

**SECTION 5
COUNTY EQUIPMENT USAGE**

As required by the Washington State Constitution, Article 8, Section 7: employees are prohibited from using any County equipment for personal gain or benefit.

Phone calls for private purposes are to be kept to a minimum. Personal long distance phone calls by an employee shall not be billed to the County. The billing shall either be to a third party or by use of personal credit card.

**SECTION 5A
WIRELESS COMMUNICATION DEVICE (WCD) POLICY
(CELLULAR TELEPHONE POLICY)
Resolution No. R-20-2012**

1.0 PURPOSE

The purpose of the Cellular Telephone Policy is to outline criteria for the purchase and use of cellular telephones, and to establish guidelines for reimbursement by employees for personal use of County cellular telephones.

2.0 POLICY

It is the policy of Adams County to provide employees with efficient, cost effective telephone communication equipment and services. The purchase and utilization of cellular telephones shall be limited to the requirements and specifications contained in this guideline. The policies and procedures of this guideline apply to all County departments.

3.0 ACQUISITION

3.1 Agency Owned Devices

The acquisition of cellular telephones shall be limited to those instances in which there is a need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public, or in situations in which necessary communications cannot be provided by any other means. The purchase of cellular telephones shall be subject to approval by the County and will be processed through the Cellular Telephone Coordinator.

3.2 Privately Owned Devices

The acquisition of cellular telephones shall be the responsibility of the employee. The device used must be consistent with the approved use as stated in Section 7 of this policy.

4.0 RESPONSIBILITY

4.1 Cellular Telephone Coordinator

The Adams County Board of Commissioners has designated the Cellular Telephone Coordinator oversight responsibilities for all County cellular telephones to be the Central Services Department; and, the Coordinator for all Personal cellular telephones used for county business to be the Department Head of each individual Department.

4.2 Department Heads

The Department Head or designee shall assign each cellular telephone to one specific individual, aka Assigned User, and shall ensure appropriate controls are in place for checkout, return, security, and maintenance of the equipment.

The Department Head or designee will insure that all Assigned Users have read and signed the Assignment of Cellular Telephone form and will return a copy of each signed form to the appropriate Cellular Telephone Coordinator.

It is the responsibility of the Department Head or designee to provide for a routine examination of cellular telephone billing detail to ensure proper use of such equipment.

4.3 Assigned User

Each Assigned User shall control and monitor the use and when applicable the return of the cellular telephone.

5.0 USE OF COUNTY-OWNED CELLULAR TELEPHONES

Use of cellular telephones shall be authorized only when there is a demonstrated need for the use of the equipment for the purposes listed in Section 3 of this policy. Only the assigned user or any additional county employee who has been informed of county guidelines on the use of cellular telephones and who has signed the assignment of cellular telephone form may use county owned telephones.

Cellular telephones may be used for personal reasons only in an emergency situation when no other immediate means of communications is available to the employee. In such event, the employee shall reimburse the County for the cellular telephone charges incurred as outlined in Section 6. This shall apply to both incoming and outgoing cellular telephone calls.

Cellular telephones should not be used when a less costly alternative is safe, convenient, and readily available.

Cellular transmissions are not secure. Employees should use discretion in relaying confidential information.

Reasonable precautions should be made to prevent theft and vandalism of any cellular telephone. In the event that a cellular telephone is lost, stolen, or vandalized due to an employee's failure to use reasonable precautions, the county may require the employee responsible for such cellular telephone to reimburse the county for the reasonable cost to replace such telephone.

6.0 REIMBURSEMENT FOR PERSONAL CELLULAR TELEPHONE CALLS

Employees shall reimburse the County for personal calls made on County cellular telephones. In the event of an emergency necessitating a personal call on a County cellular telephone, the employee making or receiving the call shall keep a record of the date, time and identifying information for the call.

Personal cellular telephone charges will be reimbursed at the per minute rate the County pays for minutes billable to the telephone in excess of the "free time." This reimbursement shall apply to all personal calls within or outside the "free time" range.

