



Personnel and Administrative Policy and Procedure

SUBJECT: CELLULAR TELEPHONE USE	EFFECTIVE DATE: December 15, 2006 REVIEWED: REVISED: June 30, 2008; December 2012; December 2014
CATEGORY: 500 POLICY NUMBER: 500.3	CROSS REFERENCE: Vehicle Use Policy 200.59 Attached: Cellular Telephone and Smartphone Use Agreement

Purpose:

- To provide standards and clarification for cell phone, smartphone and mobile device use
- To ensure safe work practices when considering the need to use a cell phone while driving or performing other duties
- For employees using cell phones to make cost effective decisions regarding which of the options below will fulfill job needs for the least cost to the City.

Scope: All City employees who use City provided cellular phones or smartphones for City business.

Definitions: Smartphone: a mobile communication device that combines cellular phone service with personal information and may also include the ability to execute additional applications.

Mobile communication device: defined under state law as a cellular phone, text messaging device or wireless two-way communication device designed to receive and transmit voice or text communication.

Policy: Use of phones or smartphones supplied by the City is restricted to City business. Personal calls (outgoing or incoming) on city cell phones or smartphones will only be allowed in limited and infrequent (maximum 2-3 times per month) instances of family emergencies, unforeseen child care issues, or informing someone about an unexpected change in schedule due to demands of the job, and only if these calls cannot be made from a land line phone in a reasonable period of time. These calls should be of short duration. The above examples are the only situations where personal use is considered acceptable; **NO OTHER PERSONAL USE IS ALLOWED, EVEN IF REIMBURSED.** The above calls do not need to be reimbursed but should be reported to a supervisor within 48 hours of the City cell phone or smartphone being used for personal reasons.

While at work an employee is expected to exercise the same discretion in using personal cellular phones as is expected for the personal use of City land line phones. Phone calls and text messaging made on an employee's personal cell phone should be made on breaks and meal periods. Flexibility may be provided in circumstances requiring immediate attention.

Employees should not have any reasonable expectation of privacy regarding the use of City cell phones including but not limited to, voice mail messages, text messages and any other data stored on the device.

Guidelines for Use: Supervisors will have the authority to restrict or prohibit use of cellular phones at any time on the job when they consider such situations and use may present a safety hazard to the employee, co-worker, contractors, and/or to the general public and private property.

Cell phones should only be used for business purposes. Conversations should be kept to a minimum. Cellular phone use while driving a City vehicle or personal vehicle on City business

All employees are expected to follow applicable state or federal laws or regulations regarding the use of cell phones, or mobile communication devices.

Employees who are charged with traffic violations resulting from the use of their phone or mobile device while driving will be solely responsible for all liabilities resulting from such actions.

No person shall drive on City business while operating a cell phone or other mobile device, either with or without a hands-free accessory except as follows:

- This prohibition does not apply to sworn members of the Police department.
- Authorized use of a hands-free accessory which meets Oregon state law is allowed for management employees.
- Calls for emergency help, reporting illegal activity or to prevent injury to people or property are allowed, but drivers should make every effort to safely park the vehicle if possible before making such a call.
- Employees who use two-way radios are permitted to monitor the radio and to briefly respond. If longer response is needed, the driver is expected to park the vehicle before making the call.

Work Sites: DO NOT engage in the use of cellular phone or smartphone activity while at any work site during which the operation of the device will be a distraction to the user and/or may create an unsafe work environment. Such work sites include but are not limited to: road repair, maintenance and construction, operating or repairing energized equipment such as electrical panels, motors, or energized circuits. Such work sites must be secured or the device used only by an employee while out of harm's way of such work environments.

Off-Road Equipment: DO NOT engage in the use of a cellular phone or smartphone while operating a moving motorized off-road (maintenance/construction type) equipment. Cellular or smartphone activity will not be authorized while operating this type of equipment, unless the equipment has been properly stopped and taken out of gear or turned off.

Procedures, Equipment and Training

1. Department Managers may authorize the issuance of a cell phone or smartphone to an employee. In determining who should be provided a City cell phone or smartphone, the following should be taken into consideration: the availability of a land line phone, amount of time employee spends in the field versus in an office setting, the nature and type of emergency the employee needs to respond to, availability of an alternative method of communication readily available to the employee, the presence of another employee who has a cell phone or smartphone issued to him/her.
2. Departments may have procedures that are more limiting than the City's cellular telephone use policy, but department procedures must at minimum comply with this policy.
3. Employees who are issued City cell phones or smartphones shall have on file with the Human Resources department a signed copy of the "Cellular Telephone Use Agreement for City owned phones."

Responsibilities

Employees: It is the employee's responsibility to ensure that the cell phone or smartphone is on their person at all times. If not on their person, the cell phone or smartphone should be secured from unauthorized use. When not in use for a long period of time the cell phone or smartphone security lock should be on to prevent unauthorized use. In the event the cell phone or smartphone is lost, damaged, stolen or has been used without authorization, the employee must promptly notify their immediate supervisor and the IST Helpdesk. The employee may be held financially responsible in the event of loss or damage to the cell phone or smartphone if lost or damaged due to negligence rather than to normal wear and tear.

CELLULAR TELEPHONE AND SMARTPHONE USE AGREEMENT
City-Owned Phones

I have read the entire Cellular Telephone Use Policy dated January 2010. I understand and agree to the terms discussed within the policy. In summary:

1. Cellular telephones and Smartphones are provided for city business.
2. The city recognizes that occasions arise in which personal calls may need to be made or received on cellular telephones or Smartphones, such as family emergencies, unforeseen child care issues, or informing someone about an unexpected change in schedule due to demands of the job. However, these calls should be limited, infrequent and of short duration. Whenever possible, make calls from a land line phone.
3. The above examples are the only situations where personal use is considered acceptable; **NO OTHER PERSONAL USE IS ALLOWED, EVEN IF REIMBURSED.**
4. Reimbursement for personal use is not allowed.
5. When operating a vehicle, driving is the first responsibility and concentration on driving should be the highest priority. Therefore, employees are expected to refrain from using their cellular phones or Smartphone to text, receive or place calls, surf the web, email or instant message or to take pictures or video while driving for City business. Exclusions are provided for emergency responders, such as Police, where communications on mobile devices is part of the job. Hands-free solutions will be deployed where possible for employee safety.

GUIDELINES FOR USE OF CELLULAR PHONES

We ask that employees follow the guidelines below to help keep costs to a minimum.

1. Do not use your cellular phone to make a call if land line service is readily available.
2. Avoid lengthy conversations on cellular phones or Smartphones. Opt to use a land line to utilize the most cost effective solution.
3. Minimize calls placed to another city cellular phone or Smartphone. While the City enjoys the benefits of a pooled calling plan for all cell phones, excessive calls between City phones can result in plan overages, thereby increasing the call expense to the City.
4. Minimize the number of long-distance calls made on your cellular phone or Smartphone. Again, excessive long distance calls times can result in plan overages thereby creating additional expenses for the City.
5. Lock and secure your cell phone when not in use from unauthorized use.

Employee Name Printed

Department

Employee Signature

Date