

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
PERSONNEL POLICY NO. 217P**

TITLE: CELL PHONE POLICY
DEPTS. AFFECTED: ALL DEPARTMENTS THAT ADMINISTER CELL PHONES
EFFECTIVE DATE: JULY 2013

1. **PURPOSE:** The City of Traverse City recognizes that modern telecommunications devices are essential to the efficient and effective completion of job tasks; therefore the City provides various communications devices to employees, including cell phones. Because cell phones are issued to employees for round the clock use, cell phones create greater opportunity for personal use than other forms of communications. Excessive personal use of a City owned cell phone by an employee can be considered a taxable benefit to the employee. The purpose of this policy is to manage personal use of City owned cell phones.
2. **SCOPE:** This policy applies to all employees using cell phones provided and funded in whole or in part by the City.
3. **DEFINITIONS:**
 - a. City owned cell phone: one purchased by a Department head or an authorized representative with City funds from a vendor awarded through the RFP process.
 - b. Personal cell phone: one purchased exclusively by the employee for personal use.
 - c. Personal call: A personal call is one not related to City business or the City's service to the public.
4. **RESPONSIBILITY:** The primary responsibility for complying with this policy lies with the Department Head. The Department Head will identify Departmental cell phone needs, determine the best combination of cell phone and service plan for the Department from the awarded cell phone service proposals, and implement an interdepartmental review procedure to ensure that phones are used for their intended purpose and that billings are accurate. The Department Head will ensure that all City owned equipment is recovered in the event that an employee is terminated or a service plan is terminated.
5. **POLICY:**
 - a. The primary purpose of City owned cell phones is for conducting the business of the City.
 - b. Occasional use of cell phones for personal calls is inevitable for emergency purposes and to communicate changing work schedules with family members. However, personal use of City owned cell phone shall not exceed thirty minutes per month.
 - c. Department Heads may require employees to reimburse the City for extra billing charges resulting from cell phone plan minutes being exceeded, if the cause of the excess minutes is personal use.

- d. Employees shall reimburse the City for personal use calls that result in long distance, roaming or other charges over and above the plan rate.
 - e. Unless an unlimited talk and text plan is in place and the employee has arranged to use a City owned cell phone for personal use, employees who consistently exceed the thirty minutes per month personal use limit shall be subject to disciplinary action.
 - f. Department heads or designated representatives will review monthly cell phone bills to ensure compliance with this policy.
 - g. Employees should be aware that cell phone records including personal cell phones associated with City business may be subject to The Freedom of Information Act.
6. ALTERNATIVE 1: As a convenience to employees who wish to use their City owned phones for more than thirty minutes of personal calls per month or wish to utilize their personal cell phone to conduct City business in conjunction with personal use to avoid carrying two phones, one personal and one City, a cell phone allowance may be requested. If Department Head grants the request for an allowance, the following rules apply:
- a. An employee accepting a cell phone allowance shall obtain and maintain an active cell phone service plan for the life of the allowance.
 - b. The employee shall be responsible for purchasing a phone and service plan that is compatible with the phones and service plan being used by the Department or Division. (As an example, an employee must be equipped with a Nextel phone if the Department or Division uses Nextel service.)
 - c. The cell phone allowance shall be determined by the City Manager and the Finance Director.
 - d. The employee will maintain their own account, receive all bills, and pay all cell phone charges, including long distance, roaming and other charges resulting from business and personal use of the phone.
 - e. The cell phone allowance will be paid monthly. The allowance will not constitute an increase in base pay.
 - f. The employee must list the cell phone number with the City and be available by cell phone during work hours and Department directed on call hours.
 - g. If, by a decision of the City, the service plan that the employee is under needs to be changed, the City will bear the costs of any associated fees.
7. ALTERNATIVE #2: As a convenience to employees who wish to use their City owned phones for more than thirty minutes of personal calls per month or do not wish to carry two phones, one personal and one City, the employee may reimburse the City for their personal use. If Department Head grants the request, the following rules apply:
- a. The employee will take the past six months usage of their cell phone bill and calculate the average cost of personal use (less 30 minutes) during those months, which include any direct and indirect charges based on a pro rata share. This amount must be reimbursed to the City on a monthly basis for personal use of the cell phone. This amount will be recalculated on an annual basis.

- b. Upon separation of employment, employee shall return cell phone and all related equipment to the City. Employees should be aware the phone number associated with the City owned cell phone may not be retained upon relinquishment by the employee.
8. DEPARTMENTAL POLICY: Departmental policy may be more but not less restrictive than City policy.



Jered Ottenwess, City Manager

History: Supersedes Executive Order #354 dated November 19, 2007 and Personnel Policy No. 217P dated July 2011.