

RESOLUTION NO. 2010-11

A Resolution providing for certain amendments to the Personnel Policies Handbook of the Muncie Sanitary District adopted March 9, 2010 concerning the possession of firearms in locked vehicles

WHEREAS, the Board of Sanitary Commissioners (the "Board") has heretofore adopted by Resolution No. 2010-01 the Personnel Policies Handbook of the Muncie Sanitary District, adopted and dated March 9, 2010 (the "Personnel Policies Handbook"); and

WHEREAS, the Board wishes to modify that section of the Personnel Policies Handbook which deals with the possession of firearms on the property or in the vehicles of the Muncie Sanitary District ("District") so as to comply with the requirements of Indiana Code, 34-28-7 et. seq. which became effective July 1, 2010, and

WHEREAS, such law allows any individual who may possess a firearm legally to possess such firearm on District property while it is locked in that individual's vehicle, and

WHEREAS, that law further prohibits units of government (or any other employer excepted as outlined in Indiana Code 34-28-7-2 (b)) from the adoption or enforcement of any policy or rule that prohibits or has the effect of prohibiting an individual from possessing a firearm in the manner provided for at law, and

WHEREAS, the District is not an employer excepted from the law by Indiana Code 34-28-7-2 (b), and

WHEREAS, the current Personnel Policies Handbook prohibits the possession of a firearm on the property of the District even if it is in a locked vehicle located on the District's property.

BE IT THEREFORE RESOLVED, that the Board of Sanitary Commissioners does hereby adopt the following amendments to the Personnel Policies Handbook:

1) Chapter 6, Personal Conduct, Section 6.10, Security Of Premises, paragraph one, shall be amended to read as follows: "The Muncie Sanitary District wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, **or any other weapons.** To this end, the District prohibits the control, possession, transfer, sale, or use of such items and on its premises. **Except that the District does allow an employee who is lawfully in possession of a firearm, to possess such firearm in that employee's locked vehicle while the vehicle is on District property. However, such an employee must lawfully be licensed or permitted to carry the firearm under either Indiana or Federal law and the firearm must be locked in that person's vehicle at all time while on District property. The possession of a firearm by an employee while in a vehicle belonging to the District or on the person of a**

District employee while on District property is not allowed under any circumstance. The district requires the cooperation of all employees in administering this policy. **Any violation of this policy shall subject an employee to discipline, up to and including termination.**

(Please note that the words in the amended language which are bold and underlined are meant to represent the changed language. The bold script and underlining are not intended to be a part of the change.)

2) Chapter 6, Personal Conduct, Section, Section 6.11, Workplace Violence, Sub-Section 6.11.1, sub sentence E. shall be amended to read as follows: "Possession of a weapon while on District property or while on District business **except as specified for firearms in Section 6.10 above**; and"


(Please note that the words in the amended language which are bold and underlined are meant to represent the changed language. The bold script and underlining are not intended to be a part of the change.)

This Resolution shall become effective on and after its passage and shall remain in full force and effect until amended or repealed by this Board.

THIS RESOLUTION APPROVED this 27th day of July, 2010 by the Board of Sanitary Commissioners of the Muncie Sanitary District.

BOARD OF SANITARY COMMISSIONERS:


Tom Bennington, President


Steven D. Murphy, Vice-President


Teresa L. Ford, Secretary