

**ORDINANCE 20-2022**

**AN ORDINANCE AMENDING THE EXISTING PERSONNEL POLICY  
AND PROCEDURES MANUAL – TELEPHONE AND PERSONAL  
COMMUNICATION USAGE POLICY IN THE BOROUGH OF  
CLAYTON (PERSONNEL, BOROUGH)**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Clayton, County of Gloucester and State of New Jersey that the Personnel Policy and Procedures Manual, of the Code of the Borough of Clayton is hereby amended, as per the attached Telephone and Personal Communication Usage Policy incorporated herein and made a part of this Ordinance.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF CLAYTON



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THOMAS BIANCO, Mayor

Attest:

  
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CHRISTINE NEWCOMB, Municipal Clerk



## **Telephone and Personal Communication Usage Policy**

**Land-line Telephones.** Borough telephones are for official business use only during working time. Charges for all other usage, including personal calls and unauthorized use of such devices, must be reimbursed to the Borough. Working time shall be defined as any time in which the employee is engaged in or required to be performing work tasks for the Borough, and excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times.

**Employer-Issued Mobile Phones/Devices.** Borough-issued mobile devices may be issued to certain employees in the course of their employment with the Borough. Such Borough-issued devices are the sole and exclusive property of the Borough and are only to be utilized by employees in the course and scope of their employment during working time (any time in which the employee is engaged in or required to be performing work tasks for the Borough not to include times when employees are properly not engaged in performing work tasks, including break periods and meal times.) Employees will be charged for costs incurred due to their personal use of such devices. Accordingly, the Borough reserves the right to monitor the use of the Borough-issued cell-phones without notice, at any time, and any such data collected from the mobile device equipment is the sole and exclusive property of the Borough to be used for any purpose.

Similarly, the Borough reserves the right to review the manner and use of these mobile devices and physically inspect the equipment at any time with or without notice. Accordingly, the employee shall have no reasonable expectation of privacy in any transmissions made or received using an Borough-issued mobile device.

Employees are expected, at all times, to respect the integrity of the Borough-issued mobile devices and to maintain the equipment in proper working condition. If an employee discovers or recognizes that the mobile device is not in proper working condition, it is the employee's responsibility to bring this fact to the attention of his or her supervisor immediately. If an employee damages a Borough issued mobile device through his or her negligence, or the employee loses the mobile device, the employee may be required to reimburse the Borough for the cost to replace it.

Upon termination of employment or in the instance of an upgrade to the employee's phone or service, the employee must return the Borough-issued device to the Borough.

**Prohibited Use of Personal Communication Devices.** To alleviate distraction and disruption of regular work routines, personal communication devices are strictly prohibited from use during working time (any time in which the employee is engaged in or required to be performing work



tasks for the Borough not to include times when employees are properly not engaged in performing work tasks, including break periods and meal times.) while in work areas, except where the

Borough has provided such device(s) to employees for business use, or in case of an emergency (such as illness, accident, and calls of a similar emergent nature).

Employees are prohibited from using their personal communication device to copy and/or upload any, confidential information (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure). Employees must make reasonable efforts to obtain supervisor approval prior to making emergency calls during working time. Personal communication devices are defined as, but not limited to, cellular or two-way phones, text-messaging devices, iPhones, Android-enabled devices, BlackBerrys and pagers.

Other Personal Electronic Devices. Employees are not permitted to utilize electronic devices such as personal laptops, game systems, MP3 players, portable DVD players or any other type of personal entertainment systems while at work.

Violation of this policy may subject an employee to disciplinary action up to and including termination.

This policy applies to all personnel, regardless of employment status.

*Version: September 2021*

*Revised: xxxx*

**NOTICE OF INTRODUCTION**

**BOROUGH OF CLAYTON**

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(PERSONNEL, BOROUGH)**

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Clayton, in the County of Gloucester, State of New Jersey, on October 27, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council to be held at the Municipal Building, 125 North Delsea Drive, Clayton, New Jersey on November 10, 2022 at 6:30 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Borough Clerk's office for the members of the general public who shall request the same.

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**Christine Newcomb, Borough Clerk**

**NOTICE OF ADOPTION**  
**BOROUGH OF CLAYTON, NEW JERSEY**

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(PERSONNEL, BOROUGH)**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on November 10, 2022.

Christine Newcomb  
Borough Clerk