

A. PURPOSE

The purpose of this policy is to provide information for the use of business cell phones and to ensure such equipment is used in the most efficient and professional manner. The issuance and use of cell phones for official city business and authorized personal use shall be in accordance with these procedures.

B. ELIGIBILITY AND ACQUISITION

The assignment of a cell phone is based on an employee's need for immediate two-way communication with the employee's office, other city departments, outside organizations, and members of the public. Such assignments must be fully justified and approved by the department director prior to an employee acquiring a cell phone. The assignment of cell phones should be considered a necessary tool in service delivery and official business. However, if a city-issued cell phone is identified for personal use, it will be considered by IRS regulations to be a personal fringe benefit and thus required to be taxed on the established monthly cost. The personal fringe benefit of using city-issued cell phones for personal use will be taxed through payroll deductions beginning January 1, 2008.

C. PROCEDURES

All city assigned cell phones will be acquired through the city's currently approved provider(s) according to current city purchasing procedures. It shall be the responsibility of the department director to verify that sufficient funds are budgeted for the monthly operational costs associated with cellular equipment. These expenditures will be charged to each department's communication line item unless otherwise directed by the city's budget officer. All cell phones should be at the least expensive plan available to the city that will provide the necessary service unless specifically approved otherwise by a department director. Departments should pool minutes when appropriate. The employee's department director shall determine an employee's plan needs in accordance with the employee's job duties. The department director shall be responsible for disseminating this policy and procedures within his/her respective department. A report of all cell phones, plans and annual expenditures will be submitted by each department during the annual budget process.

D. USE OF CITY-ISSUED CELL PHONES

1. Because cellular transmissions are not secure, employees should use discretion and practice reasonable caution in relaying confidential information. Reasonable precautions should also be made to prevent equipment theft and vandalism.
2. Cell phone billings may be subject to disclosure under the Public Information Act.
3. An employee will be required to pay replacement or repair cost for any lost cell phone and equipment or for any damage to a phone or equipment caused by the employee's carelessness.
4. An employee must surrender the assigned cell phone upon request by the employee's supervisor or department director.

5. The city reserves the right to review, audit, and inspect city-issued cell phone records at any time, with or without notice.
6. Department Directors shall establish a monthly cost for each employee's business cell phone use.
7. The IRS requires the city to tax employees for personal fringe benefits. Because personal usage of a City-owned cell phone is considered to be a personal fringe benefit, employee must complete a "Designation for Cell Phone Use" form.
 - a. Employees designating Personal use on the form will be taxed on the fringe benefit and will pay the excess of the amount established by the Department Director within ten (10) working days of receiving the bill. Department Directors are responsible for ensuring employees make these excess payments.
 - b. Employees designating No Personal Use on the form are not taxed, and personal use is strictly prohibited.
8. Access to the City's network including a combination cell phone/PDA must be pre-approved by an Assistant City Manager and the Information Technology department.

E. CELL PHONE MISUSE

The following acts will subject an employee to removal of cell phone usage and/or disciplinary action up to and including discharge from employment:

1. Personal use of a city cell phone when the employee has designated no personal use;
2. When the monthly bill exceeds the established monthly cost, failure to provide reimbursement to the city within ten (10) business days of statement receipt;
3. The use of a city cell phone or personal cell phone which violates any local, state, or federal law or regulation or city policy or procedures;
4. The use of camera phones are prohibited on city premises and in city vehicles and motor equipment unless otherwise approved by an employee's department director;

F. ADMINISTRATION

Each Department Director shall be responsible for monitoring their department's use of cell phones and carrying out any disciplinary action for violations of policy.



Larry D. Groth, P.E., City Manager
October 30, 2007