

**CITY OF KIMBALL**  
**MUNICIPAL POLICY NUMBER 06-2010**  
**CELL PHONE PROTOCOL & POLICY**

**DATE COUNCIL APPROVED:** September 7, 2010

Updated: August 6, 2013

**I. Practice**

The City recognizes that technology is advancing and cellular telephones are becoming a part of City equipment assigned to certain City employees. In recognition of that fact, the City has adopted a practice governing the use of cellular telephones.

The development of this practice will encourage the wise use of available technology for the benefit of citizens in order to deliver City services in an efficient and cost-effective manner. It will also establish guidelines for the appropriate and efficient use of cellular telephones by City personnel.

**II. Phone Disbursement and Care**

The City may purchase cellular telephones for employees who have a business necessity to telephone others and receive calls while outside of City buildings or for employees' personal safety. Cellular telephones are City equipment and are to be used by authorized employees to conduct business in a professional manner. Employees are responsible for the proper care and handling of all City equipment in their possession.

Employee use of city owned cellular phones is a privilege. The use of City owned phones is an expense incurred by the city; their purchase and disbursement shall be in accordance with this policy. In determining the appropriate disbursement of City owned cellular phones, the City Council has determined that the following departments are required to have cellular phones: all members of the Police Department, all employees of the Public Works Department and the Fire Chief. Continued care and safekeeping of City owned cellular phones is required of all employees. Phones shall be continually protected and secured to eliminate potential damage and/or theft. Leaving phones unattended, misuse or abuse of an individual phone, or disregard for their protection (water, dust etc.) will not be tolerated. In the case of theft or loss of phone, the employee is required to contact the Police Department immediately.

**III. Guidelines**

City owned cellular phones are intended to be used to conduct city business or to aid those employees engaged in city activities. Employees are expected to keep their cellular phone turned on at certain times to assure that they can be reached. Employees shall not use city owned cellular phones:

- For prolonged private usage, during normal working hours;
- In a manner so as to incur unwarranted expense in excess of the prescribed calling and/or minute plan; in conjunction with or to assist or advance privately owned businesses or enterprises;
- To commit or aid in committing any unlawful, unethical, or covert acts;
- In any manner that may significantly affect the safety and welfare of the general public;
- Usage of City owned cellular phones for personal long distance calls is not permitted;
- Access and/or downloading or "Apps" (such as ring tones, games, etc.) to their cellular phones. These features can result in extra charges and can expose the cellular phone to unwanted calls and related communication.

Cellular numbers for the Kimball Police Department are not to be given out to the general public.

Calls will be limited to those that are necessary in order to perform assigned duties based upon circumstances at that time. Calls that are not urgent will be made by other means. All calls will be held to the shortest duration possible. Elaborate conversations will be held in person or by other means.

Personal use of City-owned cellular telephones is discouraged and should be kept to an absolute minimum during business hours. If the calling plan rate is exceeded because of personal calls made during business and/or non-business hours, the employee shall reimburse the City the dollar value of personal calls that exceed the calling plan rate. Calling plans shall be selected based on the City's needs and shall not be adjusted to accommodate personal use by the employee.

Employees must also reimburse the City for all personal cellular calls made where a toll or fee is charged.

#### **IV. Compliance**

On a monthly basis, cellular telephone bills from each cellular telephone will be received by the Treasurer. If the dollar value of calls exceeds the monthly cellular plan rate, a summary of calls shall be given to the employee and will include the date of the call, the time and the number to which the call was made. The employee will be required to highlight personal calls on the summary sheet and reimburse the City for the cost of the personal calls and/or calls in which a toll or fee was charged. Employees will have 3 days to complete this task.

If the employee fails to complete this task individual call charges are taxable income to the employee and will be reported on his/her W2.

#### **V. Cell Phone Allowance**

The cell phone allowance program is given to employees for the use of their own personal cellular phones. The City of Kimball will pay an allowance to the employee's monthly plan in the amount of \$25.00 per month for full-time employees and \$10.00 per month for part-time employees. The monthly stipend for all cellular phones shall be as set forth from time to time by the City Council. Employees must keep the City informed of their personal cell phone number, and any changes to that number, so that they can be reached as expected and needed. The employee is responsible for assuring that their cell phone is in good working order. In the event a personal cell phone breaks, quits working, or is lost/stolen, the employee must notify their supervisor and the City Clerk. If the employee is without a cell phone for more than one week, the City will suspend payment of the cellular phone allowance until a replacement phone has been obtained and is activated. Employees with a cellular telephone allowance are responsible for all of the costs associated with the cellular telephone plan they choose. For example, lost or stolen phones, phones that break or quit working, plan penalties, activation fees, excess charges, etc., are all the responsibility of the employee. The City of Kimball is only responsible for the approved allowance amount.

#### **VI. Privacy**

Employees are given cellular phones to assist them in the performance of their jobs. All equipment is the property of the City and is to be used for City purposes. Employees should have no expectation of privacy in anything they create, store, send or receive using the City's cellular phone.

#### **VII. Safety**

In the interest of safety, if calls are made inside a vehicle, employees are encouraged to bring the vehicle to a complete stop when answering cellular calls. All outgoing calls, whenever practical, should be made with the vehicle in a stationary position. Hands-free devices shall be used when available.

#### **VIII. Personal Cellular Phones at Work**

Employees should make every effort to assure that their personal cell phone is not disruptive to co-workers during working hours or interferes with the employee completing their own work.

#### **IX. Cautionary Note**

Employees should be cognizant that cellular telephone communications are not a secure form of communication. Sensitive information should be conveyed through a more secure form of communication.

**X. Termination**

Employees are required to return the cellular phone when they leave employment.

**XI. Approval of Policy**

This policy shall be formally approved and adopted by the City Council.