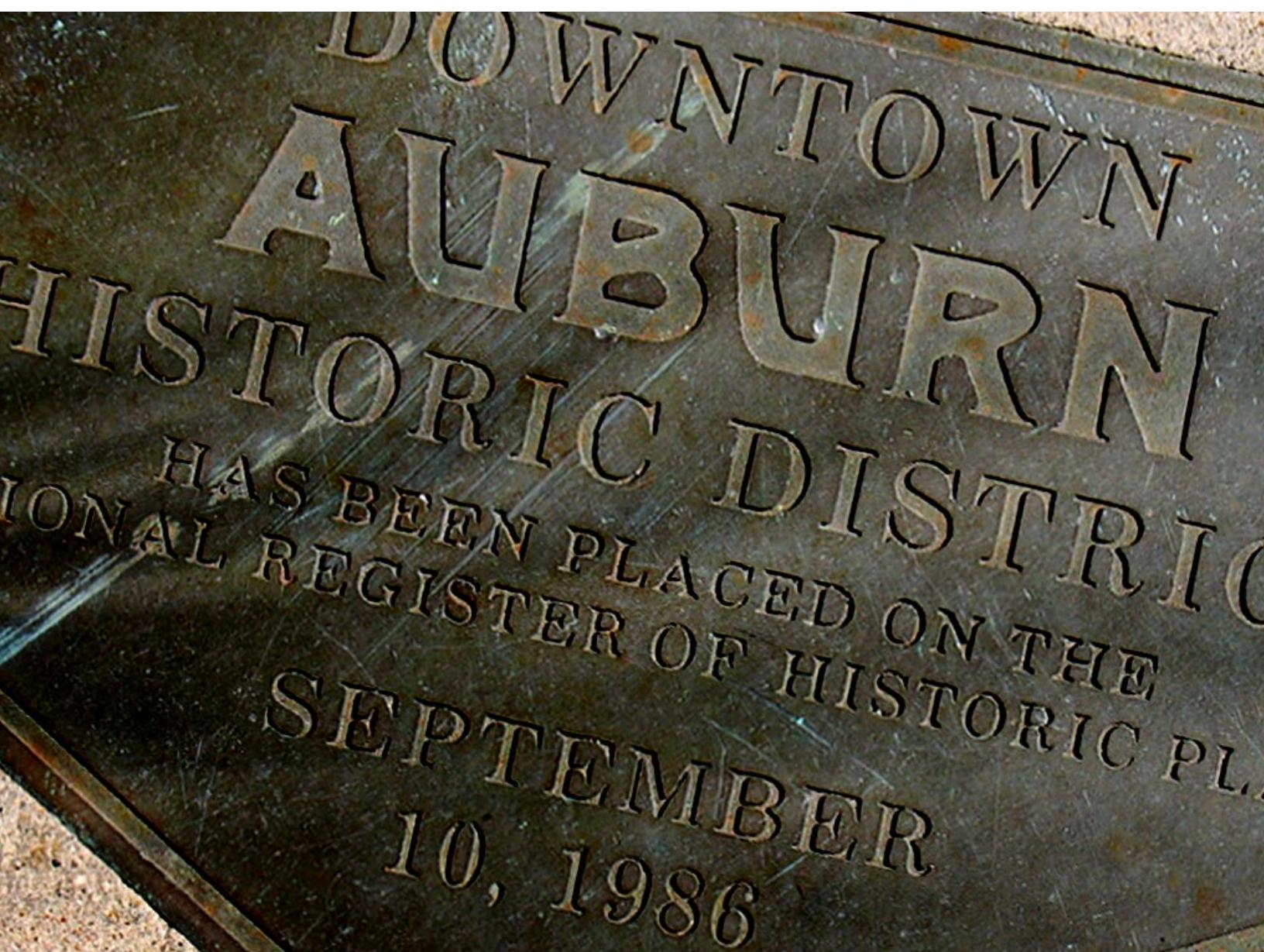




**Code of Ordinances**  
CITY OF AUBURN





**Code of Ordinances**  
CITY OF AUBURN

---

Public Safety Fire  
Protection Personnel  
Policies

---

CHAPTER  
**42**



## Table of Contents

- 42.00 FIRE PERSONNEL POLICY INTRODUCTION**
- 42.01 WORKING HOURS**
- 42.02 COMPENSATION**
- 42.03 LEAVES**
- 42.04 BENEFITS**
- 42.05 FIREFIGHTERS' PENSION**
- 42.06 SOCIAL SECURITY FOR FIREFIGHTERS**
- 42.07 DEATH BENEFITS**
- 42.08 DISCIPLINARY ACTION/DISMISSAL**
- 42.09 APPEAL PROCEDURE**



## 42.00 FIRE PERSONNEL POLICY INTRODUCTION

This section applies to the City of Auburn FIRE Department, excluding civilian classification. Fire protection personnel are also covered under additional provisions in Section 40.00.

If there is a conflict between Section 40.00 and this Section, this section will control.

A preference in employment in Fire Protection Services (a Firefighter) shall be given according to the following priority:

1. A war veteran who has been honorably discharged from the United States armed forces;
2. A person whose mother or father died in the line of duty (as defined by I.C. 5-10-10-2) was a:
  - a. Firefighter of a unit,
  - b. Municipal police officer, or
  - c. County police officer, or
  - d. Other public safety officers.

A person may not be considered within the preference described herein unless the person applies for employment according to the application procedure, meets all employment requirements as prescribed by law, including physical, and are requirements, and all employment requirements prescribed by the fire department.

The fire chief is the head of the Fire Department, but is at all times subordinate to the Mayor.

Subject to the rules and orders of the Board of Works and Safety, in time of an emergency, the fire chief is subordinate to the Mayor and shall obey his/her orders and directions, notwithstanding any law or rule to the contrary.

