



## Personnel Policies and Procedures

SUBJECT: <b>PRIVATELY OWNED CELL PHONE ALLOWANCE</b>		
REVIEW ED : <b>SEPTEMBER 17, 2010</b>	( <input checked="" type="checkbox"/> ) PERSONNEL ( <input type="checkbox"/> ) ADMINISTRATIVE – RESOLUTION _____	EFFECTIVE: <b>SEPTEMBER 17, 2010</b>

### I. PURPOSE.

This policy is intended to provide for and regulate City cell phone and data phone use by City employees. It also provides policies for the use of employee owned phones for City business where the City partially compensates the employee for such use. It is not intended to modify any collective bargaining agreement.

### II. POLICY.

1. The City of Sequim recognizes that cell phones are an important and necessary tool in the performance of certain employees' job duties. For those employees who have a valid business purpose, the City of Sequim provides cell phones for that employee's City of Sequim business use. The determination of which City-owned phone and plan is appropriate for each employee will normally be made by the IT department.
2. It is preferred that a City-provided cellular device be used for City business. The use of private cell phones for City business is discouraged. The reason for this is because a City-issued cell phone allows standardization of equipment, the enforcement of security policies, and the consistent review of billing statements and compliance with Public Records Act and State Archivist requirements. Tracking of private cell phone records is difficult. However a personal cellular device may be used in lieu of a City provided cellular device at the sole discretion of the City Manager. If an authorized personal cell phone is used for City business, the City will reimburse the user as set forth in the Cell Phone Allowance Contract.
3. The City Manager, at his/her sole discretion, may authorize a cell phone allowance. Management and certain other employees, at the option of the City Manager, may be eligible for a cell phone allowance in lieu of a City-issued cell phone. Only such employees who have a legitimate business need and who would normally be eligible for a City-owned cell phone are eligible for consideration of the cell phone allowance.
4. The request to utilize a privately-owned personal cell phone for City purposes and receive an allowance must be approved by the City Manager. If approved, the amount of the allowance will be based upon the cost of the City business portion of use and what the cost to the City would have been to issue the employee a City-owned cell phone for such use.
5. If approved for a cell phone allowance, the employee shall enter into a Cell Phone Allowance Agreement. See Cell Phone Allowance Agreement below.



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6. Employees who receive a cell phone allowance are responsible for:
- Purchase of equipment
  - Payment of bills and charges, including cost for any cosmetic or other extras associated with the phone
  - Account setup
  - Notifying the City immediately if the monthly bill is less than the City allowance
  - Applicable taxes (allowance is taxable income paid through payroll)
  - Retaining six months of monthly billing records
  - Upon request by the city, providing recent billing statements reflecting all business-related phone calls (personal phone use may be redacted)
7. The use of cell phones, whether owned by the employee or the City, creates a record of the number dialed or the number of the caller or both. When the cell phone is used for City business, a record of such use is in nearly every case a public record subject to possible disclosure under the Public Records Act. Similarly, any message relating to City business that is left on a cell phone, whether owned by the employee or the City, is, in nearly every case, a public record subject to possible disclosure under the Public Records Act.
8. Employees receiving a cell phone allowance must retain an active cell phone contract with a wireless provider as long as the cell phone allowance is in place.
9. Use of the cell phone in any manner contrary to local, state or federal laws will constitute misuse and will result in immediate termination of the cell phone allowance.
10. The City will not provide technical support for personal cell phones, except for limited support for data communication with the City's network for those authorized to have the ability to do so.
11. An employee operating a moving motor vehicle while holding a wireless communication device to his or her ear is guilty of a traffic infraction with the exception of City employees operating certain emergency vehicles and when reporting certain emergencies or illegal activity or to prevent injury. Generally speaking, except for the exceptions listed above and in state law, employees using cell phones in a moving vehicle must utilize a hands-free device and may not text message while driving.
12. It is recognized that different cell phone allowance rates may apply depending upon the type of cell phone usage deemed necessary by the City Manager. For instance, business use of cell phones with data capability is more expensive than business use of cell phones without data capability.



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### III. PROCEDURE.

Employees approved for a cell phone allowance for use of their privately-owned cell phone for City business shall sign both the Cell Phone Allowance Agreement and the City of Sequim’s Phone, Internet, Computer & E-Mail Use Policy Acknowledgement.

### CELL PHONE ALLOWANCE AGREEMENT

<b>Date:</b>	
<b>Employee Name:</b>	
<b>City ID:</b>	<b>Paygroup: (Please Check One)</b> <input type="checkbox"/> Monthly <input type="checkbox"/> <input type="checkbox"/> Semi-Monthly <input type="checkbox"/> Weekly
<b>Job Title:</b>	
<b>Department:</b>	
<b>Allowance Amount: \$</b> <input type="checkbox"/> 50 <input type="checkbox"/> 25 <input type="checkbox"/> _____	<b>Position Number (Input by Finance):</b> <b>One-Time Equipment Payment: \$</b>
<input type="checkbox"/> Data phone “smart phone” <input type="checkbox"/> Cell phone only All cell phone allowance payments are departmental responsibility and considered other compensation charged to account _____. The cell phone allowance will start at the next scheduled monthly pay date.	
Appropriate payroll taxes on the allowance amount will be withheld from the paycheck, and the amount of the allowance will be included on the year-end W-2. The allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, benefits based on a percentage of salary, etc.	
<b><i>Employee Certification and Signature:</i></b>	
I certify that I have read, understood, and intend to comply with Sequim's Cell Phone and E-Mail Policy and Privately Owned Cell Phone Allowance Policy.	
_____	_____
<b>Signature</b>	<b>Date</b>
<b><i>City Manager Approval:</i></b>	
I have approved this employee for the Privately Owned Cell Phone Allowance.	
_____	_____
<b>Signature</b>	<b>Date</b>



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#### IV. APPROVAL OF POLICY.

  
Steve C. Burkett, City Manager

#### V. ACKNOWLEDGEMENT.

This is to acknowledge that I have read and understand the City of Sequim's Phone, Internet, Computer & E-Mail Use Policy.

I understand that any and all messages whether voice or email are the property of the citizens of Sequim and as such can be reviewed with a proper request.

I understand that failure to follow the provisions of this policy could lead to the loss of my computer system privilege and/or other disciplinary action, including termination. I am also aware that the City reserves the right to change this policy at any time.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_