

# CITY OF ROCHELLE

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**CATEGORY:** HUMAN RESOURCES **PAGE:** 1 of 1

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**TITLE:** Cell Phone by Employee

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**EFF. DATE:** 5/17 **REVISION DATE:** **SUPERCEDES:** 7/05 policy

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**PURPOSE:** This policy outlines the use of personal cell phones at work, the personal use of business cell phones and the safe use of cell phones by employees while driving.

## **PROCEDURES:**

### **1. Personal cellular phones.**

While at work, employees are to exercise the same discretion in using personal cellular phones as they do for company phones. Personal calls during the workday, regardless of the phone used, can interfere with employee productivity. Employees are therefore asked to make any personal calls or sending text messages on non-work time. Flexibility will be provided in circumstances demanding immediate attention.

The company will not be liable for the loss or theft of personal cellular phones brought into the workplace.

### **2. Personal use of company-provided cellular phones.**

Where job or business needs demand immediate access to an employee, the City may issue a business cell phone to an employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons and should not be regularly used for personal calls. Excessive personal use of City issued cell phones may result in additional fees, which may then be charged to the employee, at the discretion of the City Manager.

Employee shall preserve all text messages, whether personal or for business related activities, as the messages and phone records may be requested under the Illinois Freedom of Information Act (FOIA).

The type of phone, including the brand, model and choice of operating system on the phone is solely at the discretion of the City and the Superintendent of Advanced Communications. Additionally, City issued phones will not be upgraded until the two-year anniversary, subject to the sole discretion of the City; however, a phone may be upgraded sooner if the City determines the battery in the phone requires replacement of the entire phone.

Personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. If a supervisor feels that an employee is using their company-provided phone as their personal phone or in relationship with a secondary employment, the supervisor may request the employee to begin logging all personal calls and the employee could be required to reimburse the City for the cost of such calls. ***Employees are not allowed to use and/or advertise any cell phone numbers of City owned phones as their personal business or secondary employment business number.*** If it is determined that an employee has violated any of the policy guidelines, the employee will be considered to have misused City property and could be subject to immediate loss of cell phone privileges and/or disciplinary action, up to and including termination.

Employees in possession of company equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Employees must report any damaged or lost phones to his or her direct supervisor within 24 hours of the occurrence that led to the damaged or lost phone. Employees who have damaged or lost more than one phone may be responsible for the cost of repairing or replacing said damaged or lost phone, subject to the discretion of the City Manager or Superintendent of Advanced Communications.

Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

### **3. Safety issues for cellular phone use.**

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use shall not use their cell phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees shall pull off to the side of the road and safely stop the vehicle before placing or accepting a call, unless the employee is utilizing hands-free or Bluetooth equipment. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free or bluetooth equipment must be requested by the employee for supervisor consideration to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Approved:

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City Manager

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DATE: