



Standard

This establishes the business need and use of cellular phones (hereinafter referred to as “wireless communication devices”) as an effective means of conducting City of Richland business, and to establish and communicate responsibilities to each department, division, and employee. Due to the nature and capabilities of current wireless communication devices, their use and restrictions shall also be in compliance with the City’s Computing and Communication Resources Use Policy.

Practice

I. Responsibility

This policy shall apply to all City departments, divisions, and employees.

II. Definitions

- A. “Wireless Communication Device” is any device that is used, by any measure, to send or receive wireless voice or data transmissions, commonly referred to as cell phones or smart phones. This does not include the City’s two-way radio devices or City-owned tablets.
- B. “Business Use Only” is authorized assignment-related city business use of a City-owned wireless communication device on which no personal use is allowed.
- C. “Smart phone” is a cellular telephone with an integrated computer and other features not originally associated with telephones, such as an operating system, Web browsing and the ability to run software applications.
- D. “Legitimate Business Need” is a genuine work-related basis for requesting a City-owned wireless communication device, without the use of which the requesting employee’s work productivity would be substantially impaired.

III. Policy

A. City-Owned Wireless Communication Devices

- 1. It shall be the policy of the City of Richland that all business-related activity needing to occur via wireless communication device occur only on devices owned and issued by the City of Richland.

2. Employees are prohibited from utilizing personal wireless communication devices for City business, including, but not limited to placing calls, sending text and email messages, and accessing the Internet for business reasons.
3. Department Directors are responsible for evaluating the legitimate business needs of their respective departments to determine which employee(s) require a City-owned wireless communication device, and whether that device should be a smart phone or a cellular phone with capabilities limited to voice calls and/or text messaging.
4. Department Directors, Managers, Supervisors, Finance and Information Technology will be further responsible for administering adequate controls to ensure compliance with this policy.
5. The City reserves the right to monitor and randomly audit the business use of all City-owned wireless communication devices without notice to employees. Such monitoring shall include, but is not limited to, call volume, volume and content of text messages, and data usage. Data obtained from such audits may be used to verify employee adherence to this policy, to evaluate potential policy changes based on usage patterns and costs, or for any other legitimate business purpose.
6. City employees have no expectation of privacy in the use of City-owned wireless communication devices. Any information or data transmitted via a City-owned wireless communication device shall be electronically captured and retained in compliance with the City's retention obligations under State law, and may be subject to public disclosure.
7. Any City employee who uses a City-owned wireless communication device inappropriately, or in violation of this policy or the City's Computing and Communication Resources Use policy shall be subject to appropriate disciplinary action, up to and including termination.

B. Prohibited Conduct on City-owned Wireless Communication Devices

1. All text messages sent from a City-owned wireless communication device must be business-related, courteous and civil. Text messaging must not be used for expressing ill will or bias against individuals or groups. Text messages shall not contain obscenity, vulgarity, profanity, jokes, sarcasm, pornography, scantily clad images or other non-business-related material. Sexually explicit material, discussions, cursing or name calling are also not appropriate in a business communication.

2. Text Harassment and sexual text harassment are strictly prohibited.
 - a. Text Harassment occurs when an employee sends abusive or insulting text messages to another wireless communication device. Text Harassment also includes sending a consistent, high-volume number of unwanted text communications, regardless of the content.
 - b. Sexual text harassment occurs when the content of the text communication is based on sex, including but not limited to sending sexually suggestive or explicit messages and/or pictures.
3. Transmitting inappropriate material via a City-owned wireless communication device is prohibited regardless of the time of day the material is sent (i.e., whether the employee is on or off the clock).
4. City-issued smart phones are subject to additional prohibitions.
 - a. In addition to the prohibitions contained herein, employees who are issued City-owned smart phones as defined by this policy must comply with the following restrictions:
 - i. No personal email account, Apple ID, iTunes ID, or similar personal identifier shall be used to create, access, and/or manage an account or profile on a City-issued smart phone. All accounts and/or profiles shall be generated using a City-issued email address or identifier.
 - ii. No personal or private applications (“Apps”) may be installed and/or maintained on a City-issued smart phone.
 - iii. Installation and use of business-related Apps shall be managed within each Department. Each department director or designee shall be responsible for establishing a process for review, approval, and payment of business-related Apps on City-issued smart phones.
5. *De minimus* personal use - Some limited personal use of a City-issued wireless communication device is permitted if accomplished in compliance with the provisions of this policy.
 - a. A City-issued wireless communication device may be used for occasional, infrequent personal use that, in the judgment of the employee’s supervisor or department director, does not interfere with employee or departmental productivity.
 - b. Personal use of the City’s wireless communication device must be reasonable and responsible, and must not be for private benefit or gain.

