

Cellular Devices Policy

- 1.0 POLICY STATEMENT:** This policy shall apply to all pagers, air cards, MiFi, cellular and smartphone devices, hereinafter referred to as “cellular devices” that are funded by the City of Johnson City.
- 2.0 PROCEDURES:** The City recognizes that certain job functions require an employee to be accessible when away from his/her normal duties, location and scheduled working hours. Therefore, the City will provide cellular devices to appropriate employees, with the following understanding and expectation.
 - 2.1 Cellular devices provided by the City are intended for official City of Johnson City business purposes.
 - 2.2 City issued cellular devices are subject to the Tennessee Open Records Act.
 - 2.3 Use of either a personal or city issued cellular device is prohibited while operating any type of City vehicle or equipment. The driver/operator may only operate a cellular device if the vehicle is pulled off of the roadway into a safe location.
Reminder: Texting while driving is illegal.
 - 2.3.1 Police supervisory personnel (including the rank of Sergeant and above) and Criminal Investigation Division personnel are exempt from complying with Section 2.3 when operating in compliance with Police Department General Order No. 800.02.
 - 2.4 Use of a City issued cellular device is prohibited when employees are driving a private or personal vehicle.
 - 2.5 Inappropriate or illegal use of a cellular device is subject to discipline up to and including termination.
 - 2.6 *City Issued Cellular Devices:*
 - 2.6.1 Employees are liable for the loss, damage, or theft of a City issued cellular device. Exceptions may be considered for extenuating circumstances as recommended by the Department Director.
 - 2.6.2 All video, pictures, audio, or written text on City cellular devices is considered public domain and subject to disclosure under Tennessee Open Records Law.
 - 2.6.3 Incoming and outgoing calls are subject to audit and monitoring.

- 2.6.4 Employees who are charged with traffic violations resulting from the use of cellular devices will be financially responsible for any penalties and costs associated with such use and subject to application of any personnel policies that govern such use.
- 2.7 *Criteria for Assignment and Issuance of Cellular Devices:* All requests for a cellular device, upgrade, or replacement are required to be justified in writing and approved by the Department Director.
- 2.7.1 City cellular devices may be assigned to employees provided at least one of the following criteria is met (simple convenience is not a criterion for cellular device). Department Directors are responsible for determining whether or not a cellular device is justified and warranted.
- (i) The job function of the employee requires considerable time away from their designated office or work area and it is important to the City that they are accessible during those times. In evaluating these criteria, consideration will be given as to whether or not the employee has access to a City radio and if the employee is required to use data/technology via a cellular device, and whether or not assigned a radio.
 - (ii) The job function requires the employee to be accessible during non-scheduled times or beyond normal work hours; for example, employees who are frequently on call at nights or weekends and/or frequently travel out of town on city business.
- 2.7.2 Department Directors are required to complete and approve the cellular device request form (attached) for any new, upgrade, or replacement cellular device. All requests must be justified. Cell phone requests shall be kept on file in the Purchasing Department.
- 2.7.3 The Information Technology Director shall advise the Department Director as to the type of device or plan that is appropriate for the employee depending on their work requirements and usage. Purchasing is responsible for processing orders and distributing the equipment.
- 2.7.4 The Information Technology Department shall configure the active sync feature on all devices accessing City e-mail and/or calendars.
- 2.8 *Accessories:* The Purchasing Department shall be consulted before making any purchases.

- 2.9 *Billing and Audit:* The Purchasing Department shall review and distribute cellular bills to Department Directors for review and approval. Upon approval, bills shall be forwarded to the Finance Department for payment and retained in accordance with the records retention policy.
- 2.9.1 The Information Technology and Purchasing Departments shall periodically review usage and charges for City issued cellular devices to verify that cellular device policies and procedures are being followed.
- 2.9.2 The Information Technology Department will conduct an annual review of each cell phone line currently billed to the City to verify whether or not the line is operational. All unused cellular devices are required to be deactivated as soon as possible (contact the Purchasing Department).
- 2.10 *Repair:* In the event an employee's cellular device becomes inoperable or experiences operational problems, contact the Purchasing Department for assistance.
- 2.11 *International Calling and Roaming:* City employees shall not use a city issued cell device to place international calls unless the situation requires a timely response and use of the cell phone is imperative to the conduct of City business. Any international calls placed shall have documentation attached to the cell phone bill explaining the urgency or need to place such calls.
- 2.12 *Return and Discontinuance of Service:* Upon an employee's separation of service from the City, the Department Director is responsible for collecting any cellular devices (and accessory equipment) and returning said items to the Purchasing department for reconciliation and/or reissuance.
- 3.0 RESPONSIBILITY:** The Information Technology Director is responsible for the administration and communication of this policy. Department Directors are responsible for monitoring employee use of cellular devices and for compliance with the policy.

APPROVED:

M. Denis Peterson
City Manager

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Revisions:

CITY OF JOHNSON CITY

Cellular Service & Equipment Request

Please complete the following when requesting or changing cellular equipment or service.

Department: _____ Charge Code: _____

Phone assignment: _____
Name Title

Is this staff member currently assigned or using a City Radio Yes No

For replacement [upgrade] for current equipment

Current Wireless Number: (423) _____ - _____ Current Model: _____ Budgeted? Yes / No

___ Replacement/Upgrade to **Model***: _____ [refer to price list]

___ New cellular device [Voice service only]

___ New cellular device [Voice & Data package]

For replacement [upgrade] equipment or change to EXISTING service:

Current Wireless Number: _____ Current Model: _____

___ Replacement/Upgrade to **Model***: _____

___ Add Data Service [**that there is an additional monthly service fee per data plan*]

The IRS considers employer-provided cell phones to be non-taxable fringe benefits if the employee's position requires him/her to be away from his desk for extended periods of time or requires him/her to be available to the employer after normal business hours. The IRS also requires that the type of cellular service provided be reasonably related to the needs of the employer's business.

In light of the above IRS guidance, provide justification for issuing cell phone to [new] user

*If you didn't previously have a city issued smart phone or you have not previously had data [text] service on your cellular plan, provide justification for the change in service/equipment:

By signing below, you agree that you have read and understand the City of Johnson City Cellular Phone Policy and agree to the terms of use as indicated within the policy.

User Signature Date

Department Director [Printed Name] & Signature Date

IT Director Signature Date

| | |
|-------------|--|
| Request is: | <input type="checkbox"/> Approved |
| | <input type="checkbox"/> Denied [reason] |
| _____ | |
| _____ | |