

## TOWN OF BEAUFORT CELLULAR PHONE AND STIPEND POLICY

### **PURPOSE**

This policy establishes guidelines to ensure that cellular service is used in the Town of Beaufort to improve customer service and to enhance efficiency of operations. The purpose of this policy is to ensure that cellular telephones and other cellular services used by Town of Beaufort employees support town business functions to their fullest capacity. This policy advises employees and department heads of their responsibilities and provides a guidance in managing the distribution of cellular services for employees whose job duties require a cellular phone or stipend.

### **ELIGIBILITY**

Cellular phone stipends or services are provided to employees deemed to require cellular phones and/or data devices based on demonstrated business need and job function as determined by town administration. This includes but is not limited to employees whose duties involve public safety issues, on-call duties, employees who perform their duties away from their assigned work space during the normal course of employment, and employees who have a demonstrated need to be in contact with their offices outside of normal working hours. Town departments should limit the use of cellular phones, services, and stipends to those employees who have a demonstrated business need to have them. Other communication means such as land-line phones, network access, email, etc. should be used instead of portable communication device whenever possible.

Employee should receive a stipend amount sufficient to cover the required business use of their personal phone. When requested, employees receiving a stipend must provide their cellular bills to the department head as a means to ascertain that the level of compensation for business use is appropriate (details of personal calls can be marked out for privacy). Employees receiving a stipend must make their personal phone available for business use. When actual business usage exceeds the amount of compensation, the employee can request that the department head review and request an adjustment in stipend or justification for further reimbursement. The employee receiving a stipend is free to contract with any cellular provider.

The following criteria should be used to determine whether an employee is eligible for either a portable communication device or cellular device or cellular stipend:

- A. Reachable.** The employee's job duties and responsibilities are such that it is important that the organization be able to reach him/her and/or transmit data outside of normal hours or means.
- B. On-Call.** The employee is in a paid on-call status outside of the workplace and cannot be reached through other means.
- C. Fixed location.** The employee's job duties and responsibilities are such that he/she is not working at a fixed location the majority of the time and cannot be reached through other means.
- D. Safety.** The employee's job duties and responsibilities are such that he/she needs a portable communication device for safety.

## **STIPEND DETERMINATION**

The Town of Beaufort allows a cellular telephone service stipend to employees determined to need cellular service. The amount of the stipend will be based on anticipated level of business service needed and paid according to a preset scale. An employee receiving a cellular telephone service stipend is required to maintain cellular service and to provide his/her cellular phone number to supervisors, co-workers, and other city officials as determined appropriate by administration. Stipends will be paid in equal installments on the first and second pay period of each month throughout the year.

**Stipend Tiers.** Within department budgetary funding, stipends may be provided to an employee upon the request of the department head and approval by the Town Manager based upon employee's business use as described in the tiers below. Prior to receiving an approved stipend, an employee must submit the front page of his/her most recent cell phone billing statement (personal information should be redacted) and a 'Cell Phone Stipend Authorization Form' with the proper signatures to the Human Resources. In addition the documentation must establish that the personal communication device is owned by or for the personal use of the employee who is in some manner responsible for its cost.

Stipends will be available in the following amounts:

- A. Basic usage. \$22.50** per bi-weekly pay period. Employees in this tier are considered to require basic usage of a cellular phone in that the cellular phone is used primarily to contact the employee when out of the office, in an on-call situation, in an emergency, or attending to town business at locations other than their primary place of work.
- B. High Usage. \$25.00** per bi-weekly pay period. Employees in this tier generally would spend a great deal of work time out of the office and in the field and do not have easy access to a land-line phone in order to remain in contact with their place of business or with the customers/clients they serve.
- C. Special Approval. \$30.00** per bi-weekly pay period. The dollar amount in this tier varies. Data services and special equipment such as PDA phones fall in this category.

An employee with a cellular phone stipend must maintain an active cell phone contract for the life of the stipend and is responsible for the purchase of equipment. If prior to the end of the cell phone contract, a personal decision, employee misconduct, or misuse of the phone results in the need to end or change the cell phone contract, the employee shall bear the cost of any fees associated. Example: The employee is terminated and no longer wants to retain the current cell phone contract for personal purposes.

The cellular stipend will continue until the department head or Town Manager discontinue the stipend, the employee decides to discontinue receiving the stipend, the employee transfers to another department, the employee discontinues cellular telephone service, the employee refuses to supply a copy of his/her monthly cellular statement when requested to do so, or the employee terminates employment with the town.

## **TOWN PROVIDED CELLULAR PHONES**

The Town of Beaufort will provide cellular phones for use in instances justified by the business/service criteria of the town (Water/Sewer services). The Town of Beaufort will be responsible for costs agreed upon in the Town cellular phone contract(s) for equipment, airtime, and incidental costs.

**Town provided cellular phones are not intended to replace an employee's business or home landline.** Only personal calls that are deemed to be an emergency are allowed on cellular phones provided by the Town of Beaufort. Reimbursement to the town for any non-emergency personal calls shall be paid by check from the employee of the Town of Beaufort. The cost for personal calls will be a percentage of the total bill based on the percentage of the total minutes that are personal minutes.