- c. Personal use of a City-issued wireless communication device is justified only if all of the following are met:
 - i. The use causes no additional cost to the City.
 - ii. The use does not interfere with the performance of the employee's assigned duties.
 - iii. The use is brief in duration (generally five minutes or less, no more than three times a day).
 - iv. The use does not compromise the security or integrity of City information or software.
6. No fee based "premium services" as defined by the service provider may be added to the service package of a City-owned wireless communication device.

C. No Property Interest; *De Minimus* Use for Non-Exempt Employees

1. The City reserves the right to discontinue the use of one or more City-owned wireless communication devices at any time for any reason. City employees acquire no property interest in their assigned City-owned wireless communication devices, and are not entitled to due process before such assignment and use is terminated.
2. The City does not intend to encourage, nor does it authorize, employees to accrue overtime compensation by utilizing the capabilities of City-owned and issued "smart phones" (email, text, internet) during off-duty hours. Any such use by non-exempt employees during off-shift hours must be *de minimus* in nature (i.e., 5 minutes or less), for which no right to compensation shall accrue.

IV. **Authorization (Approval) Process**

A. Initial Request and Review

1. Either on his/her own initiative, or at the direction of the employee's immediate supervisor, employee shall submit a completed *Wireless Communication Device Business Case* form and *City Wireless Communication Device Agreement* to his/her supervisor/manager (if applicable) or director for review.
2. Prior to granting approval, any supervisor, manager or director of an employee requesting a wireless communication device shall ensure that the authorized usage clearly provides a benefit to the City. This will be accomplished initially with the completion of a *Wireless Communication Business Case* form identifying the legitimate business need(s) under one or more of the following conditions:

- a. Job responsibilities require the employee to be away from the office regularly for long periods of time, it is considered essential to communicate with the employee by phone or email while they are out of the office, and the use of other communication equipment, such as two-way radio or regular land line telephone will not achieve the necessary communications required by the job responsibilities.
 - b. Internet access for the employee, while away from the office, is critical to the performance of their job.
 - c. Work-related personal safety is enhanced by the use of a wireless communication device.
 - d. The employee and/or their job function has been designated as “essential” in the event of an emergency and must be reachable via a two-way voice communication at all times.
 - e. Employee performs “stand-by” duties and must be reachable via two-way communications during assisted times.
 - f. Documented cost savings of using a wireless communication device instead of a two-way radio or landline, including minutes that are included with a cell phone plan instead of making long distance calls on a landline.
3. The employee’s department director must approve any request for a City-owned wireless communication device, based solely on the criteria above, before a request can be made to the IT Division for procurement of the device.
 4. The completed and approved *Wireless Communications Business Case* form, along with the completed and signed *City Wireless Communication Device Agreement* must then be forwarded to the IT Division so that the proper unit can be purchased and arrangements made for wireless service. Once all documents are received by the IT Division, IT will initiate the purchase and service for a City-owned wireless communication device and record the phone number. The *Wireless Communications Business Case* form and the *City Wireless Communications Device Agreement* shall be scanned and electronically retained by IT, with the originals forwarded to Human Resources for placement in the employee’s personnel file.
 5. The IT Division is responsible for procuring the most cost effective wireless communication device and plan option based on the employee’s approved needs. State contracts, pooling of minutes, and free phone offers are examples of the methods that will be used to establish the most cost effective option for City-owned and issued wireless communication devices and plans.

B. Ongoing Obligations of Department/Division

1. After one or more City-owned wireless communication devices have been issued to a department, the department director shall ensure that the following occurs:
 - a. Maintain a current list of all employees and their associated phone numbers covered under this policy, and periodically review job functions of those employees to ensure a continuing need to authorize use.
 - b. At least annually, conduct a comprehensive review of the need of each employee to determine if assignment of a City-owned wireless communication device remains appropriate.

