



Title: *Cellular Phone Policy*

I. Introduction

The purpose of this policy is to provide guidelines regarding wireless communication devices. It is recognized that the day-to-day operations of the workforce require voice and data communications and there is often a need to communicate when access to a regular telephone or computer is unavailable. A wireless communications device allows employees to improve customer service and to enhance efficiency of operations.

II. Scope

This policy advises employees and department heads of their responsibilities and provides guidance in managing the distribution and usage of cellular services for employees whose job duties require a cell phone. This procedure shall remain in effect until such time that it is altered, modified, or rescinded by the City Manager.

III. Cellular Phone Issuance

A City cell phone will be issued under one or more of the following conditions:

- Job responsibilities require an employee to be away from regular landline access for extended periods of time and communication by the employee is necessary to fulfill job objectives.
- Employees whose job duties and responsibilities require immediate contact by department directors or city management (where one cannot be communicated with via radios or existing desk phones).
- Cell phone use enhances the employee's personal safety on the job, and provides communication during emergencies.
- The employee's role requires the ability to conduct two-way communication at all times.
- Other employees as deemed necessary by the City Manager.

The issuance of City-owned cellular phones shall be approved by the Department Head or City Manager. It shall be the responsibility of the Department Head or City Manager to ensure that funds are budgeted for the purchase and monthly service costs prior to issuance.

Before recommending new phone service to the City Manager, Department Heads should evaluate less costly communication options such as radio. Department Heads

are responsible for periodically reviewing employees' mobile phone usage patterns. In the event a mobile phone no longer meets demonstrated business needs, is unused, or no longer fits with the employees job function, the Department Head shall work with the City Manager to ensure cancellation, reassignment, or adjustment of mobile phone services.

In some cases, with the approval of the City Manager the employee may be reimbursed for use or partial use of the employee's personal cellular phone. This allowance shall be determined by the City Manager and be paid to the employee monthly. Because the cell phone is owned personally by the employee, and the allowance provided is taxable income, the employee may use the phone for both business and personal purposes as needed. The employee may at his or her own expense add extra services or equipment features as desired. The City will not provide technical support for these personal cell phones, except for limited support for data communication with the City's network, for those authorized to have the ability to do so.

IV. Cellular Phone Usage

Cellular telephone services, like other means of communication, are to be used to support City business. Employee may use cellular phones to communicate informally with others in the City government so long as the communication meets professional standards of conduct. Employees may use cellular telephones to communicate outside City government when such communication is related to legitimate business activities and is within their job assignments or responsibilities. Employees will not use cellular phones for illegal, disruptive, unethical, or unprofessional activities or the personal gain or any purpose that would jeopardize the legitimate interests of the City.

Cell phones provided by the City are the property of the City and are to be used to conduct City business. The City reserves the right to monitor the use of all City-owned phones. Any use of a City cell phone in violation of this policy may result in, but not limited to, one or more of the following actions: requiring a cell phone log detailing all calls, loss of cellular phone privileges, employee reimbursement of telephone charges, or appropriate disciplinary action up to and including termination.

Cellular telephone statements or summaries are public documents, which in certain circumstances may be disclosed.

Employee responsibilities for use of City-owned cell phones include:

- Protecting the City owned cell phone from thefts, loss, or damage.
- Immediately reporting loss or theft to supervisor or department head.
- As cell phone calls are not secure, using discretion while making sensitive or confidential calls.

- Immediately returning the cell phone to supervisor or department head if it is determined that the phone is no longer necessary, or upon leaving City employment.
- It is the employees' responsibility to use the equipment prudently to ensure safety of themselves, their co-workers, and the general public.
- Upon resignation or termination of employment, or at any other time upon request, the employee may be asked to produce the cell phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested may be expected to bear the cost of replacement.

Driving with Cellular Phones

Employees must make every effort to insure the safe usage of cellular phones at all times. Cellular phone usage while operating any vehicle is strongly discouraged. When an employee must use their cellular phone while driving, conversations must be kept brief, and unnecessary calls must be avoided. Employees are strongly encouraged to use hands free devices or pull off the road while taking even necessary calls. In all cases, adherence to all state laws regarding vehicle cell phone usage is required.

Under no circumstances are employees allowed to place themselves or others at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their cellular phones while driving will be solely responsible for all liabilities that result from such actions.

V. Personal Use of City Cellular Phones

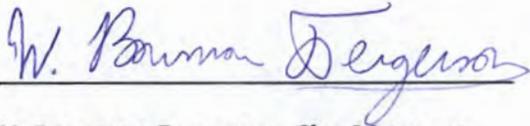
City-issued cellular phones are for work related purposes. While it is understood that occasional personal calls of short duration may be necessary when no other immediate means of communication is available, personal calls, incoming and outgoing, must be kept to a minimum and must be incidental to business use.

IRS regulations stipulate that to be able to exclude from the employee's taxable income the use of a City-owned cellular phone, the City must have some method to require the employee to keep records that distinguish business and personal phone charges. If an employee routinely incurs Additional Fees for personal use, which must be reimbursed to the City, the employee's cellular phone privileges will be reviewed, with possible revocation. Whenever possible personal calls should be made during work breaks, or before or after the employee's regularly scheduled work hours.

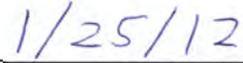
VI. Elected Officials

While elected officials are not governed by this Policy, they are encouraged to adopt this or a comparable policy to govern the use of cellular phones for their respective offices.

This policy is being instituted by City Management in accordance with Article I Section 8. Departmental Rules and Regulations and is a supplement to the Personnel Policy of the City of Hendersonville.

A handwritten signature in blue ink that reads "W. Bowman Ferguson". The signature is written in a cursive style and is positioned above a horizontal line.

W. Bowman Ferguson, City Manager

A handwritten date "1/25/12" in blue ink, positioned above a horizontal line.

Date



Cellular Phone Policy

Policy Acknowledgement

I, _____ have read, understand, and agree to comply with the City policies for use of cell phones as specified in this Cellular Phone Policy. If I misuse or fail to return assigned equipment when requested to do so, I may be liable to the City for the full replacement cost of the equipment. I understand that failure to comply with the stated policies may lead to disciplinary actions, including the possibility of termination of my employment.

Employee Signature: _____

Date: _____

Department Head: _____

Date: _____