In addition, department heads may authorize reimbursement to an employee for emergency business use of the employee's personal cellular phone. The cost for business calls will be a percentage of the total bill based on the percentage of the total minutes that are business minutes.

## **USE OF CELLULAR PHONES**

Cellular telephone services, like other means of communication, are to be used to support town business. Employees may use cellular phones to communicate informally with others in the town government so long as the communication meets professional standard of conduct. Employees may use cellular telephones to communicate outside town government when such communication is related to legitimate business activities and is within their job assignments or responsibilities. Employees will not use cellular telephones for illegal, disruptive, unethical, or unprofessional activities or for personal gain or for any purpose that would jeopardize the legitimate interests of the Town of Beaufort. ***Special features that incur additional costs, such as text messaging, 411 assistance, and emailing should not be used on town provided cellular phones except under special circumstances and should be approved in advance by the department head.*** Use can be monitored and retrieved from the cell phone carrier upon request.

Employees must make every effort to insure the safe usage of mobile telephones at all times. ***Mobile telephone usage while operating any vehicle is prohibited.*** No calls should be placed by the employee while driving. Employees are strongly encouraged to pull off the road while taking emergency calls. In all cases, adherence to all state laws regarding vehicle cell phone usage is required.

## **MIFI SERVICES FOR EMERGENCY PERSONNEL**

The Town of Beaufort will continue to maintain the contract for use of MIFI services for emergency personnel. As with the town provided cellular phones, this is for business use only and should not be used for any personal use except in an emergency.

## **PRIVACY AND ACCESS**

Department heads and administration will periodically monitor cellular telephone statements of town provided cellular phones to ensure that actual cellular phone usage is commensurate with this policy and will take reasonable precautions to prevent possible misuse of cellular telephones. Employees who are issued a town provided phone are required to keep the device turned on and in their possession AT ALL TIMES during paid working hours and after hours during emergency conditions or special situations where the likelihood of being called in to work is probable.

Any use of a city cell phone in violation of this policy may result in, but is not limited to, one or more of the following actions: require a cell phone log detailing all calls, loss of cellular phone privileges, employee reimbursement to the town of telephone charges, or appropriate disciplinary action up to and including discharge. Cellular telephone statements or summaries are public documents, which in certain circumstances maybe disclosed.

## **ROLES AND RESPONSIBILITIES**

In accordance with this policy, all cellular telephone users, including department heads and employees will:

- Take every effort to ensure the security, safety, and maintenance of town provided cellular telephone service and devices. Cellular telephone users understand and acknowledge that any misuse of cellular telephone service and/or devices will result in appropriate disciplinary action;
- Keep their town provided cellular telephone turned on and in their possession as required in this policy.
- Be held responsible for their town provided cellular telephone device and will be required to reimburse the Town of Beaufort for replacement or repair of any such device lost or damaged due to neglect, misuse, or any other instance where the employee is found to be at fault as determined by town management; and
- Reimburse the Town of Beaufort for any usage of a personal nature when required to do so.

In accordance with this policy, department heads and/or administration will:

- Ensure this policy is properly communicated to and implemented by all employees using cellular telephones;
- Train staff in the appropriate use and be responsible for ensuring the security of cellular telephone devices and proper usage;
- Determine who will be issued a town provided cell phone and who will receive stipends and from which usage tier;
- Ensure that cellular telephone usage within their departments is monitored and that any inappropriate use is dealt with in accordance with this policy; and
- Investigate possible misuse of cellular telephones when a reasonable suspicion of abuse exists or in conjunction with an approved investigation authorized by town management.

- Failure to comply with this policy will result in appropriate disciplinary action up to and including discharge.

In accordance with this policy, Administration will:

- Negotiate cellular telephone service contract with providers and maintain a central file of all cellular telephone service contracts for phones provided by the Town of Beaufort; where applicable and reasonably justifiable, the Town will use pre-negotiated state and federal contracts with cellular providers;
- Review rate plans periodically to determine if a change in the rate plan currently in place is warranted;
- Handle any persistent problems with cellular service;
- Facilitate the acquisition of cellular telephone service for cellular phones provided by the Town of Beaufort for all town departments, including the negotiation of and amendments to service plans, contracts, cancellation of service and all cellular devices.
- Administration will be designated by the Town Manager to act as the authorized agent to negotiate contractual terms and place orders for cellular service;
- All contracts between the Town of Beaufort and cellular service providers are to be pre-audited by the Finance Officer in accord with applicable laws and policies, and approved and signed by the Town Manager or his designee.

### **AUTHORITY**

This policy shall supersede and rescind any and all previous promulgated cellular issuance and stipend phone policies and shall remain in effect until subsequently modified or rescinded. Any violations of this policy shall be addressed on an individual, case-by-case basis, and may result in disciplinary action up to and including dismissal.