



ARTICLE XXXI CELL PHONE POLICY

I. POLICY:

This policy establishes a program for managing cell phone use and for explaining the different cell phone options available to employees of the Town of Selma.

II. PURPOSE:

Cell phone technology is a valuable communication tool and is integral to the operations of the Town of Selma. The voice functionality of cell phones combined with other cell features, such as messaging and access to numerous online resources, establishes the cell phone as a necessary and effective tool for certain employees of the Town of Selma.

III. PROVISIONS:

The Town of Selma has developed a program for employees based on the Town's need for cell phones within the job requirements of various employees. Department Heads must establish the need for a cell phone for an employee. All requests for cell service or benefits must be approved by each Department's respective Department Head.

Definitions

1. **Standard Phone:** A cell phone with the standard features to allow voice calling.
2. **Smartphone:** A mobile phone offering advanced capabilities beyond a typical cell phone, often with PC-like functionality. These advanced capabilities usually include email and Internet functionality and normally require a data package to be purchased with the service provider's plan. At a minimum the Smartphone must be capable of sending and receiving messages through the Town email server.
3. **Stipend:** A taxable sum of money paid on a regular basis included in an employee's paycheck.

IV. Options

The Town of Selma offers choices to its Department Heads about how to best carry out their Departmental missions through the use of cell phones. The Department Head will determine whether the interests of the Town are best served with a Town owned cell phone provided for the employee's use or a stipend provided to the employee for using their personal cell phone. The Department Head must demonstrate the ongoing use requirements for each employee and each cell phone choice.

Option One – Town-Owned Cell Phone:

The cost of the cell phone and all necessary equipment is paid by the Town. This program is managed by the Administration Department and the cell service and phone models used will be determined by the Administration Department. The Department Head is responsible for determining whether the employee requires a Standard Phone or a Smartphone. The cell phone is to be used for Town business only.

Option Two – Stipends:

The Town will provide a Stipend to employees, whose Department Head has approved the use of their personal phone, in carrying out their duties as a Town employee. The cost of the phone, plan, accessories, maintenance, etc. is paid by the employee. The Department Head is responsible for determining which Stipend the employee will receive. There are two levels of Stipends.

Level one: For Department Heads - \$80 per month before taxes
(\$36.92 per pay period before taxes for 26 pay periods.)
Formula ($\$80 \times 12 = \960 ; $\$960 / 26 = \36.92)

Level two: For Employees - \$45 per month before taxes
(\$20.77 per pay period before taxes for 26 pay periods.)
Formula ($\$45 \times 12 = \540 ; $\$540 / 26 = \20.77)

Basis of Stipends

This procedure is not intended to cover the full cost of an employee-owned wireless communication device. It does intend to cover the prorated cost for business use so that the Town maintains responsibility for payment of its operational cost incurred by its employees.

An employee is not eligible for a Stipend and a Town-owned device for the same time period. Any employee receiving a Stipend agrees to allow the Town to publish their number for business purposes and to accept business calls and/or messages on the phone.

Employee and carrier are responsible for technical support of the cell phone, plan, and functionality. Employee will be responsible for all costs related to the device, including accessories, repairs, or replacement.

Employee must retain an active cell phone as long as a Stipend is in place. Proof of coverage may be requested at any time.

The Administration Department must be consulted before choosing a Smartphone to verify compatible networks, license, and software and to help setup the interface to Town email.

If the Town should terminate an employee's Stipend for any reason, the Town shall not be responsible for any costs or fees associated with ongoing service costs or contract termination fees.

Establishing New Service

Department Heads or their Designees should evaluate those employees that require cell phones. After making this decision, the Department Head or Designee must determine which option the employee will need. The Department Head must submit a cell phone/Stipend request form to the Administration Department for processing and identify available budget funds.

Repairs, Replacement and Services

When an employee who is on the Town's cell phone plan needs to have the cell phone serviced for any reason, he/she must come to the Administration Department to have the issue handled. If the employee receives a Stipend, then they will need to contact their cell service provider.

Accountability and Public Record

All wireless communication devices and accessories purchased by the Town remain the property of the Town. All cell phone activity with a Town-owned cell phone is deemed to be public record unless explicitly exempt under law. Employees who receive a cell phone Stipend should note that Town related business may be public record unless explicitly exempt under law. If an employee separates from the Town, the Town-owned cell phone and accessories must be returned immediately to the Administration Department. If a wireless cell phone is no longer needed, the Supervisor, Department Head or Designee must notify the Administration Department and return the phone so the service can be discontinued.

Payment

Any Stipend will be paid through the Town's payroll system as taxable income. The Stipend will be discontinued when an employee: (1) remains in a paid or unpaid leave status for more than two payroll periods; (2) is assigned a Town-owned cell phone; (3) is terminated; or (4) is determined by the Department Head to no longer require a cell phone.

Cell Phone Safety

- Employees should always use proper safety procedures when using a cell phone, especially while performing job duties.
- Employees should not use cell phones or other electronic devices while driving or operating equipment.
- Employees in possession of a Town cell phone should always keep the cell phone secure and well-maintained to prevent damage.

Employees should adhere to all federal, state, and local laws regarding cell phone use.

Policy adopted by Selma Town Council

Effective Date: July 10, 2018

As of August 10, 2021, this policy replaces and supersedes any previous policies, or unwritten policies or practices covering the same subject.