C. Employee Responsibilities

1. Employees who, due to the nature of their job responsibilities, make a business case for a City-owned wireless communication device shall have the following responsibilities:
 - a. Sign a *Wireless Communications Business Case* form and a *City Wireless Communication Device Agreement* governing business use only of a City-issued wireless communication device.
 - b. Abide by this policy, the City's Computing and Communication Resources Use Policy (Index 3125), and the terms and conditions contained in the executed *Wireless Communications Device Business Case* form and the *City Wireless Communications Device Agreement*.
 - c. Agree to accept and make City business calls/perform data access on the City-owned and issued device.
 - d. Be available, via their wireless communication device, during work hours and other times required by City policy and the individual requirements of employee's current position.

Guide

The primary objective of this policy is to:

- Address the business need and use of wireless communicate devices and establish and communicate the responsibilities of each Department, Division, and employees.

Approval



City Manager

9-2-2015

Date

Responsible Administrator: Assistant City Manager

Revision History:

September 2, 2015 – Wireless Communication Device Policy

May 26, 1995 – 3230 Cellular Telephone Policy

July 15, 1994 – 3230 Cellular Telephone Policy



Request for Wireless Communications Device Business Case Form

Today's Date: (select one): [] New Request [] Revision
Employee Name: Job Title:
Department: Division: Mail Stop:

Upon establishing the city business justification below, employee will be assigned a city-owned wireless communication device to be used in conformance with Policy 3230, Wireless Communication Devices.

Mandatory: Attach documentation of the number of anticipated employee cellular phone minutes and/or internet minutes and show the cost savings of using a wireless communication device instead of a two-way radio or landline.

City Business Justification: (check all that apply)

- Job responsibilities require the employee to be away from the office regularly for long periods of time...
Internet access for the employee, while away from the office, is critical to the performance of their job.
Work-related personal safety can be enhanced by the use of a wireless device.
The employee and/or their job function has been designated as "essential" in the event of an emergency...
Employee performs "standby" duties and must be reachable via two-way communications during assigned times...

Employee: Date:

By signing above, the employee confirms the above business case justification, agrees to sign the corresponding "City Wireless Communication Device Agreement," and agrees to abide by the employee responsibilities as outlined in the City's wireless communication policy.

Department Supervisor / Manager: (if applicable): Date:

Department Director: Date:

By signing above, the Department Supervisor/Manager/Director confirms the above business case justification for the identified employee, authorizes assignment of a city-owned wireless communication device, and agrees to audit employee use and eligibility as outlined in the City's wireless communication policy.

IT Review/Approval (for data access to City email or systems):

Date:

[] Approved [] Not Approved

City Manager: Date:

Send to IT for Acquisition

IT - City assigned number: Make/Model:

City phone plan:



City of Richland – Wireless Communication Device Agreement

This agreement outlines the responsibilities I have as an employee to whom the City of Richland has provided and authorized me to use a City-owned wireless communication device for city business purposes only.

1. I agree to safeguard the city-owned wireless communication device assigned to me, to provide appropriate security of this city asset, and to notify my supervisor immediately if it is lost or damaged.
2. I understand that any fee based “premium services” as defined by the service provider may not be added to my service package.
3. I understand that I am solely responsible for all use on this device. I agree to follow the City’s Wireless Communication Device Policy as it pertains to both business and personal use. Failure to follow this policy may be grounds for: (a) discipline and/or legal action, (b) permanent loss of use of a city-owned wireless communication device and/or (c) direct payroll deduction for any personal use that results in additional cost to the City.
4. I understand that the wireless communications device assigned to me is the property of the City of Richland, and therefore, I may be periodically required to comply with internal control procedures designed to protect City assets. This may include being asked to produce the wireless communication device to verify it is in my control and providing assistance in an audit review of its use.
5. I agree to keep my wireless communication device charged and turned on so that I will be available, via this device, to answer incoming calls during work hours and other times required by City policy and the individual requirements of my position.
6. I understand that the wireless communication device assigned to me must be surrendered if requested by the City for any reason and/or upon my termination of employment with the City.

My signature below indicates that I have read and understand my responsibilities as an employee assigned access and use of a City-assigned wireless communication device, and that I agree to adhere to this agreement. I also agree to be responsible for the City business use (as intended by the City of Richland) of this device and agree to abide by each of the requirements listed above.

Employee Signature _____ Date _____

Employee Name (Please Print) _____