

TOWN OF GEORGETOWN, IN
Ordinance No. G-07-21

**AN ORDINANCE CREATING §50.50 OF THE
TOWN'S CODE OF ORDINANCES SPECIFYING THE
STANDARD OPERATING PROCEDURES FOR THE USE AND
CARRYING OF THE ON-CALL EMERGENCY
CELLULAR PHONE OF THE PUBLIC UTILITIES DEPARTMENT
IN AND FOR THE TOWN OF GEORGETOWN, INDIANA**

WHEREAS, the Town Council is responsible for providing for the general welfare of the citizens of Georgetown; and,

WHEREAS, part of that welfare is the assurance that the Town will provide, maintain, and repair public utility services as necessary regardless of the time of day, or day of the week; and,

WHEREAS, the Town Council has identified that although there has been an On-call Emergency Telephone call system for the Public Utilities Department for some time, it has not been formally adopted by ordinance, as the Council believes it needs be.

NOW, THEREFORE, BE IT ORDAINED BY THE
GEORGETOWN TOWN COUNCIL

Section 1. Section 50.50 of the Town's Code of Ordinances is hereby created.

§ 50.50 ON-CALL EMERGENCY CELLULAR PHONE

(A) Each hourly team member of the Town's Public Utilities Department shall participate in a one week at a time rotational responsibility of answering the Town's On-call Emergency Cell Phone. Said rotation shall begin each Wednesday morning at 7:30 AM, as that work day begins. The only exception to participation in this rotation is the incumbent of the Broadband Technician position and any employee who is on new-hire probation.

(1) A formal listing of the rotation schedule shall be maintained by the Public Utilities Department Head. This list of rotation dates for each employee shall be consistent and maintained in job position order, with seniority of the employee taken into account as appropriate.

(a) NOTE: The Public Utilities Department Head shall be sensitive to the number of Holidays with which any one employee's On-call Duty coincides in a given year. Ideally, no employee should have to serve On-call Duty for more than three Town Holidays in any given calendar year.

(2) Employees are allowed to trade On-call Duty between themselves for a day, or weekend, so long as said trade is coordinated through the Public Utilities Department Head, thus insuring there will not be any misunderstanding about who is responsible for answering the phone at any given moment. The established rotation schedule, addressed in A.1. above, will be the basis for the On-call Pay. Trading among employees shall not be reflected in the daily pay process; i.e. if employee X is scheduled to be On-call, the Payroll Clerk will pay employee X for the entire week of On-call Duty. If employee X trades a day of On-call Duty with employee Y, that trade is between the two employees, the daily pay will not reflect such trades.

(3) It is the scheduled On-call Employee's responsibility to schedule his/her vacation around, i.e. separate from his/her On-call Duty days. If an employee is scheduled to be On-call, that employee cannot take vacation time.

Similarly, if an employee is sick and cannot be at work on a day for which s/he is scheduled for On-call Duty, said employee's daily On-call Pay will not be paid for those days the employee is sick. Re-arranging the possession of the On-call Phone during a time when the On-call Employee is sick may, or may not be necessary as determined by the Public Utilities Department Head. Additionally, if an employee receives an On-call Emergency Telephone Call and reports to the Public Utilities Department Head that he, the employee cannot respond to the Emergency at the particular time s/he has been called by a citizen, the employee shall not receive his/her On-call Pay for that day on which s/he cannot respond to the emergency telephone call.

(B) While serving in this On-call position, the employee will be paid \$25.00 per day for carrying and answering the Town's On-call cell phone. If they are required to come into work, they will be paid a two hour minimum at their normal rate of pay, which may be at the time and one-half rate if they are already scheduled for working forty hours in that given week, as is normally the case. This two hour period begins with their arrival at the Town Shop and their action of clocking in on the time clock. In accordance with policies which have been set forth by the State Board of Accounts in previous Town Audits, if the employee does not clock-in, the employee will not be paid.

(1) If the Town's Emergency Cell Phone does not have reception in the On-call Employee's personal residence area, the Emergency Phone shall be placed into a call forward mode to forward the Town's Emergency Phone to the On-call Employee's home (land line) phone or their personal cell phone, assuming the employee has unregulated minutes for incoming phone calls, or unregulated minutes for nights and weekends, at the personal choice of the On-call Employee. The Town is not asking the employee to pay for personal cell phone minutes to answer the Town's cell phone.

(C) While serving in the On-call Duty position, the employee shall report to the Town Shop, clock-in on the time clock, and then travel to the scene of the emergency in a Town vehicle, on which there shall be maintained an adequate assortment of tools and equipment to resolve most, common emergencies. The standard response time for the On-call Employee is hereby set at 30 minutes; i.e. from the time the On-call Employee receives the emergency telephone call, the employee should be clocking in at the Town Shop within 30 minutes. The employee will be paid a minimum of two hours from that clock-in time regardless of how short of time the employee is on the job, unless the emergency requires more than two hours of the employee's time. In such a longer time case, the employee will be paid for the actual amount of time worked.

(D) In the event the On-call Employee believes additional employee help is needed, the On-call Employee shall telephone the Utilities Department Head and the Department Head will determine who shall be called in, or if the problem can be resolved over the phone. If the Department Head is unavailable, the Assistant Department Head shall be telephoned for guidance. If the Assistant Department Head is unavailable, then the Town Manager shall be telephoned to determine what additional manpower is required. Telephone numbers for all of these supervisory personnel shall be distributed to each employee, plus a listing shall be maintained on the Public Utilities Shop bulletin board.

Section 2. Any portion(s) of previously enacted ordinances that conflict with this ordinance are hereby repealed.

Section 3. Severability - Should any portion of this ordinance be found to be invalid or unconstitutional, the remaining parts of this ordinance shall be severable and shall continue in full force and effect.

This ordinance shall be in full force and effect as of the date of adoption by the Town Council.

Adopted by the Town Council of the Town of Georgetown, Indiana

this 19 day of July, 2007.

Town Council, Town of Georgetown

Gary L Smith
Gary Smith, President

Jeff McCaffrey
Jeff McCaffrey, Vice President

Jay Davis
Jay Davis, Member

Dean Hammersmith
Dean Hammersmith, Member

Chris Carter
Chris Carter, Member

ATTEST:

Douglas Cook
Douglas Cook, Clerk/Treasurer