

**GLADSTONE**



# City of Gladstone

**SUBJECT: CELLUAR PHONE PLAN POLICY**

**PURPOSE:** To provide a set of guidelines governing the use of City cellular phone plans and employee-owned cellular telephones by City employees.

## **Oversight Responsibility**

The City Clerk or a designated appointee shall be responsible for oversight of city-owned cell phone usage, and shall monitor and review such usage on an on-going basis to ensure that use is appropriate and that prudent fiscal management guidelines are followed. The City Clerk shall be responsible for enforcing this policy. The City Clerk will work in conjunctive with the respective department head and/or City Manager to make a recommendation for corrective and/or disciplinary action when there is a violation of the policy.

Each respective department head shall be responsible for oversight of cell phone use during normal working hours.

## **Type of Phone**

The make and model of phones furnished for employees use shall be as determined by the Department Head. An employee, who wishes to upgrade their city-owned phone, shall do so only with the approval of the department head, and at their own expense.

## **Ownership of Phone**

Phones provided by the City shall be the property of the City. The theft or loss of a phone must be reported to the City Clerk and the department head within twenty-four hours of the event. Upon cessation of employment with the City, the employee must return City owned phone to the Department Head to be redirected as needed.

Phones purchased by the employee through the government plan are considered to be the property of the employee. Any repairs, damage, or other harm to the phone will be repaired or replaced at the employee's expense. Any phones used by an employee for the City of Gladstone's business operation is subject to FOIA rules and regulations. The City of Gladstone will not reimburse for damage and/or loss of any personal cell phone.

### **Reimbursement for Employee-Owned Phone Plan**

The Department Head and/or City Manager shall determine if an employee is required to carry a cell phone to conduct work for the City of Gladstone and the type of service required. All department heads who are on the city plan, will pay 21% per month of the base rate to the city; all other employees who are on the city plan, will pay 31% per month of the base rate to the city on the first paycheck of the month. If more than the base plan is required for the employee's job, the city manager may adjust the plan accordingly. If the employee elects to purchase their own data cellular plan rather than use a cellular plan provided by the City, The City of Gladstone will reimburse a Department Head \$40.00 a month and all other employees \$30.00 per month if their plan is \$50.00 or more. For plans less than \$50.00 per month, the city will reimburse employees 50% of the plan rate. This reimbursement will be payable on the first paycheck of each month less applicable taxes. (Note: Normal procedures for contacting employees for call outs, filling shifts etc. will be followed and does not constitute a reimbursement by the employee if the contact number is a cellular telephone number.)

### **Phone Usage**

Cell phone plans are provided to employees because of a business need and as such it is reserved primarily for official City business. Employees are expected to exercise good judgment while using City cellular telephones. The general use of City cellular telephones shall not be in lieu of other readily available, cost-effective means of communication.

### **Damaged or Lost Phone**

Cellular phones either provided to or owned by the employee are the employee's responsibility. The employee will pay for the cost of any replacements/repairs to the phone. The City of Gladstone will not re-imburse an employee for any portion of a damaged or replaced phone.

### **Information Call**

If an employee makes more than three calls to information in a billing period, they shall reimburse the City for the excess calls.

### **Prohibited Usage of Phone and Expectations of Usage**

Frequent or repeated use of cellular telephones (either city-owned or employee-owned) for personal calls during normal working hours may result in revocation of the City cellular telephone plan and/or disciplinary action. Employees are encouraged to utilize their breaks or lunch periods to make or receive personal calls.

Cellular telephones (either city-owned or employee-owned) shall not normally be used while operating City-owned vehicles or equipment except only when absolutely necessary and essential to a specific departments operation.

City cellular telephone plans shall not be used to make personal calls to services which bill by the minute for information or services provided.

City cellular phone plans shall be given a plan limit for talk time as determined by the department head and/or the city manager. If an overage occurs an analysis of the plan will be conducted to determine why the overage occurred. If the overage is deemed necessary for regular work activities the plan may be adjusted and the employer responsible for the overage. If the overage is deemed to be due to personal use the employee will be responsible for the costs associated with the overage and may be subject to disciplinary actions if personal calls are occurring during normal work hours or become repetitive. The city of Gladstone reserves the right to remove any employee from the City cellular plan for violating the terms of this policy.

### **No Expectation of Privacy**

Cellular telephone plans or reimbursements are given to employees to assist them in performance of their jobs. Users should not have an expectation of privacy in anything they create, store, send, or receive on their cellular telephones.

By use of the City's cellular telephone, users, expressly waive any right of privacy in anything they create, store, send or receive on their cellular telephones. Users consent to allowing the City Clerk and Department Head, as authorized by the City Manager, to access and review all materials that users create, store, send or receive on the cellular telephones. Users understand the City of Gladstone may use human or automated means to monitor use of its resources.

**Modifications to the Policy**

The City Clerk will monitor the experience with cellular telephones. If necessary, modifications will be made to the policy and submitted to the Gladstone City Commission for adoption. The City reserves the right to modify or discontinue this policy at any time.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Darla Falcon, City Manager**

Adopted: 01-25-2010  
Effective: 01-25-2010  
Revised: 11-14-2011  
Effective: 11-14-2011  
Revised: 05-09-2016  
Effective: 07-01-2016

***I have received a copy of the City of Gladstone Cellular Phone Plan Policy and agree to abide by the policy. I understand that improper use of a cell phone will result in disciplinary action by the City, up to and including termination. Improper use includes, but is not limited to, any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive communications.***

\_\_\_\_\_  
**Employee**

\_\_\_\_\_  
**Date**

Return original to the Human Resource Department