

SPEEDWAY TOWN COUNCIL

RESOLUTION NO. 2022-04

**A RESOLUTION AMENDING THE TOWN EMPLOYEE HANDBOOK ON THE
CLASSIFICATION OF EXEMPT EMPLOYEES**

WHEREAS, the Indiana law provides that powers not specifically reserved for the State are delegated to the local government and may be regulated by a municipality [Home Rule], as delineated in I.C. 36-1-3; and

WHEREAS, The Town of Speedway, Indiana, ("Speedway") has previously adopted and Personnel Policy Manual ("Employee Manual") setting forth the policies and procedures for all Town employees; and

WHEREAS, the Fair Labor Standards Act ("FLSA") as adopted and amended by the federal government applies to the Town of Speedway and its employees; and

WHEREAS, The FLSA states that certain administrative employees are classified as "exempt" in that their job duties and responsibilities require increased training and/or expertise, they supervise other employees, and play an important role in the job duties and classification of the employees they supervise; and

WHEREAS, the FLSA further states that exempt employees are not eligible for overtime or compensatory time; and

WHEREAS the exempt classification for administrative employees is codified in Indiana law pursuant to I.C. 22-2-23 (n); and

WHEREAS, the Council, in accordance with the FLSA and Indiana law, desires to amend the Employee Manual to state that exempt employees are not entitled to accrue overtime compensation or compensatory time during their tenure in an exempt position; and

WHEREAS, the Council further states that any employee holding the title of department head or chief deputy is classified as exempt and unable to accrue overtime or compensatory time during their tenure in that position.

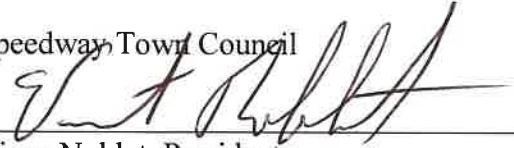
**THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN
OF SPEEDWAY, INDIANA:**

Section 1: The Council hereby amends the Employee Manual, consistent with the FLSA and Indiana law, to state that department heads and chief deputies are exempt positions and employees holding those titles are unable to accrue overtime compensation or compensatory time during their tenure in that position.

Section 2: The Council hereby declares this Resolution shall take effect in accordance with Indiana law.

IT IS SO RESOLVED this 14th day of February, 2022.

Speedway Town Council


Vince Noblet, President


Gary L. Raikes, Vice President


David Lindsey

Eileen Fisher


Gary Pedigo

Attest:


Jacob Blasdel, Clerk-Treasurer

This document was prepared by Robert Clutter, Speedway Town Attorney, 117 W. Main Street, Lebanon, IN 46052