

If any immediate family member of a firefighter is injured or ill requiring the firefighter to be off, each firefighter will have up to twelve (12) weeks each year to be off for family illness or injury with full pay. This will require a doctor's statement to be given to the employee's immediate supervisor to forward to the Battalion Chief. The doctor's statement shall include an expected date of return. The twelve (12) week leave will renew annually or per occurrence, whichever occurs first.

SECTION 5. The City of Terre Haute will pay an employee with perfect attendance from January 1st through December 31st One Thousand Dollars (\$1,000). Each sick day will reduce the perfect attendance bonus by Two Hundred Dollars (\$250.00).

SECTION 6. All members of the Fire Department of the City of Terre Haute who hold a hazardous materials technician certification will receive, in addition to the member's annual salary, Five Hundred Dollars (\$500.00). The first check in the amount of Two Hundred Fifty Dollars (\$250.00) shall be paid on or before June 10th. The remaining Two Hundred Fifty Dollars (\$250.00) shall be paid on or before December 10th.

SECTION 7. All THFD Firefighters who hold a self-contained breathing apparatus technician certification will receive Five Hundred Dollars (\$500.00) per year. These checks are to be paid in two increments. The first check of \$250.00 is to be paid on or before June 10th. The remaining \$250.00 will be paid on or before December 10th. Three (3) Master Draeger positions will receive an additional Five Hundred Dollars (\$500.00) in 2012.

SECTION 8. All THFD Firefighters who hold or acquire an EMT-BA certification will receive Six Hundred Dollars (\$600.00) certification pay per year. The first check of \$300.00 is to be paid on or before June 10th. The remaining \$300.00 will be paid on or before December 10th.

SECTION 9. All THFD Firefighters who hold or acquire an EMT-P certification will receive a One Thousand Seven Hundred Dollar (\$1,700.00) certification pay per year. The first check of \$850.00 is to be paid on or before June 10th. The remaining \$850.00 will be paid on or before December 10th.

SECTION 10. Personnel assigned to the ambulance, who are not promoted EMTs, will receive ride pay. This pay shall be Seventy-Five Dollars (\$75) per day for Paramedics. This pay shall be Fifty Dollars (\$50.00) per day for EMTs.

SECTION 11. The City of Terre Haute will pay in addition to the annual salary an amount of Ten Dollars (\$10.00) per shift day to the driver of a fire apparatus. This pay will be paid on each pay period.

SECTION 12. That in addition to salaries set forth in Section 1 of this ordinance, all employees of the Fire Department of said City, irrespective of rank shall receive additional compensation based on length and service with said department, in amounts designated on the following schedule:

- (a) On the first anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (b) On the second anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (c) On the third anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (d) On the fourth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (e) On the fifth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (f) On the sixth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (g) On the seventh anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (h) On the eighth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (i) On the ninth anniversary of employment, an additional ~~One Hundred Ninety Eight~~

- ~~Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
- (j) On the tenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (k) On the eleventh anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (l) On the twelfth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (m) On the thirteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (n) On the fourteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (o) On the fifteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (p) On the sixteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (q) On the seventeenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (r) On the eighteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (s) On the nineteenth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.
 - (t) On the twentieth anniversary of employment, an additional ~~One Hundred Ninety Eight Dollars and 75/100 (\$198.75)~~ Two Hundred Dollars and 74/100 (\$200.74) per year.

Representing a maximum of ~~Three Thousand Nine Hundred Seventy Five Dollars (\$3,975.00)~~ Four Thousand Fourteen Dollars and 80/100 (\$4,014.80).

SECTION 13. The City of Terre Haute agrees to pay One Hundred Percent (100%) less One Dollar (\$1.00) of the monthly pension requirements on behalf of all members of the Terre Haute Fire Department into their respective pension funds. The employee shall contribute One Dollar (\$1.00) a month toward their respective pension fund to be paid on the first pay of each month.

SECTION 14. Commencing January 1, 2012, the City of Terre Haute will provide to each permanent member, whose salary is established by this ordinance, Twenty Five Thousand Dollars (\$25,000) of life insurance coverage through December 31, 2012. The City will pay one hundred percent (100%) of the costs of such coverage.

