

CELL PHONE USAGE POLICY

1.0 Purpose:

To establish policies and guidelines for the safe usage of City-owned and personal cell phones to ensure compliance with IRS guidelines.

2.0 Scope:

All City employees who receive and utilize City or personal cell phones.

3.0 Policy:

3.1 Usage.

- a. City-owned cellular telephone equipment is to be used to facilitate the conduct of official City business. The use of cell phones by City employees should meet the following criteria:
 - be for employment-related communications that involve public safety functions, such as Fire and Police;
 - critical operational requirements;
 - requirements to respond to service delivery functions;
 - communications that require frequent contacts that cannot be efficiently satisfied by normal phone or radio communications; or
 - instances where demonstrable savings or productivity improvements can be achieved for a particular City function.
- b. The cell phone should only be used by the employee who has been issued the phone or another City employee in the performance of their official duties. The employee assigned the phone is responsible for the physical security of the cell phone and is responsible for all charges incurred on that phone.
- c. A call may be made from a cell phone only if it cannot be made at any other time with a provided desk phone. Because cell phones may have additional "air time" and possibly other charges, employees are expected to use a regular telephone when available. This stipulation applies to personal calls and official calls.
- d. Employees are not allowed to use City cell phones for personal calls unless they have chosen the appropriate option noted in Section 3.3 or unless they meet the following criteria:
 - 1) It reasonably could not have been made at another time. Examples of circumstances that may be authorized use during regular work hours are:
 - a) Calls to home or doctor if employee is injured or becomes sick at work.
 - b) Calls to notify an employee's family or other appropriate parties of a schedule change caused by official business or transportation schedule changes or delays.

- c) Calls when an employee is required to work overtime without advance notice. The call may be to advise family or other appropriate parties of the schedule change and to make alternate transportation arrangement or child care/dependent care arrangements.

- 2) The call does not adversely affect the performance of duties by the employee and is of reasonable duration.

3.2. Restrictions on City-owned or Personal Cell Phone Use.

Once a cell phone (City-owned or personal) is in use by a City employee certain "rules of the road" must be followed to ensure the safety of the employee using the cell phone and anyone that employee may come in contact with. The use of any wireless device while driving is prohibited. This includes all cell phone, direct connect and two-way radio communication (with the exception of public safety radios). Employees must use hands-free options *in accordance with state law when the use of a cell phone is required*, refrain from discussion of complicated or emotional discussions and keep your eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Employees whose job responsibilities include regular or occasional driving and who use a cellular communication device, whether City-owned or personal, are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

At no time is a City employee allowed to send a text message or email from a City phone while driving on City business.

3.3 Personal Use of City-owned Phones.

- a. Employees assigned City cell phones must select one of the following options regarding personal use of the cell phones and sign an acknowledgement regarding their choice:
 - 1) Employees must sign an agreement that they will not use the City cell phone for personal calls except in emergency situations or as noted in Section 3.1.d above;
 - 2) Employees who are "*grandfathered*" – those utilizing the City phone for personal use as of May 1, 2011 – may continue to elect to reimburse the City for the use of the line. The cost will be based on 50% of the amount the provider charges to add a cell phone line and 50% of the cost to have data; i.e. email and messaging. The phone cost will be paid through payroll deduction. The employee acknowledges that the any data, i.e. email, text messaging, and social media on the City-issued phone are subject to FOIA compliance. It is the responsibility of the employee to insure that the appropriate payroll deduction is being made.
- b. Applications on City-owned cell phones shall only be used to facilitate official City business.
- c. It is not the intent that the City cell phone will replace an employee's home telephone line, and it should not be used in this manner. Because cell phones may have additional "air time" and possibly other charges, employees are expected to use a regular telephone or a personal cell phone for those purposes.

- d. Use of cell phones to call home while on business trips is encouraged as a cost saving measure.
- e. International Calling on any standard phone or cell phone is prohibited; as it is not provided in the City's cellular phone package.
- d. Other personal calls made on cell phones that are billed to the City are subject to reimbursement by the employee in accordance with the procedures below, and the employee may be subject to disciplinary action if abuse persists. See Section 4.3 below.
- e. On occasion, employees who do not have City issued cell phones may find it necessary to use their personal cell phone to make business calls. These calls may be eligible for reimbursement in accordance with the procedures below.

4.0 Procedures:

4.1 Authorization.

Department heads will determine the employees who need cell phones and the type of phones required. Each employee who is issued a phone is required to sign a statement that they have read and understand this policy and to choose a personal use option as noted above.

4.2 Bill Review.

- a. The Office of the City Manager will review the detailed monthly consolidated cell phone bill and distribute the appropriate section of that bill to the department head to review and ensure that cell phone minutes and/or data i.e. emails and text messages are not being abused. The department head should then ensure that the cost of any abusive personal calls made on the phones is reimbursed to the City, in accordance with the following procedures, and appropriate disciplinary action is taken.

4.3 Reimbursement for personal use of City cell phones.

- a. Any cell phone usage found in abuse of this policy must be reimbursed to the City by the employee in the following manner. The charges will be totaled based on the total number of personal call minutes used that month. The total number of minutes will be multiplied by a flat rate to be determined per our agreement with our cell phone service provider in addition to receiving a verbal warning. Should the cell phone usage abuse continue, the employee will reimburse the City and be subject to disciplinary actions up to and including termination

4.4 Reimbursement for official use of private cell phones.

Some City employees have elected to acquire cell phones at their own expense and are utilizing these telephones to conduct City business. Such use of cell phones may be reimbursed as follows:

- a. Employees can be reimbursed for official calls made on their personal cell phones with the approval of their department head.
- b. Reimbursement will only apply to usage (air time) charges and fees, NOT to taxes.
- f. Reimbursement can be by petty cash voucher, signed by the department director if less than \$25. Otherwise, an FPO, Purchase Order or auto allowance justification is required.

5.0 Distribution:

- 4.1 Employee Information Site, www.citylf.org under HR/Personnel Policies.

A handwritten signature in black ink, appearing to read "Robert R. Kiely, Jr.", with a stylized flourish at the end.

Robert R. Kiely, Jr.
City Manager

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