

ORDINANCE NO. O-20-05

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

“AN ORDINANCE TO AMEND GARLAND COUNTY ORDINANCE O-00-18 AS AMENDED BY ORDINANCE O-10-25, O-12-38, O-12-52, O-12-53, O-14-22, O-16-42, O-16-53, O-16-54, O-16-70, O-17-1, O-18-26, O-19-30 AND O-20-01 RELATING TO THE GARLAND COUNTY PERSONNEL POLICY, TO MAKE REVISIONS TO THE GARLAND COUNTY PERSONNEL HANDBOOK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.”

WHEREAS, The Human Resources Committee has reviewed a portion of the county’s personnel policy for the purpose of making additions and updates; and,

WHEREAS, the Human Resources Committee previously met and recommended an addition to the policy as listed below be ratified by the full Quorum Court.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS:

SECTION 1. That the Garland County Personnel Policy is to be amended as follows and made a part of this Section, as though set out herein word for word and is accepted as the procedure and standard for employees of Garland County, Arkansas.

SECTION 2. That Section IX, Subsection (f) is hereby added as follows:

Subsection (f): CELL PHONES AND ELECTRONIC DEVICES: Garland County’s general policy is that cell phones or electronic devices should not be used by employees for personal use during work time except during emergencies or during an employee’s break period.

Garland County’s specific policy regarding use of cell phones and electronic devices for certain positions is as set forth herein. Garland County is committed to preventing distracted driving and keeping employees, officials, and the public safe. This policy applies to all employees operating a county vehicle, including heavy equipment, or any machinery or other equipment that could be potentially hazardous to the operator, other employees or the public. It also applies to any employees working in the immediate vicinity of vehicular traffic, equipment or machinery. Affected employees may not use a cell phone or other portable electronic device while operating a county vehicle or operating equipment or machinery, or while working in the immediate vicinity of vehicular traffic, machinery or equipment. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, text messages, or the internet.

If an employee needs to use his or her phone or electronic device, he or she must first park the vehicle in a safe location and shut it down or shut down any machinery or equipment he or she is operating. Employees who are not directly operating vehicles, machinery or equipment but are working in the immediate vicinity shall step away to a safe distance. Such use should be limited to emergencies or during an employee’s break periods. Except for emergencies or an employee’s

break periods, cell phones and electronic devices shall be set on driving mode or otherwise be set to indicate unavailability to answer calls or return messages.

HR will inform new county employees of the policy regarding use of cell phones and electronic devices during orientation. New employees are required to sign an acknowledgment of receipt during orientation, confirming they have received the above information. Any employee found to be in violation of this policy may be given restricted access to county vehicles, equipment or machinery. Further, the employee may be subject to disciplinary action, up to and including termination.

Nothing in this policy shall be interpreted in such a manner as to reduce, restrict, or conflict with the Garland County Sheriff's Office policies on law enforcement use of cell phones or electronic devices.

SECTION 3. SEVERABILITY. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of the Ordinance which can be given effect without the invalid provisions or application, and to this end the provision of this Ordinance is declared severable.

SECTION 4. That this Ordinance shall be **codified** in the Garland County Code of Ordinances and the Sections may be re-numbered and re-lettered to accomplish such intention.

SECTION 5. As time is of the essence in getting this policy initiated an **emergency** is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

ATTEST: 
Sarah Smith
Garland County Clerk

APPROVED: 
Darryl Mahoney
Garland County Judge

SPONSOR: 

DATE: 02/10/2020