

PORT OF SKAMANIA COUNTY
RESOLUTION 7-2017

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF SKAMANIA COUNTY
AMENDING THE CELL PHONE POLICY IN THE PERSONNEL MANUAL

WHEREAS, The Port of Skamania County Board of Commissioners recognizes the need for a Personnel Manual, and previously approved the current version by Resolution 15-2010 with Amended Resolutions 9-2012, 14-2015, and 11-2016;

WHEREAS, The Port Manager has presented a revised Manual that incorporates updates to the Cell Phone Policy to the Board of Commissioners to be included in the Personnel Manual;

WHEREAS, The Board of Commissioners has reviewed the Cell Phone Policy with the revisions;

WHEREAS, The Board of Commissioners has determined it is in the best interest of the Port of Skamania County to implement these policy changes;

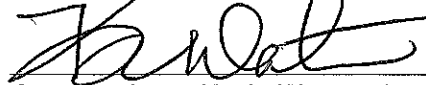
WHEREAS, This Resolution supersedes all past resolutions regarding policies set forth in the Port's personnel manual;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Port of Skamania County, accepts the attached revisions, which will amend the Personnel Manual:

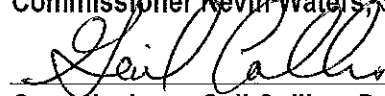
Personnel Manual Adopted: July 13, 2010
As amended and restated: January 24, 2017

PASSED IN SESSION THIS January 24, 2017.

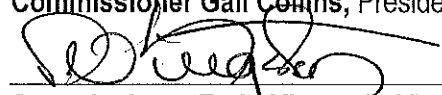
PORT OF SKAMANIA COUNTY COMMISSIONERS



Commissioner Kevin Waters, Secretary (District 1)



Commissioner Gail Collins, President (District 2)



Commissioner Todd Kingston, Vice-President (District 3)

ATTEST:



Pat Albaugh, Executive Director

VIII. CELL PHONE POLICY

Effective Date: July 26, 2011

Approval Document: Resolution 7-2017

PURPOSE

The Port of Skamania County (Port) hereby adopts a policy for the use of Port-owned cell phones and reimbursement for personal cell phones used for Port Business.

POLICY

This policy shall apply to all Port employees.

1. Cell phones are an important and necessary tool for certain employees to perform their job duties. For this purpose, the Commission will determine whether or not the Executive Director requires a Port-provided cell phone and whether or not a data plan is necessary. The Executive Director will be responsible for determining whether any employees require a Port-provided cost-effective cell phone and whether a data plan is needed.
2. An employee may make a request to the Executive Director to receive a cell phone reimbursement for use of their personal cell phone for Port related business. The Executive Director may make a similar request to the Commission. If approved, the Port will reimburse a maximum of \$40 for cell phone plans that do not utilize data and a maximum of \$60 for plans that do utilize data.
3. If an employee chooses a cell phone reimbursement over a Port-issued cell phone, the employee shall enter into a Cell Phone Contract with the Port, which must be active as long as a cell phone reimbursement is in place. (See Appendix 1: Cell Phone Reimbursement Contract) Port employees receiving a cell phone reimbursement are responsible for purchasing and maintaining the equipment and for payment of all bills and charges, to include accessories and taxes. Port employees should also be able to provide all billing statements as requested by the Port Executive Director or Finance Manager

PROCEDURE

1. Determination of Cell Phone Eligibility
 - a. Eligibility for either a Port-owned cell phone or a reimbursement for a personal cell phone is based on the need for frequent use of a cell phone as determined by the Executive Director and whether data service is advisable. If eligible, employees should submit a copy of their phone bill to the Finance Manager to determine the reimbursement rate.
 - b. Employees leaving Port employment must turn in Port-owned cell phones as part of their termination process. Employees transferring or promoting within the Port must re-establish their eligibility in their new position.

2. Use of Cell Phone

- a. Port-owned cell phones shall be used for business purposes only. Use of a Port-owned cell phone for non-Port business, or more than incidental (infrequent and insubstantial) personal use, may result in the revocation of eligibility and require employee reimbursement of Port costs related to the cell phone.
- b. Personal cell phones should be purchased and set up with the employee's preferred cell phone carrier. Personal use should be kept at a minimum during the employee's working hours. Use of the device in any manner contrary to Port policies regarding Employee responsibilities and conduct or local, state, or federal laws will constitute misuse, and the employee will be responsible for all associated liabilities. Cell phone reimbursement will also be immediately terminated.

3. Cell Phone Reimbursement Documentation and Review Requirements

- a. The employee's monthly wireless provider billing records that establish business use are subject to audit at any time by the Accounting Department, Internal Audit, or external auditors engaged by the state or federal government. By November 30 of each year, individuals receiving a cell phone reimbursement will fill out the Cell Phone Reimbursement Contract and Annual Certification. The Finance Manager is responsible for an annual review of employee business-related wireless communication device use, to determine if existing cellular phone reimbursements should be continued as-is, changed, or discontinued, and to determine if any new reimbursements should be established.

4. Records created related to Port business—including text messages, voicemail messages, and other electronic communications—are Port records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones, tablets, or similar devices (iPhone, iPad, Blackberry, Android, etc.)

- a. With Executive Director authorization, employees may use text messaging only for routine or transitory messages that don't need to be retained by the Port. Examples include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication.
- b. Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.
- c. Delete transitory, business-related text messages as soon as possible.
- d. If a text message needs to be retained pursuant to a retention schedule, employees must transfer the messages to the Port's network and/or devices.

APPENDICES

1—Cell Phone Reimbursement Contract/Annual Certification and Agreement

Appendix 1
Port of Skamania
Cell Phone Reimbursement Contract and Annual Certification

NAME OF EMPLOYEE: _____

EFFECTIVE DATE: _____

MONTHLY REIMBURSEMENT AMOUNT: _____

Notification:

Employees should be aware that all cell phones create data that is stored on the device, to include e-mails, text messages, and communication logs. When the cell phone is used for Port business that record is, in nearly every case, a public record, subject to possible disclosure under the Public Records Act. As such, all communications created or received using a Port cell phone and all data stored on the devices is the property of the Port and is subject to review by the Executive Director. It is the employee's responsibility to ensure that all cell phone data related to Port business is retained and all Port rules, regulations, policies and procedures are followed. Employees have no personal or property right in these communications and data and no expectation of privacy with regard to their use of Port communication devices. Port employees shall adhere to the Port Cell Phone Policy regarding using Port supplied or reimbursed cell phones for text messaging and by signing below the employee acknowledges having read the policy.

Employee Certification and Signature:

I certify that I will use the reimbursement funds toward the business use of my cell phone, and promptly report any changes in the level of those business expenses to my supervisor. The reimbursement does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, benefits based on a percentage of salary, etc. I further certify that I have read, understood and intend to comply with the Port of Skamania Cell Phone Policy dated: January 17, 2017 and all Port rules, regulations, policies and procedures as they may apply.

Employee Signature: _____ Date: _____

I certify that the requested reimbursement is needed for this employee to cover work related expenditures due to cell phone communications, as described above.

Executive Director Signature: _____ Date: _____

This contract is:

- A new contract
- Replaces an existing contract
- Annual certification

PAYROLL USE:

Pay period effective: _____

Entered by: _____