



Town of Longboat Key Cell phone policy

Purpose and Scope

This policy establishes the requirements for positions required to carry wireless cell phones in the execution of essential work activities. This policy applies to all Town of Longboat Key employees who will be issued a Town owned mobile device, or who may receive a stipend for use of their personal device for business needs.

General

Cell phones have become common place and are often necessary for Town staff to carry out the responsibilities of their positions in an effective and efficient manner. This policy outlines two available plan options; the Allowance Plan (stipend) and the Town Provided Cell Phone Plan. This policy also sets forth the limitations on cell phone device usage and the consequences of any violation of this policy.

Allowance Plan

Under the allowance Plan, cell phone devices are considered to be the personal property of the employee. Any contract entered into by the employee related to the acquisition and operation of the device is between the service provider and the employee. Employees are responsible for maintaining reliable active service at all times.

Pursuant to public records law and under unique circumstances, individual communication records may be subject to public inspection. Therefore, employees shall retain records documenting calls, such as bills or invoices, for a period of one (1) fiscal year.

If an employee meets the eligibility requirements for a mobile device as outlined below, a stipend may be requested in writing through their Department Director. Once approved, the stipend amount will be added to the employee's regular pay. In order to meet IRS guidelines, any amount added for mobile device equipment or for mobile device service will be identified as a non-taxable benefit. The stipend will be paid as a flat rate per pay period. Based on the tier assigned, the Town will pay only the agreed upon stipend amount. The Town will not separately fund any charges related to purchase, maintenance, use or replacement of the device and accessories. The stipend allowance is neither permanent nor guaranteed. The Town reserves the right to remove a participant from this plan and/or cancel the stipend for business reasons. The amount of the stipend will be determined based on the type of plan required of the employee's position to perform the job responsibilities.

A tiered model based on current market rates are as follows:

Tier	Estimated Business Use	Estimated Personal Use	(1) Monthly Stipend	Per Pay Cycle
Town Issued Phones	100%	0%	Not eligible	Not eligible
Tier 1	75%	25%	\$75	\$34.62
Tier 2	50%	50%	\$50	\$23.08
(2) Tier 3	25%	75%	\$25	\$11.54

(1) Allowance includes replacement of phone valued at \$199 every two (2) years.

(2) Allowance provided for non data smart phones only.

Town Provided Cell Phone Plan

Cell phones provided under this Plan shall be used primarily for business purposes. Personal use of a Town provided cell phone is allowed; however, misuse, misconduct, or excessive personal use will not be tolerated. Department Directors are responsible for monitoring and enforcing this provision. Devices provided under this plan are considered to be property of the Town. Service contracts are entered into by the Town and all payments are made directly to the service provider by the Town. The Town shall monitor each individual phone number for abnormalities in usage on a monthly basis. Employees are responsible for its physical protection from damage and unauthorized use.

Fire and Police

Fire and Police officers shall be provided Town issued cell phone devices or other wireless communication devices consistent with Department policy, under the Town Provided Cell Phone Plan only. The Department Head, or designee, shall administer the cell phone distribution and coordinate disposal (recycling, exchanges) in accordance with Town procedures, and provide initial set up through coordination with the purchasing department and I.T. Department when necessary.

Town Commissioners and Town Manager

Town Commissioners and Town Manager shall be provided Town issued cell phone devices under the Town Provided Cell Phone Plan or be reimbursed for business use of cell phones based on the tiered model included herein or a methodology that reflects actual business use.

Department Directors

Directors shall be provided Town issued cell phone devices under the Town Provided Cell Phone Plan or be reimbursed for business use of cell phones based on the tiered model included herein. Directors opting the allowance plan will receive a non-taxable monthly stipend based on Tier 1 towards a voice and data plan, payable bi-weekly. The stipend includes the cost of replacing phones when needed. Employees choosing this option should consider insuring devices acquired.

