

Ordinance 2015-21

An Ordinance Amending Chapter 47, Personnel Regulations, of the Code of the Township of West Deptford Establishing Policies and Procedures for Telephone, Computer, Internet, Email, and Information Technology Usage; Personal Cellular Telephone Use During Working Hours; Communications with the Media and Social Media-(PERSONNEL REGULATIONS)".

WHEREAS, Chapter 47, Personnel Regulation of the Township Code, governs employment policy, compensation, benefits, grievances and other personnel issues concerning Township employees in the Township of West Deptford; and

WHEREAS, West Deptford Township takes pride in its compliance with all applicable Federal, State and Local Laws; and

WHEREAS, West Deptford Township has determined it to be in the Township's best interest to adopt written policies and procedures pertaining to Telephone, Computer, Internet, Email, and Information Technology Usage, Personal Cellular Telephone Use during Working Hours, Communication with the Media and Social Media for its employees and other designated officials as outlined in each policy; and

WHEREAS, the Statewide Insurance Fund, which provides insurance coverage for West Deptford Township requires these policies be adopted and updated from time to time; and

WHEREAS, the Township Risk Manager has advised the Township at a minimum to adopt the Statewide Insurance Fund Model Polices on Communication Media and Telephone Usage;

NOW THEREFORE, BE IT ORDAINED BY the Mayor and the Township Committee of the Township of West Deptford, County of Gloucester, and the State of New Jersey, as follows:

SECTION 1: Chapter 47, Personnel Regulations, of the Code of the Township of West Deptford is hereby amended and supplemented by adding the underlined text and deleting the struck out text, as follows:

ARTICLE VII MISCELLANEOUS

47-27. Telephone, Computer, Internet, Email, and Information Technology Usage, Personal Cellular Telephone Use during Working Hours, Communication with the Media and Social Media

TELEPHONE, COMPUTER, INTERNET, EMAIL, AND INFORMATION TECHNOLOGY POLICY

The Township of West Deptford (the "Township") is committed to utilizing telephones, computers, the internet, email and information technology to permit employees to perform the functions and responsibilities of their jobs in an efficient manner. As a result, certain employees have access to telephones (whether landline or cellular), computers, the internet, and email (collectively, "Information Technology"). "Information Technology," as that term is used in this Policy, shall also include any and all printers, servers, electronically generated or

stored information, programs, software, data connections, remote devices, voicemail, text messages, digital images, facsimiles, and all associated devices, as well as such items provided by the Township's School District. For purposes of this Policy, "employee" shall include all elected or appointed official, as well as any volunteers.

The Township has established the following policies with regard to Information Technology:

- All Information Technology provided to employees by the Township is to facilitate the performance of Township work and business;
- Use of the Township's Information Technology is for official business purposes only and use of the Township's Information Technology for personal purposes is discouraged and only permitted for emergencies and where not abused by the employee;
- All Information Technology, including but not limited to accessories and related equipment cellular phones, service plans, hand held radios, ear pieces, chargers, headsets, hands free car sets, power chargers, power adapters, batteries, cases, belt clips, etc. that are funded by or purchased by the Township are the property of the Township and must be returned upon termination of employment;
- Employees must protect the Township's Information Technology from theft, damage, destruction, misuse and tampering;
- Employees may, in the Township's sole discretion, be responsible for reimbursing the Township for any lost, damaged misused, and/or destroyed Information Technology;
- Employees have no right or expectation to privacy in any Information Technology;
- The Township reserves the right to inspect and/or monitor its Information Technology at any time and without notice to the employee;
- The use of the Township's Information Technology while operating Township vehicles or while driving on Township business is prohibited;
- Employees shall not take photographs, video recordings, and/or sound recordings without the prior written approval of the Township Administrator while on Township premises or while performing Township business;
- Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Township's Information Technology to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Township Administrator and Chief of Police. Except in "emergency situations," employees are prohibited from taking digital images or photographs with media equipment not owned by the Township. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Township's Information Technology. If such situation occurs, the employee agrees that any images belong to the Township and agrees to release the image to the Township and ensure its permanent deletion from

the media device upon direction from the Township;

- Employees may not install or **modify** ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Township Administrator;
- Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township, or licensed to the Township, and shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized;
- Employees shall not disable any anti-virus, firewall, and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Township's computing environment;
- Township provided cellular equipment assigned to the employee, is intended for the authorized use by the employee and is not intended for use by non- Township personnel or any other unauthorized individuals. The employee must insure that all Township provided cellular equipment is not used in an unauthorized manner and is not used by any non- Township personnel or by any other unauthorized individuals;
- The use of the Township's Information Technology for political activity is prohibited; and
- The use of the Township's Information Technology in any way that is defamatory, obscene, harassing, or in violation of any federal, state or local laws, rules or policy is strictly prohibited.