## 42.01 WORKING HOURS

### A. FIREFIGHTERS STANDARD WORK PERIOD

1. The basic work period for Fire Protection Personnel is a 28 day schedule as established by the Board of Public Works and Safety. In that 28 consecutive day work period, if more than 212 hours are worked, the employee is entitled to one and a half times his or her regular rate.
2. All categories of benefit days are considered as workdays in calculating the 212 hours worked. The basic schedule for firefighters shall be 24 hours on duty and 48 hours off duty unless economic conditions dictate a change, at which time city management and firefighters will discuss the changes.
3. All firefighters shall be allowed to exchange working time subject to departmental rules and regulations. All times shall be recorded.

### B. FIRE ADMINISTRATIVE PERSONNEL STANDARD WORK PERIOD

1. Exempt (Salary) Employees are expected to work a regular schedule of five workdays, without regard to the number of hours per day or per week. As an exempt (salary) employee, hours of service to the City of Auburn will fluctuate depending upon service demands.
2. Salary employees must track working hours on a daily basis. Exempt (salary) will document time away from work and the reasons for said time. Furthermore, said time off must be approved by the exempt (salary) employee's supervisor prior to said time off. Sick and emergency time off shall be documented with the supervisor as soon as practical.

### C. LUNCH BREAK

The Fire Department's lunch break is a paid break subject to call out.



## 42.02 COMPENSATION

### A. FIRE DEPARTMENT OVERTIME

Any firefighter who works more than 212 hours in a 28 consecutive day schedule shall be paid overtime at the rate of time and a half of their regular pay schedule. All categories of benefit days are considered as workdays in calculating the 212 hours worked.

### B. FIRE ADMINISTRATIVE PERSONNEL

Fire Chief, Deputy Chief, Division Chief shall be exempt [salary]. See Code Section 40.35 (4.5) Compensation – Exempt Pay Policy.

### C. FIRE DEPARTMENT HOLIDAY PAY

1. This applies to all full time and part-time (in order to incentivize our part-time firefighters) fire protection personnel working their full shift or mandated shift in the combat division on a holiday.
2. Fire protection personnel working their full scheduled or mandated shift will be paid at the rate of one and a half times their hourly rate.
3. Payment will be made from the start of the holiday to the end i.e., seven half-hours to the shift working 00:00 hours to 07:30 hours, and 16 half-hours for the shift working 07:30 to midnight of the holiday. The firefighter/officer will be required to work their full scheduled or mandated shift to receive this benefit.
4. In lieu of the mayor's floating holiday, all full-time and part-time fire personnel working their full scheduled or mandated shift in the combat division shall receive Easter Sunday as a paid holiday.
5. All other fire department exempt administrative and hourly civilian personnel will be the same as civilian employees (see Code Section 41.00 - Civilian).

(Amended 2024-37 passed 11/19/2024)

## 42.03 LEAVES

(See CODE SECTION 40.00 for general information on leaves)

### A. FULL-TIME FIREFIGHTERS VACATION

During subsequent years of continuous full-time employment, the employee will receive paid vacation leave as follows:

#### OFFICER & FIREFIGHTER PERSONNEL (24-hour scheduled shift)

Complete Years of Service	Work Days per Year
1 to 3 years	4 scheduled days
4 to 6 years	6 scheduled days
7 to 10 years	8 scheduled days



11 to 14 years	11 scheduled days
15 to 18 years	14 scheduled days
19 to 21 years	16 scheduled days
22 plus years	17 scheduled days

## SALARY/EXEMPT FIRE ADMINISTRATIVE PERSONNEL

Complete Years of Service	Work Days per Year
1 to 3 years	8 working days
4 to 6 years	12 working days
7 to 10 years	15 working days
11 to 14 years	20 working days
15 to 18 years	25 working days
19-24 years	30 working days
25 plus years	33 working days

1. Vacation leave shall be on-duty days commencing at the end of the probationary year.
2. Vacation leave will be granted at a time which is mutually acceptable to the employee and the Fire Chief. First request will be used if a conflict exists in requests. The vacation request must be made through the City's time-keeping system.
3. Vacation must be taken in 24-hour increments by personnel working the 24-hour shift.
4. Lateral firefighter transfers and exempt fire administrative who are hired from outside by the City of Auburn will receive vacation based on years of service in previous Fire Protection experience and determined as a condition of their job offer.
5. Fire administrative employees must request vacation time off through the City's time keeping system in full day, 8-hour increments only.

(Amended 2024-37 passed 11/19/2024)

## B. FULL-TIME FIREFIGHTERS SICK / INJURY LEAVE

1. Any full-time firefighter who may be hurt, injured, or sick shall receive full pay and benefits supplied by the City for a period up to, but not more than, one year.



2. Any sick leave in excess of ten (10) scheduled working days is subject to approval of the Fire Chief and the Board of Public Works and Safety. The following regulations are required:
  - a. Each member will be responsible for reporting their inability to report for duty, prior to their normal starting time, to the officer in charge.
  - b. At the time of said reporting, each member will give a brief description of why they are unable to report as scheduled, the name of the attending physician, and the estimated date to return to work.
  - c. Any time a member is able to return to their normal duty hour, they shall provide a medical return to work form provided by their physician. This form is required for any person on a 24/48 hour shift that is off for more one working day or any 40 hour personnel off for more than three working days.
  - d. The Department or Board of Public Works and Safety may send a member to a physician of the city's choice any time at the department's expense.
  - e. The department may require the member's attending physician to certify ability to perform in the member's job classification.
  - f. Sick leave that will require more than three (3) working days (starting with the fourth (4<sup>th</sup>) day shall be reported to the human resources director for FMLA purposes. (see FMLA Policy Code Section 40.36 - Leaves

## C. FULL-TIME FIREFIGHTERS PERSONAL LEAVE

1. Two personal days per calendar year, either full (24 hrs.) or half (12 hrs.) day increments may be taken by personnel working the 24/48 hour schedule to attend to a personal need or obligation without loss of pay.
2. New employees shall have a waiting period of ninety (90) days before they are eligible for personal leave pay. New employees hired after July 1 will receive one (1) personal day (24 hours).
3. The request for personal days to be taken must be made by the employee to the Chief prior to the work day to be taken.
4. Three (3) personal days (72 hours) per calendar year for firefighters after four (4) years of completed service.
5. Four (4) personal days (96 hours) per calendar year for firefighters after seven (7) years of completed service.

