

RESOLUTION NUMBER 2012- 05

COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA

RESOLUTION ESTABLISHING POLICY PROHIBITING NEPOTISM

WHEREAS, the Common Council for the City of Lebanon, Indiana has determined that there is a need to establish a policy that prohibits nepotism among its workforce.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA THAT:

Section 1. Definitions

The following definitions shall apply in the interpretation and the enforcement of this Resolution:

A. "Employed" means an individual who is employed by the City of Lebanon, Indiana ("City") on a full time, part time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the City. The performance of the duties of a precinct election officer (as defined in IC 3-5-2-40.1) that are imposed by IC 3 is not considered employment by the City.

B. "Direct line of supervision" means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the City Council or Mayor to make decisions regarding salary ordinances, budgets or personnel policies of the City.

C. "Relative" means any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half blood (a common parent).

Section 2. Nepotism Prohibited

Individuals who are relatives shall not be employed by the City in a position that results in one relative being in the direct line of supervision of the other relative.

An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual.

Individuals who are employed by the City on the date the individual's relative begins serving a term of an elected office in the City and the individual is in the direct line of supervision of the newly elected official are prohibited from remaining in that position.

Section 3. Exceptions to Prohibition Against Nepotism

This Resolution does not abrogate or affect an employment contract with the City that an individual is a party to and is in effect on the date the individual's relative begins service a term of an elected office of the City.

This Resolution does not apply to individuals who are employed by the City on the date the individual's relative begins serving a term of an elected office in the City and the individual is in the direct line of supervision of the newly elected official.

Section 4. Impact of Resolution of Those Individuals Employed by City On July 1, 2012

An individual who is employed by the City on July 1, 2012, is not subject to this Resolution unless the individual has a break in employment with the City. The following are not considered a break in employment with the City:

1. The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.
2. The individual's employment with the unit is terminated following by immediate reemployment by the unit, without loss of payroll time.

Section 5. Certification by Elected Officers of the City

Each elected officer of the City shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this Resolution. An elected officer shall submit the certification to the Mayor and Clerk-Treasurer not later than December 31 of each year.

Section 6. Effective Date of Resolution

This Resolution shall be effective upon passage.


ADOPTED BY THE COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA
this 12th day of JUNE, 2012.



Harold "Huck" Lewis, Mayor



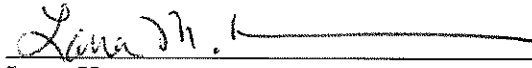
Keith Campbell



John Copeland

ABSENT

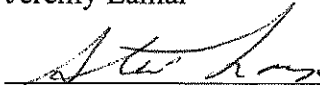
Mike Kincaid



Lana Kruse



Jeremy Lamar




Steve Lorge



Preston Myers

ATTEST:



Tonya Thayer,
Clerk-Treasurer, City of Lebanon, Indiana