

RESOLUTION NO. 316

RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE TOWN OF MOUNT CARMEL.

WHEREAS, pursuant to Mount Carmel Municipal Code, Title 4, Chapter 4, Section 4-401, *et seq.*, the Board of Mayor and Aldermen adopted certain personnel policies and procedures on February 25, 1999; and

WHEREAS, the Board of Mayor and Aldermen desires to amend those Personnel Policies and Procedures Manual by adopting a policy regarding phone use, as recommended by the Comptroller of the State of Tennessee; and

WHEREAS, to the extent that any other Resolution or Ordinance presently existing is conflicting in any way with the provisions of this Phone Use Policy, this Resolution supersedes any previously adopted policy; and

WHEREAS, the public health and welfare require it;

NOW, THEREFORE, BE IT RESOLVED that the Mount Carmel Personnel Policy and Procedure Manual be amended by adding the following section to Chapter III:

3.120 PHONE USE POLICY

A. Authorization

Recommendations for the issuance of Town of Mount Carmel owned mobile phones should be approved by the Mayor. The use of a Town of Mount Carmel owned phone is considered a privilege and may be revoked. Regular landline phones may be provided to employees as is appropriate for their position.

Both landlines and mobile phones will be assigned by need and not every employee will have a unique landline and/or mobile phone assigned to them. Each case for a phone will be reviewed individually, the location, the business requirements, safety issues and appropriateness will all be taken into consideration when evaluating the need for a new phone.

B. Use

1. Business Use

Any phone owned and issued by the Town of Mount Carmel shall have as its primary function, business related uses. When an employee is in travel status, they are encouraged to use their mobile phone, if service is available.

2. Personal Use

This policy acknowledges that from time to time, a Town of Mount Carmel issued phone may be used for personal calls. As long as this use of the phone is incidental to its primary business use, personal calls are allowed.

If a situation occurs that warrants personal use of a Town of Mount Carmel owned phone, beyond an incidental nature, the individual shall reimburse the Town, as appropriate. Should it be determined that an individual is abusing the privilege of using a Town of Mount Carmel owned phone, the phone may be

taken from the employee and/or the employee disciplined. Depending on the severity of the abuse, the Town's Discipline Policy shall apply.

Town employees are not allowed to use their personal phones during designated work hours unless specifically permitted by their Department Head. Personal calls during designated work hours may not be taken at any time when it may disrupt the employee's assigned task, work and/or may compromise the safety of the employee, other employees or the general public.

3. Prohibited Use

Phones issued by the Town of Mount Carmel shall not be used to harass or threaten any individual.

Typically, Town phones may not be used for personal long distance or fee services. However, in an emergency situation, the expense for any such use shall be reimbursed to the Town as soon as possible. When practical, the employee must seek approval from their supervisor.

4. Driving

The Town of Mount Carmel encourages the safe use of phones when operating any vehicle or piece of machinery. Drivers using cell phones may pull off the road into a safe area until the call is terminated. If available, hands free devices may be used to conduct calls while driving.

5. Meetings

Any individual using a Town of Mount Carmel mobile phone shall use good judgment in how and where the phone is used. Phones taken into meetings shall be turned off or to vibrate. If a call is taken during a meeting, every effort should be made not to disrupt the meeting. Unless a call is specifically related to the topic of discussion, talking on the phone in a meeting is strongly discouraged.

C. Phone Records

Every individual Town of Mount Carmel owned mobile phone user is responsible for checking the accuracy of their bill before it is processed for payment. Discrepancies in billing data shall be resolved in a timely manner. Landline calls incurring fees shall be assigned to the appropriate departmental budget code.

If a Town phone is used for personal long distance or fee services, the Supervisor must be notified and the Town reimbursed.

D. Other

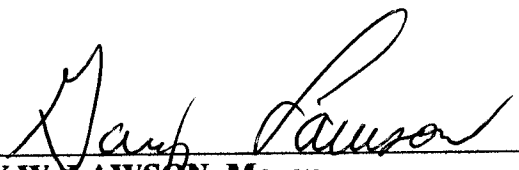
The nature of the technology required to support the wireless mobile telephone is rapidly evolving. Phones may have additional features such as cameras, text messaging, Internet access, etc. The intent of this policy is to apply the principles enumerated herein to any such add-on or accessory feature.

E. Recordings

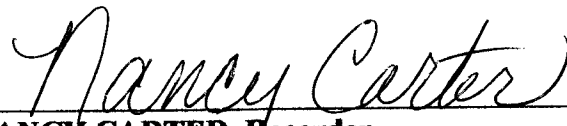
Employees that use devices to record telephone conversations shall do so only in a manner consistent with the status of such applicable Local, State and Federal Laws.

THIS Resolution shall become effective immediately, the public welfare demanding it.

A D O P T E D this the 22 day of February, 2005.


GARY W. LAWSON, Mayor

ATTEST:


NANCY CARTER, Recorder

APPROVED AS TO FORM:


LAW OFFICES OF MAY & CO.

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	absent		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	absent		
Alderman Wanda Worley			
TOTALS	5	0	0

PASSED FIRST READING 3-22-05