SECTION 15. Commencing January 1, 2012, the City of Terre Haute will provide to each full time, permanent employee whose salary is established by this ordinance, and their immediate family, health and hospitalization insurance coverage through December 31, 2012. The City will pay seventy percent (70%) of the actual monthly premium.

The payment of the sums contemplated herein to be paid by the employee shall be by means of payroll deduction, through the Office of the City Controller of the City of Terre Haute, as insurance premiums are presently deducted in such office.

SECTION 16. The City of Terre Haute will pay One Hundred Percent (100%) of the monthly premium of a retiree's single employee group health and hospitalization insurance plan, until such time as the retiree becomes Medicare eligible. The retiree may choose another city offered insurance plan (i.e. employee/spouse, employee children, family), but the retiree will be responsible for paying the difference between the employee only plan and the selected plan. This plan will cover retirees under the Indiana State Pension Act for firefighters (I.C.36-8-8-10).

Spouse/Dependents Benefits: (I.C.5-10-8-2.2) In the event a firefighter shall die while a retiree of the Terre Haute Fire Department, and the surviving spouse is not employed and/or does not have other insurance coverage available, his/her spouse and their children shall receive said insurance at the rate of a retired firefighter.

SECTION 17. Commencing January 1, 2012, the City of Terre Haute will provide to each full time, permanent employee whose salary is established by this ordinance, and their immediate family, dental insurance coverage through December 31, 2012. The City will pay seventy percent (70%) of the actual monthly premium.

SECTION 18. If any employee with one (1) or more continuous years of full-time employment is terminated for reasons beyond the employee's own control, City shall pay employee one (1) month's severance pay for each year of service.

SECTION 19. Members of the Terre Haute Fire Department who work forty (40) hours per week shall receive the following holiday schedule:

| | |
|------------------------|-------------------|
| New Year's Day | January 2, 2012 |
| Martin Luther King Jr. | January 16, 2012 |
| President's Day | February 20, 2012 |
| Good Friday | April 6, 2012 |
| Primary Election Day | May 8, 2012 |

| | |
|------------------------|-------------------|
| Memorial Day | May 28, 2012 |
| Independence Day | July 4, 2012 |
| Labor Day | September 3, 2012 |
| Columbus Day | October 8, 2012 |
| Election Day | November 6, 2012 |
| Veteran's Day | November 12, 2012 |
| Thanksgiving | November 22, 2012 |
| Day after Thanksgiving | November 23, 2012 |
| Christmas Eve | December 24, 2012 |
| Christmas | December 25, 2012 |
| New Year's Eve | December 31, 2012 |

SECTION 20. Except as otherwise designated herein the salaries of all members of the Fire Department of the City of Terre Haute shall be fixed on an annual basis, but the salaries shall be paid bi-weekly in a manner established by the Board of Public Works.

SECTION 21. Overtime or additional pay can be paid to members of the Terre Haute Fire Department for work performed in time of emergencies. Such pay must be requested by the Department Head of said employee or employees or the Mayor and approved by the Board of Public Works.

SECTION 22. The illegality or invalidity, for any reason, or any of the sections of this ordinance, or parts thereof shall invalidate only such sections or sections as are so determined to be illegal or invalid, any such invalidity shall have no effect on the remaining sections of this ordinance.

SECTION 23. Contract items other than those set forth above are covered by an agreement entered into by the International Association of Firefighters Local #758, members of the Terre Haute Fire Department, and the Board of Public Works for the City of Terre Haute.

SECTION 24. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 25. This Ordinance shall be in full force and effect from and after its passage and shall be effective as in the salaries provided on and for January 1, 2012.

SECTION 26. After one year of service, each firefighter shall receive an annual cash allowance of Five Hundred Dollars (\$500.00) clothing allowance to be paid on the first payroll in November.

Introduced by:  John Mullican, Councilman

Passed in open Council this 19th day of July, 2012.

Don Morris Don Morris, President

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

Presented by me to the Mayor this 20th day of July, 2012.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 20th day of July, 2012.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk