



1977 Fund First-Class Officer (FCO) Certified Salary Governing Legislation

[IC 36-8-8-6.5](#) and [35 IAC 2-7-1](#) require that the Clerk-Treasurer or City Controller certify annually, on or before January 1 each year, the salary of a first-class patrolman or firefighter for that calendar year. The information will be used in determining member and employer contributions, member retirements, and in auditing and posting accounts. It will also aid in identifying proper withholdings and payments.

This certified salary is the “salary of a first-class patrolman or first-class firefighter”. Prior to SEA 396 passing in 2021, the definition of “salary of a first-class patrolman or first-class firefighter” was defined as:

base salary of a patrolman or firefighter plus all longevity increases, if provided by the employer, for service of twenty (20) years or less but does not include remuneration or allowances for fringe benefits, incentive pay, holiday pay, insurance, clothing, automobiles, firearms, education, overtime, or compensatory time off.

In 2021, the definition was amended to:

the highest nonpromoted salary of a patrolman or firefighter plus all longevity increases, if provided by the employer, for:

- (1) service of not more than twenty (20) years; or
- (2) **service of more than twenty (20) years but not more than twenty-five (25) years** if provided as a result of the meet and confer process under [IC 36-8-22](#);

but does not include remuneration or allowances for fringe benefits, incentive pay, holiday pay, insurance, clothing, automobiles, firearms, education, overtime, or compensatory time off.

The new definition requires a *highest nonpromoted* salary, instead of simply referring to a *base* salary. The second change is to the amount of longevity pay that is included in the salary. The new definition allows longevity of up to twenty (20) years of service but also provides another option. The other option available under the new definition is, if a unit follows the meet and confer process in the above-cited statute, longevity of twenty (20) years to less than twenty-five (25) years is includable.

Additionally, SEA 396 added a new provision to [IC 36-8-8-3](#). [IC 36-8-8-3\(d\)](#) specifies that if a unit gives longevity increases, the amount of the longevity increases given in one year must be greater than or equal to what was provided in the previous year. Through changes made by SEA 396 in 2021, [IC 36-8-8-6.5](#) now requires that if the system board requests that an employer submit the salary of a first-class patrolman or first-class firefighter, the employer must submit the requested salary to the system board not more than thirty (30) days after the system board makes the request. Further, if the employer substantially increases the salary of a first-class patrolman or first-class firefighter, the system board may require the employer to at least maintain that salary to avoid a negative fiscal impact.

In 2023, the definition was amended to:

the highest nonpromoted salary of a patrolman or firefighter plus all longevity increases, if provided by the employer, for:

- (1) service of not more than twenty (20) years; or
- (2) **service of more than twenty (20) years but not more than twenty-five (25) years** if provided as a result of the meet and confer process under [IC 36-8-22](#);

but does not include remuneration or allowances for fringe benefits, incentive pay, holiday pay, insurance, clothing, automobiles, firearms, education, overtime, or compensatory time off.

The new definition requires a *highest nonpromoted* salary, instead of simply referring to a *base* salary. The second change is to the amount of longevity pay that is included in the salary. The new definition allows longevity of up to twenty years (20) of service but also provides another option. The other option available under the new definition is, if a unit follows the meet and confer process in the above-cited statute, **longevity of twenty (20) years but not more than twenty-five (25) years** is includable.