Long distance and roaming charges will be reimbursed at the rate identified on the billing detail.

The Cellular Telephone Coordinator or designee will invoice the employee for the personal telephone calls. Failure of the employee to reimburse the County within 20 days of receipt of invoice may result in the deduction of the amount due from the employee's paycheck or final check upon termination of employment, or garnishment of wages if employee has received final check upon termination of employment.

7.0 USE OF PERSONAL DEVICE TO CONDUCT COUNTY BUSINESS

7.1 Reimbursement of County Calls with Personal Phone

Employees using privately owned cellular telephones may be reimbursed by their department for direct air time for calls to conduct authorized County business when evidenced by a billing detail. Reimbursement shall be made through the County's expense claim process with the billing detail attached. County business calls are identified, including name of person/agency called and reason for call.

7.2 Stipend Received for Use of Personal Phone

This section establishes requirements for employee use of wireless communications devices (WCD) to conduct department business and the option for employees to use their own personal WCDs instead of agency-owned WCDs and receive a stipend.

It is the policy of the department to use WCDs when the job duties or the positions necessitate its use as a justified business need. The department may pay an employee a stipend for using a personally-owned WCD, in accordance with the following rules.

1. Department Head/Director Approval
The Department Head/Director must receive approval from the Board of County Commissioners prior to exercising this portion of the policy.
2. WCD Use is based on Business Needs
The business need for WCD use by an employee must be documented and approved on the appropriate form. This form must be approved by the employee's departmental head/director.
3. Agency-Owned WCD or Stipend for Personal WCD
An employee with a documented business need may either use an agency-owned WCD, or request approval to receive a stipend for their personal WCD on a Wireless Communications Device Stipend Request Form.

Stipend Information

The department will pay one of the following stipend amounts to the employee less payroll taxes:

- \$10 per month for a voice only service plan
- \$15 per month for a voice and text message service plan
- \$40 per month for a voice and data service plan.

If a data plan is required, the employee's WCD and service plan must support access to the agency's electronic mail system via the secure Microsoft Exchange remote mail portal.

The employee is responsible for costs and details of the WCD and service plan.

The employee receives and pays invoices directly for the WCD and Service Plan.

The employee will be required to list the phone number with the County and place the number on their business card, if applicable.

The department is not responsible for the employee's WCD or service plan.

7.3 Privacy and Employee-Owned WCDs

Business related data transactions made via employee-owned WCDs are stored on the department's secured Microsoft Exchange servers and are subject to the existing public disclosure retention schedules as determined by content. In addition, should they be identified during a public disclosure request, an additional retention of six years will apply.

In the event a personal phone which uses the Adams County Microsoft Exchange system for e-mail is lost or stolen, that phone will be formatted from the Microsoft Exchange server. It will be the employee's responsibility to notify the County of such an event. All information whether County related or personal will be erased from the phone.

Employee-owned WCD information is private with the following exceptions:

For audit purposes, the employee must be able to provide proof of a qualifying voice and/or data service plan.

When notified of a litigation hold, the employee may be required to consent to the inspection and copying by Adams County of data and electronically stored information as determined by the scope of the litigation hold.

7.4 Responsibilities

Department Head/Director must:

Review and approve (or deny) requests to acquire or use WCDs as necessary to meet department business needs.

Review and approve (or deny) requests to pay a stipend to employees for personal WCD use.

Immediately notify the Auditor's Office when stipend for employee-owned WCD use is terminated.

Supervisors must:

Provide justification for the use of WCD and request approval or denial from the department head.

Provide oversight and instruction to the employee as to the proper use of WCD and evaluate need whenever job duties change.

Employees must:

Understand and comply with this policy and applicable state and federal laws regarding the use of WCDs.

Complete and sign required forms prior to the use of agency-provided WCD.

Complete and sign required forms prior to receiving a stipend for personal WCD use.