## FIRE ADMINISTRATIVE PERSONNEL

Exempt fire administrative personnel will receive 6 paid personal days (48 hours) per calendar year, the same as all civil exempt employees. Personal days may be requested in 4-hour or 8-hour increments. New (outside and promoted) fire administrative employees will receive a prorated number of personal days depending on their hire/promotion date. Exempt employees will receive full regular salary for any work week personal leave has been taken. Up to 16 hours of personal leave may be carried over from year to year. Unused personal leave will not be paid out upon termination.

An extra 2 days (16 hours) of personal leave will be awarded after 4 years of completed service, providing a total of 8 days (64 hours) of personal leave.

## D. FULL-TIME FIREFIGHTERS DISABILITY LEAVE

(See IC 36-8-5-2 and IC 36-8-8 for Disability Leave)

## E. FIREFIGHTERS BEREAVEMENT LEAVE

In the event of a death in the immediate family, Full-time firefighters will receive up to three (3) working day (72 hrs.) leave with regular pay and hours. Immediate family includes spouse, son/daughter or



stepson/stepdaughter, mother/father or stepmother/stepfather, grandparents of the employee, miscarriage, brother/sister or stepsibling, and grandchild.

Full-time firefighters will receive up to two (2) working days (48 hrs.) leave with regular pay and hours in the event of a death of a close family member. Close family members include mother/father-in-law, daughter/son-in-law, and sister/brother-in-law.

In the event of a death of an aunt/uncle, niece/nephew, cousin, grandparent-in-law, grandchild-in-law or great grandchild, the firefighter will receive one (1) working day (24 hours) to attend the funeral.

Amended 2024-37 Passed 11/19/2024

## **42.04 BENEFITS**

### **WORKERS COMPENSATION INSURANCE**

- A. The City of Auburn will provide Workers Compensation as prescribed by law for all full time fire protection personnel and volunteer firefighters. All accidents, on- the-job injuries, or near misses must be reported and proper forms completed and filed according to guidelines set forth in Code Section 40.08 (Section 1.8).
- B. Fire Protection Personnel see IC 36-8-5-2.
- C. Volunteer Fire Protection Personnel see IC 36-8-12-7.

## **42.05 FIREFIGHTERS' PENSION**

- A. All firefighters (unless otherwise excluded) hired on or after May 1, 1977 will be members of the Firefighters Pension Fund per IC 36.8.8.1.
- B. Fire department personnel not covered under Fire Pension will be covered by the civilian public employee retirement fund (PERF). See CODE SECTION 41.04 (Section 4.4) Benefits (B. 1. a-e)

## **42.06 SOCIAL SECURITY FOR FIREFIGHTERS**

- A. The city shall assume liability for the payment of retroactive payments of employer and employees for social security for firefighters of the city for the years 1977, 1978, and 1979.
- B. Effective January 1, 1980, the firemen employed by the city shall have social security contributions deducted from their wages as required by the Indiana Public Employees Retirement Fund Trustees.

## **42.07 DEATH BENEFITS**

See IC 36-8-8 [13.8; 14.1; 16; and 20].

## **42.08 DISCIPLINARY ACTION/DISMISSAL**

### **FULL-TIME FIREFIGHTERS**

Disciplinary action and dismissal procedures for full-time firefighters are specifically outlined in IC 36-8-3-4 and IC 36-8-3-4.1. Copies of these statutes are available upon request.

## **42.09 APPEAL PROCEDURE**

### **FULL-TIME FIREFIGHTERS**



Disciplinary action and dismissal procedures for full-time firefighters are specifically outlined in IC 36-8-3-4 and IC 36-8-3-4.1. Copies of these statutes are available upon request.