

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1144

AN ORDINANCE AMENDING ORDINANCE NO. 1032, THE SAME BEING AN ORDINANCE RE-ESTABLISHING A PERSONNEL POLICY FOR THE EMPLOYEES OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did originally adopt Ordinance No. 997, the same being an ordinance establishing a personnel policy for the Town of St. John, Lake County, Indiana, and its employees, and superseding a prior personnel policy for the Town of St. John, Lake County, Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did entirely re-draft the said personnel policy ordinance on December 31, 1996, by adopting Ordinance No. 1032, the same being an ordinance re-establishing a personal policy for the Town of St. John, Lake County, Indiana and its employees, and superseding a prior personnel policy for the Town of St. John, Lake County, Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, at the request of the Public Works Director, now recognizes that it is necessary to again amend such ordinance, adding Section 9.19, the same being the After Hours Response Policy and Procedure for the Town of St. John Public Works Department.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, that Ordinance No. 1032, as amended, shall be amended as follows, adding Section 9.19, the same being the After Hours Response Policy and Procedure for the Town of St. John Public Works Department:

(a) On call rotation. The Public Works Department shall be governed by and shall utilize the after hours call out rotation schedule contained herein. When an employee's name appears on the list in either the primary, back-up, or third position and when the employee is called or paged, the employee must respond to work, there is no option. During the fall/winter season, there will be four employees on call. During the spring/summer months, there will be three employees on call. During the fall/winter season the fourth position has the option of not coming to work and during the spring/summer months the third position has the same option. In a case where no volunteer can be found the fourth person (or third in the spring/summer months) on call must report for duty. Failure or refusal to work overtime will be dealt with in accordance with the remainder of the Personnel Policy Ordinance.

(b) Compensation for after hour call outs. Effective January

1, 2000, any employees who are called out after the normal working hours shall receive a minimum call out pay of two hours at a rate of time and one half their regular hourly rate. (The employee must remain on the time clock for the entire two hours). This will not apply to calls that immediately precede (after 6:00 a.m.) the normal workday.

(c) Primary person-weekend rounds. It is the responsibility of the primary person on call to check the wells, water treatment plant as well as all lift stations on the weekend or when a holiday falls within the week. Weekend or holiday rounds are to begin no earlier than 6:30 a.m. or later than 9:00 a.m. The employee will be compensated for two hours of overtime for this but must remain on the time clock for the entire two hours.

(d) Response time for emergency call outs. When called to work by either the Police Department or immediate supervisor, the response time for reporting to work is twenty minutes for the primary and backup person on call. The third and fourth person on call shall report to work not later than one-half hour after being called.

(e) Procedure for reporting to an after hours call out. Employees are to report to the Public Works facility, punch in on their time cards, take the cellular phone and drive the appropriate vehicle to inspect the call. If additional employees are needed they are to be called out at this time. Only in the most obvious cases are extra employees to be called out before the primary person has gone out to inspect the nature and severity of the call. Employees are not to take personal vehicles to a call.

(f) Procedure to call out co-workers. When the need arises to call out co-workers the following procedure is to be followed:

1. Telephone call. If a machine picks up, leave an appropriate message.
2. Page co-worker. Wait ten minutes for a return call. If no response then:
3. Call next person on call and follow the same procedure.

If all other persons are contacted and there is no response contact the foreman, and if no response then contact the Director following the above procedure.

(g) Procedure on calling for information or verbal assistance. The primary person is to call his or her back up employees for verbal advice or assistance in dealing with an after hours call. If a solution is not reached, the foreman (or person designated in his absence) of the department is to be called. It

shall be the foreman's (or person designated in his absence) responsibility to contact the Director (or person designated in his absence) to inform him of the situation and seek advice. In the case of an emergency (primary person to use discretion), the director is to be notified immediately by the primary person on call.

(h) Primary person shift change. The primary person will begin his or her shift at 12:00 noon on Friday. Effective January 1, 2000, the person going off of call will receive 1/2 day compensatory time to be utilized that same afternoon.

(i) Change of on call. A sheet will be provided for employees to have co-workers "cover" their after hours responsibilities. A person that is currently on call (1-4 or 3) may not "cover" for a person that is looking to make the change. Only persons whose name does not appear 1-4 or 3 for that week may cover a shift in question. It is expected that the primary person fulfill his or her obligation for that week without any changes but he or she still may have someone cover the calls should the need arise. All changes of on-call must be approved by the foreman (or person designated in his absence) and then will be turned into the Director's office. Persons whose names appear on the on call list may exchange with one another. (Primary switch with second, etc.). When this is accomplished, the proper documentation must be completed and approved. If any change in the on-call rotation involves the primary person, it is his or her responsibility to notify the police dispatchers by providing the dispatchers a copy of the document that was approved by either the foreman or the Director.

(j) Person on call sick - workmen's compensation. If a person who is currently on call becomes ill and misses a day(s) of work, the on-call rotation will automatically move up one position. An example of this would be if the backup person 2 calls in ill, 3 will move up to 2, 4 up to 3 etc. When the sick or injured person returns to work he or she shall be inserted back into their original position in the rotation.

(k) Carrying pages. All public works personnel that are issued pagers are responsible to carry and respond to their pages at all times with a few exceptions. (See below). Failure to respond to a page from either a co-worker, immediate supervisor, or the Police Department, is unacceptable and will be handled in accordance with the Town of St. John's Employee Personnel Discipline Policy.

Pagers do not have to be carried by personnel while on a vacation day from 12:01 midnight the day the vacation begins until 12:01 midnight the following morning. For vacation weeks it shall be from 12:01 midnight the first day of the vacation until 12:01 midnight the day the employee is scheduled to return to work from

vacation. If an employee is on either a compensatory or bonus day, he or she will not have to report to work between the hours of 7:00 a.m. to 3:00 p.m., but will be subject to call out after those hours. If vacation time is utilized by an employee when his or her name appears on the call list for that date (s), it is the responsibility of that employee to have a co-worker cover his or her shift on call. (See procedure above).

(l) Cellular phone. Employees are to take the public works crew cellular phone with them at all times when responding to an after hours call out. There will be no exceptions.

(m) Documentation of call out. After the completion of a call out, the appropriate documentation is to be completed so it may be turned in to the foreman first thing the next work day morning. The foreman in turn will give the documentation to the Director for his review of the call out. The documentation will then be filed.

(n) On call list. The "on call" list will be posted next to the time clock at the public works garage. A copy will also be given to the Police Department as well as the Clerk-Treasurer's Office. Smaller copies of the list will be made available so that it can be kept in a wallet. A roster of home phone and pager numbers will also be supplied to each employee.

(o) Extreme emergency response. If there occurs in the Town of St. John an extreme emergency, all personnel in the Public Works Department are subject to be called into work. It will be the Director of Public Works (or a person designated in his absence) to make the determination of what is considered an extreme emergency. Ultimate determination of an extreme emergency rests with the Town Council. Employees of the department may not refuse to report to work whether or not the employee's name appears on the call list for that particular date. This procedure also includes a request for assistance from a neighboring community should an extreme emergency arise.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that the Town Council declares an emergency and that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of

the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 22nd day of November, 1999.

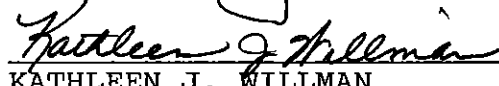
TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA



JOHN R. TAYLOR



FRED J. KISH



KATHLEEN J. WILLMAN

ATTEST:



JUDITH L. COMPANIK
Clerk-Treasurer