

ORDINANCE 19-28

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL”**

**- Re: Amending Chapter 2.28 (Bloomington Living Wage Ordinance)
to Remove Exclusion for City Seasonal Employees**

WHEREAS, in 2005, the City Council and Mayor amended the Bloomington Municipal Code with the adoption of Ordinance 05-08, which added Chapter 2.28 (Bloomington Living Wage Ordinance) and went into effect on January 1, 2006; and

WHEREAS, according to BMC 2.28.010, “the purpose of the Bloomington Living Wage Ordinance is to ensure that the city, city service contractors and subcontractors, and beneficiaries of a city grant, tax abatement or other forms of subsidy or assistance pay a wage sufficient for a working family to meet basic needs in housing, child care, food, clothing, household items, transportation, health care, and taxes”; and

WHEREAS, the ordinance requires the City of Bloomington and all other “covered employers” to pay a living wage to all “covered employees”; and

WHEREAS, under the ordinance, a “covered employee” means “a person who is employed in a part-time, share time, temporary, or full time status’ based upon some further conditions; and

WHEREAS, one of those conditions applied to the City of Bloomington and “except[ed] the seasonal employees in the parks and recreation department whose accumulated compensated hours in a calendar year is less than 0.75 FTE (and whose primary location of work is not within the main offices of [that departments divisions];” and

WHEREAS, over the last few years, at the urging of the Common Council and at a cost as of 2020 of about \$800,000, the City of Bloomington now pays those employees a Living Wage;

WHEREAS, in 2006, the amount of the Living Wage was \$10.00 (with up to 15% provided in the form of health of insurance available to the covered employee), and with an annual inflation factor and the passage of time, in 2020, the Living Wage will be \$13.21 (with up to 15% provided in the form of health insurance available to the covered employee); and

WHEREAS, the City of Bloomington wishes to codify this expansion of coverage;

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Chapter 2.28 entitled “Bloomington Living Wage Ordinance” shall be amended in regard to Section 2.28.010 (Definitions). In particular, the text of the definition for “Covered employee” shall be amended so that the text of the definition up to part (a) (1) shall read as follows (with the deleted portion indicated in red font with strikeouts):

"Covered employee" means a person who is employed in a part-time, seasonal, share time, temporary, or full-time status who meets the following conditions:

(a) The person is employed by:

(1) The city of Bloomington, ~~except the seasonal employees in the parks and recreation department whose accumulated compensated hours in a calendar year is less than 0.75 FTE (and whose primary location of work is not within the main offices of those departments);~~

SECTION 2. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Cms. Granger and Piedmont-Smith. It amends Chapter 2.28 of the Bloomington Municipal Code (BMC), entitled "Bloomington Living Wage Ordinance," to broaden the class of employees of the City of Bloomington who receive a Living Wage by removing the exclusion for certain seasonal employees in the Parks and Recreation department.