

**CALHOUN COUNTY  
BOARD OF COMMISSIONERS  
POLICY STATEMENT #425**

**SUBJECT: CELL PHONE POLICY**

**DATE APPROVED: APRIL 18, 2013**

**EFFECTIVE: APRIL 18, 2013**

**REPLACES: #425 (May 17, 2001)**

**PURPOSE:** The purpose of this policy is to establish guidelines for the use of cellular phones by County employees.

**AUTHORITY:** The Calhoun County Board of Commissioners.

**RESPONSIBILITY:** The Office of Administration shall be responsible for the implementation and administration of this policy.

**POLICY:** Calhoun County employees that are required to carry a cell phone for County business will be expected to maintain their own personal cell phone and contract, and will be offered an allowance to offset the cost of business calls. This allows the County to comply with IRS regulations regarding business versus personal use of cell phones.

Employees who are required to carry a cell phone for County business must obtain authorization from their elected official or department head in order to receive a cell phone allowance. If authorized to receive a cell phone allowance, employees will receive compensation in the form of a taxable cell phone allowance benefit included in their pay advice. Convenience is not acceptable as the primary criterion for providing a cell phone allowance. An allowance may only be authorized if at least one of the following employee job function criteria is met:

- 1) The job function requires significant time away from the employee's assigned office area and it is important to the County that they are accessible during those times.
- 2) The job function requires the employee to be accessible outside of scheduled or normal working hours.

If authorized to use a County-owned departmental cell phone, employees will be provided access to a cell phone for business use only and will not receive an allowance. A County-owned departmental cell phone may be authorized for a specific event or on an ongoing basis to support important job functions of the employee.

## **PROCEDURES:**

### **Approval of Business Cell Phone Use**

A request for either a cell phone allowance for a personally owned cell phone or a County-owned departmental cell phone may be submitted using the Cell Phone Request Form that describes the business justification for how the intended use will meet the above criteria. The form must be signed by the department supervisor, and forwarded to the Finance Department for processing. Finance will process the request and forward it to Payroll for payment.

### **Determination of Allowance Amount**

A tiered allowance structure will allow reimbursement of the employees anticipated business related expenses only. The following guidelines will assist in the determination of the appropriate allowance:

- **Tier 1 - \$50/month:**  
Light cell phone usage for business purposes (450 minutes or less).
- **Tier 2 - \$75/month:**  
Heavy cell phone usage for business purposes (over 450 minutes).
- **Tier 3 - Other/month:**  
For non-standard cell phone usage and/or those with extra phone services.

The employee is responsible for the purchase and maintenance of cell phone equipment to be used for basic cell service (most basic cell service plans provide free phones).

### **Payment of Allowance**

The cell phone allowance is paid through Payroll and is included in the employee's check or direct deposit. This allowance is subject to all applicable taxes, but does not increase the employee's base salary and will not be included in the calculation of any County benefits.

### **Using Cell Phone Service**

Since cell phones used by employees receiving a cell phone allowance are personally owned and maintained, they may be used for both personal and business calls. County-owned cell phones used as departmental cell phones are only for business use. Employees with a cell phone allowance must maintain an active cell phone contract for the life of the allowance. Misuse of cell phones, including use in ways inconsistent with County policies or with local, state or federal laws, will result in immediate cancellation of the cell phone allowance.

Cell phones can be used to both send and receive text messages, pictures, video, and e-mail communications. Calhoun County reserves the right to monitor all e-mail messages or other communications of any type either composed or received within or by the County's electronic communication systems, in accordance with Policy No. 440. Cell phone users should be aware that text messages, recordings, video, pictures, and e-mails transmitted in personal cell-phones could be considered public records and subject to disclosure under the Freedom of Information Act. Any communications regarding County business or with the county electronic communication system(s) are subject to policy #440 and the County reserves the right to review, audit, intercept, access, and/or disclose all matters contained in the County's Information Technology system at any time, with or without notice to an employee. The Employee has no expectation of privacy in regard to any communications regarding County business or which may be contained on County systems.

### **Cell Phone Usage Review**

A copy of the completed Cell Phone Request Form must be kept on file with both the department supervisor and Finance. An annual review of cell phone allowances will be completed by County Administration and Finance to determine if allowances should be adjusted or discontinued. If an employee is terminated, resigns or is no longer eligible for a cell phone allowance, the employee's supervisor should submit a request for allowance revision on the Cell Phone Request Form including the reason for the termination of the allowance in the business justification section of the Form and an allowance termination date.

### **Contract Changes or Cancellations for Personally Owned Cell Phones**

If, prior to the end of a cell phone contract, a personal decision, employee misconduct, or misuse of the phone results in the need to change or end the cell phone contract, the employee will bear the cost of any associated contract termination fees.

If, prior to the end of the cell phone contract period, a County decision is made (unrelated to employee misconduct) which results in the need to change or end the cell phone contract, the County will bear the cost of any associated contract termination fees.