Other Staff

Department Directors are responsible for identifying employees who hold positions

that require the need for a mobile device. Each Department Director shall review whether a mobile device is necessary, and select alternative means of communication -e.g., land-lines, and mobile radios - when such alternatives would provide adequate and less costly service to the Town.

The Department Director is responsible for overseeing employee mobile device needs and assessing each employee's continued need of a mobile device for business purposes. The need for a mobile device stipend should be reviewed biannually, to determine if existing mobile device stipends should be continued as-is, be modified, or discontinued.

Department Directors have the discretion of providing a Town issued phone or of allowing a monthly stipend to staff members who meet one (1) or more of the following criteria:

A. The position requires that a significant amount of time (more than 35%) be performed away from an office environment;

B. Position supervises/oversees personnel in the field, away from a central office area;

C. The position requires a device for after-hours (24/7 coverage) or emergency support, notification or availability; or

D. Position is considered an after hours customer service function and is responsible for taking customer (citizen or employee) calls after normal business hours.

For those employees electing the allowance plan and who meet the criteria, the Department Director shall place the employee in one (1) of the three (3) tiers below.

Tier	Estimated Business Use
Tier 1	75%
Tier 2	50%
Tier 3	25%

The Town Manager will have the final approval authority. If a new phone or stipend is requested (not a replacement), approval from the Town Manager is required. Stipends are funded by the department submitting the request.

Roll out under the Allowance Plan

Employees opting the Allowance Plan shall have 30 days to secure an individual device and service plan. Town cell phone numbers can be converted to individual accounts allowing employees to keep their current business number. Or, employees may keep their current personal number or acquire a new one provided the number is provided to the Town so that it can be included in the Town directory.

Employees who have received Town issued smart phones within the past six (6) months and wish to keep them shall be charged 50% of the cost of the phone. Smart phones issued older than six (6) months may be kept by the employee at no charge.

Texting

No texting is allowed while making Town related communications whether the device is personal property or Town provided, with the exception of communications from authorized outside agencies (i.e. SCADA and Code Red).

All Town related electronic communications shall be made using email which is provided through the Town's exchange server. All emails will be archived on the Town's server. In case of an emergency, texts will be allowed, such as when email service is down, however copies of any texts made or received shall be forwarded by the device user to his or her Town e-mail address for retention as soon as practicable. Violation of this policy may result in the user's device being confiscated by court order and all texts being reviewed.

Violations of Policy

The Town does not accept any liability for claims, charges or disputes between the personal service providers and the employee. Use of cell phones, whether acquired under the allowance plan or Town issued plan, inconsistent with this policy, or with local, state or federal law may result in immediate removal of the privilege and be grounds for disciplinary action up to and including termination.

Employee rights & responsibilities for stipend supported personal devices

The employee is responsible for purchasing a mobile device and establishing a service contract with the mobile device service provider of their choice. It is strongly encouraged that the employee contact the I.T. division for recommendations of carrier providers. Wireless coverage can vary significantly between carriers. The mobile device contract shall be in the name of the employee, who is solely responsible for all payments to the service provider.

The employee may, at his/her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee is expected to work directly with the carrier for resolution.

The employee will ensure that the service provider selected has service in the required usage areas, such as the workplace or home.

Support from the Town's I.T. division is limited to connecting a personally-owned mobile device to Town-provided services, including email, calendar, and contacts. The employee should contact the I.T. division prior to purchasing or enrolling in the Town stipend program to ensure that their device is compatible with Town systems.

An employee receiving a mobile device stipend must be able to show, if requested by their supervisor, a copy of the monthly access plan charges confirming they continue to have a contract for the mobile device.

If the employee terminates the wireless contract at any point, they must notify their supervisor within five (5) business days to terminate the stipend.

Any mobile device must be secured based on current security standards required by the Town including password protection and encryption. If a mobile device is

stolen or missing, it must be reported to the employee's supervisor and to I.T. immediately to allow additional security measures to be enacted.

