

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1507

AN ORDINANCE AMENDING TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, PERSONNEL POLICY MANUAL ORDINANCE NO. 1032, AS AMENDED, PERTAINING TO SUPPLEMENTAL DEPARTMENTAL REGULATIONS PROHIBITING THE USE OF PERSONAL ELECTRONIC EQUIPMENT IN ALL DEPARTMENTS WHILE EMPLOYEES ARE ON DUTY, REPEALING ALL ORDINANCES, TOWN CODE SECTIONS OR PERSONNEL POLICY MANUAL SECTIONS IN CONFLICT HEREWITH, AND ALL MATTERS RELATED HERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, (hereafter "Town Council"), duly established its Personnel Policy for the Employees of the Town by adoption of Town Personnel Policy Manual Ordinance No. 1032 on December 31, 1996; and

WHEREAS, the Town Council has kept its Personnel Policy Manual current by amendatory Ordinance adopted since the adoption of Ordinance No. 1032; and

WHEREAS, the Town Council has been informed and advised by its Town Manager that an amendment is needed to the Town Personnel Policy Manual pertaining to Supplemental Departmental Regulations to prohibit the use of personal electronic equipment in all Town Departments while employees are on duty; and

WHEREAS, the Town Council has been informed and advised that Sub-Section 6.13(c) of SECTION VI of Town Personnel Policy Manual Ordinance No. 1032, as amended, requires policies and procedures for employees of Town Departments to have Town Council approval; and

WHEREAS, the Town Council, being duly advised, now agrees and concurs that an amendment to Town Personnel Policy Manual Ordinance No. 1032, as amended, to establish supplemental Town Departmental Regulations prohibiting the use of personal electronic equipment in all Departments while employees are on duty, as recommended, is advisable and in the best interests of the Town, and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA:

SECTION ONE: That in conformance with the provisions of Town Personnel Policy Manual Ordinance No. 1032, as amended, Sub-Section 10.19, entitled "Personal Electronic Equipment Usage", of SECTION X, is hereby added to Town Personnel Policy Manual Ordinance No. 1032, as amended, to read and provide as follows, namely:

"10.19 Personal Electronic Equipment Usage.

"While on Town paid time, the use of personal electronic equipment, including cellular telephones, by all employees in all Town Departments, is strictly prohibited without the express written prior approval of the employee's immediate Supervisor or Department Head. This policy will include, but not necessarily be limited to, talking, texting, posting on "Face Book", "My Space", "Twitter", or any other outlet or environment while working in the Town of St. John as an employee." The use of such personal electronic equipment, without authorization shall be considered a Group II Violation."

SECTION TWO: That Sub-Section 11.5 (c), entitled Group II Violations, of SECTION XI of Town Personnel Policy Manual Ordinance No. 1032, as amended, is hereby amended to add Sub-Sub-Section 11.5 (c)(10) as follows:

"11.5 Group II Violations

(c) Group II Violations

10) Unauthorized use of personal electronic equipment."

SECTION THREE: That all remaining terms and provisions of Town Personnel Policy No. 1032, as amended from time to time, not amended hereby, and hereby ratified and reaffirmed.

SECTION FOUR: That all Town Code Sections, Ordinances, provisions of Town Personnel Policy Ordinance No. 1032, as amended, or parts thereof, in conflict with the provisions of this amendatory Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FIVE: 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.

SECTION SIX: That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED THIS ^{30th} DAY OF January, 2010, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

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

Mark Barenie
Mark Barenie, President

Michael S. Forbes
Michael S. Forbes, Vice-President

Michael S. Fryzel
Michael S. Fryzel, Member

Jeri A. Teibel
Jeri A. Teibel, Member

Gregory J. Volk
Gregory J. Volk, Member

ATTEST:

Sherry P. Sury
Sherry P. Sury, IAMC, CMC
Clerk-Treasurer