

	<h1 style="color: blue;">City of Helena</h1> <h2 style="color: blue;">Personnel Policy</h2>	Policy number	8-3
		Original Adoption	03-01-2010
		Revision #	1
		Last revision date	October 2015
Section Title	Employee Ethics and Conduct		
Subject	Cellular Devices		

The purpose of this policy is to establish requirements for business use of cellular devices, both City issued and private owned and to establish approval requirements and procedures for paying for business use of personal cellular devices and services. Cellular devices and services or reimbursements are provided to employees for official City business use only, and are issued when operational benefits outweigh costs and only upon approval of the Supervisor, Department Head and the Human Resources Director.

Employees who are issued a City phone or use a private owned device covered under this policy should be aware that the phone number is not private and may be accessed by the public. Any communications, including data communications, may be public record and subject to disclosure when legally required.

Definitions

Cellular device: A portable device, including cellular telephones or devices, wifi/internet based devices and other data devices, with cellular or wifi communications capability.

City provided device: A cellular device supplied and owned by the City. The City is responsible for payment, maintenance and replacement of the device.

City partially funded private device: A cellular device owned by the employee. The employee is responsible for payment, maintenance and replacement of the device. The employee receives a stipend as detailed in this policy. Employees who receive a monthly fixed stipend are responsible for the cellular phone contract and payment of monthly fees, all state, local and federal taxes, and any additional charges that are incurred through the use of an employee's phone.

Essential personal calls: Personal calls of minimal duration such as calls to arrange for unscheduled or immediate care of a dependent, a family emergency, or to alert others of an unexpected delay due to a change in work.

Occasional use: Incidental and/or occasional use of a personal cell phone for City business does not generate a charge to the City and does not qualify for reimbursement under this policy.

Requirements for Issuing City Devices

Cellular devices may be issued when it is more cost effective and efficient than landlines/desk phones, pagers and radios. City provided devices are issued to a work group. A single individual within a work group may be assigned responsibility for a work group device. Personal use of city devices must be limited to essential personal calls.

Requirements for Reimbursement of Private Device Costs

If a private cellular device is used for business purposes, a reimbursement claim may be authorized by the Department Head through the Supervisor.

The following is a list of possible reasons that a reimbursement may be approved:

- Employee's job requires immediate or on-call availability.
- Employee's job requires them to be in the field and away from a phone for frequent or extended periods of time and the nature of the job requires availability via cellular device.
- It is either more efficient or is essential for the performance of their job duties.
- Other business reasons.

Reimbursement Amounts, Process, and Responsibilities of the Employee

Fixed Monthly Rate/Stipend: The fixed monthly rate will be determined by the Department Head and/or Supervisor based on the following tiered amounts, according to expected usage and need;

\$40 per month, \$30 per month, \$20 per month, \$10 per month

Employees who receive a monthly fixed stipend are responsible for the cellular phone contract and payment of monthly fees, all state, local and federal taxes, and any additional charges that are incurred through the use of an employee's phone.

Employees who receive a monthly fixed reimbursement are required to notify their Supervisor within 24 hours if changes to the phone number have occurred or if the phone has been disconnected. The Supervisor is required to notify the Human Resources Director at that time.

The City will reimburse an employee for the purchase of their phone and other related accessories not to exceed \$100.00. Employees may submit for reimbursement every 2 years for the purchase of a replacement phone. Receipts must be submitted before any reimbursement is processed.

The reimbursement will be paid on the employee's paycheck and is taxable wages. In some instances an employee may be able to deduct business use of a personal cell phone on their personal taxes. The employee is responsible for talking with their tax advisor.

The private cellular device reimbursement authorization form must be filled out and approved by the Department Head and the Human Resources Director before any reimbursement will be issued.

Termination of Use or Stipend

City owned cellular devices and City partially funded private device use will be periodically reviewed by the Department. At such time the City deems it no longer beneficial to the City or a replacement communication device is deemed more appropriate, the stipend or City owned device will be discontinued.

Upon termination of or discharge from employment the employee must immediately return the city owned cellular device to his/her supervisor. Stipends will end upon termination of or discharge from employment.

Use of Private Device

Use of a private device while on work time is restricted to use for City business and for essential personal use only.

Employees that are assigned a cellular or wireless data device are not authorized for overtime compensation and should not use their device for business outside of normal working hours unless specifically authorized by the employee's supervisor.

Refer to Policy 8-2, "Personal Use of Phones at Work" and Policy 8-6 "Use of City Vehicles" for additional guidance.

Enforcement

Enforcement actions for violations of this policy include but are not limited to revocation of cellular device use or reimbursement and possible disciplinary action or discharge.