Employees are expected to delete all Town information from the mobile device when their employment with the Town is severed, except when required to maintain that data in compliance with litigation hold notice or public records law.

The employee agrees to have their personal cell phone number published on Town issued internal phone contact lists. As an alternative, an employee may elect to have the Town provide a second phone number to be forwarded to their personal number. In this situation, the employee would be responsible for the Town's cost of \$10 per month for this service.

PUBLIC RECORDS

The Attorney General's office has declared that personal cell phone records that contain numbers called for Town business are public records. Therefore, pursuant to the General Records Schedule (GS1-SL) for State and Local Government Agencies, an employee receiving a stipend will be required to retain cell phone records for one year. In the event a public records request is made, all personal phone numbers may be redacted.

Conducting Town business via text messaging (except Emergency Service Alerts), PIN messaging, or Instant Messaging (IMs) on a cell phone is strictly PROHIBITED, as it is not automatically archived by the Town for public records purposes. In the event you receive such a message that is related to Town business, it is your responsibility to contact I.T. so that the message can be preserved. Do not delete such messages until you are directed to do so.

Email, Calendar and Contacts access from mobile devices

The Town provides web-based access to Town email, calendars and contacts for its employees. This access is through an encrypted channel that requires Town user credentials. The same type of secure access is available to mobile devices that support the Microsoft Exchange Activesync protocol. All Town email is archived to comply with public records laws. Employees are allowed to access their Town email, calendar and contacts from their mobile device in this secure manner, but must follow the Acceptable Use policy that is referenced in this document. Employees must be aware that if their device is used for this type of access, their mobile device may be subject to a complete erasure of data upon a qualifying event such as separation of employment, loss or theft of a mobile device. Employees opting for this type of access to their email, calendar and contacts must sign a waiver that acknowledges the potential for devices to be erased pursuant to the Remote Wipe Waiver.

CANCELLATION

Any stipend agreement will be immediately cancelled if:

- An employee receiving a mobile device stipend terminates employment with the Town.
- The employee changes position within the Town which no longer requires the use of a mobile device for business reasons.
- There is misuse or misconduct with the mobile device.
- A decision by management (unrelated to employee misconduct) results in the need to end the program, or there is a change in the employee's duties
- The employee does not want to retain the current mobile device contract for personal use.

If an employee has been assigned a Town owned mobile device, the employee's Supervisor or Director may require that the device be returned to the Town at any time.

The Town reserves the right to amend this policy from time to time when deemed in the best interest of the Town.

Adopted by:

X Dave Bullock
Dave Bullock, Town Manager

Date: 7-24-14



Town of Longboat Key

Mobile Device AND/OR Stipend Request Form (For new activations only)

It is requested that _____
employed in the _____ Department be authorized the following:

- _____ a portable communication device allowance of \$ _____ per month
- _____ a Town-issued cellular phone without data connection abilities
- _____ a Town-issued smart phone that would allow connection to the Town's network
- _____ a Town-issued portable communication device
- _____ other _____

It is understood that the Town employee listed herein will abide by all Town rules that apply to the use of portable communication devices used for Town business.

Justification or Explanation:

Device: _____

Device Serial Number: _____

Device Telephone Number: _____

I acknowledge having received a copy, have read, and understand the terms and conditions set forth in the Town of Longboat Key Cell Phone Policy.

Employee's Signature: _____

Director's Signature: _____

Town Manager's Signature: _____

Effective Date: _____

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Mobile Device AND/OR Stipend Cancellation Form

Please cancel the portable communication device or allowance authorized by the following employee:

_____ employed in the _____
Department.

Reason for Cancellation

- ☐ discontinued by department
- ☐ employee transferred to another department
- ☐ employment terminated
- ☐ employee provided Town-issued Portable Communication Device

Device: _____

Telephone Number: _____

Device Serial Number: _____

Employee's Signature: _____

Director's Signature: _____

Town Manager's Signature: _____

Effective Date: _____

Additional Comments:

