

Chapter 25

CELLULAR TELEPHONE USE POLICY

25.01 Policy Statement. The purpose of the Cellular Telephone Use Policy is to provide guidance regarding the purchase and use of cellular telephones and establish the protocol for reimbursement by employees for personal use of City cell phones.

It is the policy of the City to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

City-Owned Cell Phones

1. Protocol for Assignment of City-Owned Cell Phones. A cell phone is considered a requirement under one or more of the following conditions:
 - A. Job Responsibilities require an employee to be away from regular land line access for long periods of time and communication by the employee is necessary to fulfill job objectives.
 - B. Cellular telephone use enhances the employee's personal safety on the job.
 - C. The employee's role carries responsibilities such that the ability to conduct two-way communication is necessary at all times.
2. No Right to Privacy. Employees have no right to privacy with respect to the use of City-Owned Cell Phones. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The City has the right to inspect any and all City-Owned Cell Phones used by employees for such information at any time and without notice.
3. Authorized use of City-Owned Cell Phones. Cell phones provided by the City are the property of the City and are to be used to conduct City business as outlined below:
 - A. Cell phones should not be used for personal use, except for necessary work-related situations such as unanticipated overtime or family emergencies. Calls of this nature should be infrequent in number and brief in duration.
 - B. Employees must report non-work related, local and long-distance personal cell phone charges to the City and reimburse the City at the per-minute rate the City pays for minutes billable to the phone in excess of the "free-time" minutes.

- C. Cell phone use in violation of any local, state, or federal law is prohibited. Cell phone use in violation of City or department work policies or for the purpose of personal financial gain is prohibited. Cell phones may not be used for blogging, jokes, gambling, games, or social networking (e.g., Facebook, MySpace, Twitter). Cell phone use for any discriminatory, derogatory, sexual, illegal, unethical or otherwise inappropriate remarks or purposes is strictly prohibited.
 - D. Cell phone use and text messaging with a City-owned or privately-owned cell phone is prohibited while the employee is operating a City-owned motor vehicle, except as provided in RCW 46.61.667. Speaking on the cell phone while driving should be done so only with a hands-free device. If no hands-free device is available, the driver shall pull to the side of the road in a safe location prior to answering or initiating cell calls. The use of hands-free technology is encouraged.
3. Employee Responsibilities Regarding City-Owned Cell Phones.
- A. Protect the City-owned cell phone from theft, loss or damage.
 - B. Immediately report loss or theft of a City-owned cell phone to your supervisor or Department Director.
 - C. As cell phone calls are not secure, use discretion while making calls of a sensitive or confidential nature.
 - D. Immediately return the telephone to your supervisor or Department Director if it is determined that the phone is no longer necessary for your job or upon leaving employment with the City.

Use of Personal Cellular Telephones to Conduct City Business

The City recognizes that some staff members carry personal cell phones for their personal use. Use of those cell phones during business hours should be kept at a minimum to discourage adverse impact on employee or co-worker performance and safety.

Employees using privately-owned cellular phones may be reimbursed by City for direct air time for calls to conduct authorized City business when evidenced by a billing detail. Reimbursement is made through the City's expense claim process with the billing detail attached. City business calls should be identified, including the name of the person/agency called and the reason for the call.

Any violation of this Cellular Telephone Use Policy may result in disciplinary action, up to and including termination.

Public Records Act – Employees should be aware that work-related texts and voice messages on cell phones are public records subject to the Public Records Act. Employees have a duty to maintain such records in accordance with the Washington Local Government Record Retention Schedules.