

City of Seaside
POLICY ON CELLULAR PHONES IN THE WORKPLACE

A. PURPOSE

This policy outlines the use of personal cell phones at work, the personal use of business cell phones, and the safe use of cell phones by employees while driving.

B. POLICY

It is City policy that use of personal cellular phones (including text messaging) shall be limited during the work day and City cellular phones shall be utilized for business purposes only and in a safe manner.

C. PROCEDURES

- 1. Personal Cellular Phones:** During paid work time, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of any City phones. Excessive personal calls (including text messaging) during the work day, regardless of phone used, can interfere with employee productivity and be distracting to others. A reasonable standard the City encourages is to limit personal calls during work time to an average of no more than two or three short-duration calls per day as needed. Employees are expected to make personal calls on non-work time when possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate personal phone use, but this immediate need should be communicated to an employee's supervisor.

- 2. Personal Use of City – Provided Cellular Phones:** Where job or business needs demand immediate access to an employee, the City may issue a City-owned and serviced cell phone to an employee for work-related communications. City owned cellular telephones are for official business only. Occasional brief personal use is allowable only with proper documentation and reimbursement per Department procedures. Phone invoices will be audited by the user Department to ensure no unauthorized use has occurred.

If an employee experiences a personal need to use the City's cellular phone, he/she must reimburse the City for personal calls in accordance with the procedures established by the employee's Department. The value of an employee's personal use of a City cellular telephone (including per-minute charges, long distance and/or roaming charges, and a pro rata share of the monthly service charge), will be considered taxable income, per IRS regulations. Employees who do not use the City cellular phone for personal use will not incur a tax liability.

Cellular phones shall remain the sole property of the City and shall be subject to inspection or monitoring (including related records) at any time. Employees in possession of City equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of

employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

- 3. Safety Issues for Cellular Phone Use:** Employees whose job responsibilities include regular or occasional driving are encouraged to refrain from using a cellular 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 a reasonably safe location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are required to use hands-free options and are expected to keep the call short, refrain from discussion of complicated or emotional issues, and keep their 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.

In situations where a City cell phone has been issued and the employee's job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy.

With the exception of extraordinary circumstances, operators of authorized emergency vehicles are to comply with the hands-free requirement while driving.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Text messaging, reading emails, and writing emails while driving is not allowable under any circumstance.

Employees who are charged with traffic violations resulting from the use of a cellular phone while driving on duty may be subject to disciplinary action and personal liability resulting from such traffic violations.

Violations of this policy will be subject to discipline, up to and including dismissal.

- 4. Special Responsibilities for Managerial Staff:** As with any policy, management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

**RECEIPT OF THE CITY OF SEASIDE'S
CELLULAR PHONES IN THE WORKPLACE
ACCEPTABLE USE POLICIES**

Please read the policy carefully to ensure that you understand the policy before signing this document.

I certify that I have received a copy of the City of Seaside's Cellular Phones in the Workplace Policies. I understand that it is my responsibility to read and comprehend this policy. I read and understand the content, requirements, and expectations of the Policy and I agree to abide by the policy guidelines. I understand that if at any time I have questions regarding the Policy, I will consult with my immediate supervisor or the Personnel Office.

I agree to observe and follow the acceptable use policy. I understand that failure to abide by the policy could result in the loss of cellular phone privileges and/or other disciplinary actions.

Employee Name (Signature)

Employee Name (Please Print)

Department

Date