Violation of any of these policies, including but not limited to excessive personal use of the Township's Information Technology, may be grounds for discipline and action up to and including termination. Should an employee receive any call, e-mail, text message, voice mail or other communications media on a Township issued device which they deem to be inappropriate or in possible violation of any Township policy, they are instructed to immediately seek the advice of the Township Administrator.

All email, voicemail, text messages, digital photographs, and internet messages (including any technology-based messaging) are official documents that may be subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1). Employees of the Township are required to use the assigned municipal email account for ALL Township business and correspondence. The use of private email accounts for ANY Township business or during business hours is strictly prohibited.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours, other terms and conditions of employment, or other protected labor activity. Township employees have the right to engage in or refrain from such activities.

Personal Cellular Telephone Use During Working Hours Policy

While the Township recognizes and respects that many employees bring person cellular telephones to work and that certain emergent personal communication may be necessary during working hours, it is necessary to ensure a professional and efficient working environment. Personal cellular telephones may be used for personal calls and/or personal messaging during working hours only on an emergency basis. Personal calls/messaging on personal cellular telephones during work hours must not amount to more than emergent, occasional use and is to be limited to official break periods and lunch/meal periods. Township employees must make every effort to confine personal use of all cellular telephones to authorized break times or lunch or meal periods and only in authorized areas.

Violation of this Policy may be grounds for discipline and action up to and including termination.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours, other terms and conditions of employment, or other protected labor activity. Township employees have the right to engage in or refrain from such activities.

SOCIAL MEDIA POLICY

This policy is intended to address issues related to an employee's use of "social networking" and "social media", including but not limited to internet related activities, such as blogging, Facebook, Myspace, You Tube, etc. and other media forms of communications, such as texting, instant messaging, Twitter, etc. While the Township recognizes and respects the rights of employees to engage in their own personal activities while not working, the line between personal voice and institutional voice and reputation are often blurred. Social media requires the Township to have a policy so that all employees understand the Township's policies and procedures. For purposes of this Policy, "employee" shall include all elected or appointed official, as well as any volunteers.

To the extent that employees use social media outside of their employment and in so doing identify themselves as Township employees, or if they discuss matters related to the Township on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Township, and the employee is expressing only his/her personal views. For example: "The views expressed on this website/blog/post/etc. are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Township or the Township's business. Employees must keep in mind that, if they post information on a social media site that is in violation of the Township's policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

Engaging in a prohibited use of social media may result in discipline, up to and including termination.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours, other terms and conditions of employment, or other protected labor activity. Township employees have the right to engage in or refrain from such activities.

COMMUNICATIONS WITH THE MEDIA POLICY

In order to be consistent and to ensure that the Township's communications to the public conform with the Township's goals and objectives, statements to the media concerning the Township or its official business should be limited to the following:

- members of the Township Committee, the Mayor, and the Township Administrator (as Public Information Officer) may make official statements to the media;
- the Chief of Police may make statements to the media which pertain to crime or the police function in general;
- the Chairs of the Planning Board and the Zoning Board may make statements to the media pertaining to factual matters involving applications before their respective Boards;
- the Office of Emergency Management Coordinator may make statements to the media pertaining to official declared Township emergencies; and
- Individuals expressly authorized by the Township Administrator may make statements to the media pertaining to topics they are expressly authorized to address by the Township Administrator.

All representatives of the Township who are authorized to speak to the media should at all times speak only when to do so is in the best interest of the Township, shall observe proper decorum, and shall not speak about matters which are privileged or confidential or which do not come within their limited authority to speak to the media.

Except as expressly authorized by this Policy, no employees shall speak to the media regarding any Township matter without specific authorization from the Township Administrator. All inquiries from the media to individuals not authorized to respond by this Policy should be immediately referred to the Township Administrator, who will then refer the issue to the appropriate Department Head as he or she deems appropriate.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours, other terms and conditions of employment, or other protected labor activity. Township employees have the right to engage in or refrain from such activities.

SECTION 2: EFFECTIVE DATE

This Ordinance shall take effect after the final adoption and publication as provided by law.

The West Deptford Township Employee Handbook shall be amended to reflect the changes in policy set forth in this ordinance. A written copy of these policies and procedures shall be given to all West Deptford Township employees and other designated officials as outlined in each policy. The Township Administrator, is responsible for administering these Policies and Procedures and shall be assisted by the Township department heads, managers and supervisors and the West Deptford Township Solicitor as needed.

SECTION 3: ORDINANCE PROVISIONS REPEALED

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.


SECTION 4: SEVERABILITY

If provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgement shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

ATTEST:



Amy Leso, RMC, Municipal Clerk



Denice DiCarlo, Mayor

Introduced: October 21, 2015
Adopted: November 4, 2015