

PROPOSED TYLER COUNTY CELL PHONE POLICY

Purpose

Tyler County employees whose job duties require constant communication may be entitled to extra compensation, in the form of a cell phone allowance, to cover the business-related expenses of operation a cell phone.

Eligibility

Cell phone allowances will be at the discretion of the Elected Official/Department Head. Cell allowances cannot exceed the amount currently budgeted in that Department's line and shall adhere to the defined allowance amounts.

Employee's Responsibilities

In order to receive a cell phone allowance, the employee must have cell phone available to them for business purposes as long as the cell phone allowance is in place. County employees receiving a cell phone allowance are personally liable for any contractual agreement that they enter of any other arrangement for cell phone use. The cell phone allowance is intended to cover most of the cost of the cell phone expenses related to work duties. However, the employee will pay any costs exceeding the amount of the cell phone allowance to the cell phone provider.

The phone is considered the employee's personal property. The initial purchase of the cell phone, accessory equipment, and activation fees will be the responsibility of the employee. Any repairs, replacements, upgrade or purchase of prepaid time of the phone device will not be reimbursed by the County.

Employees will ensure that the mobile telephone sieve is reliable in Tyler County, Texas.

Any changes to an employee's cell number must be reported to the employee's respective Elected Official/Department Head.

Each Elected Official/Department Head may establish rules relating to the use of personal cell phones while at work. This policy is intended to supplement any other policies relating to the use of cell phones and employees are responsible for understanding and abiding by all of Tyler County's policies.

Fees for Contract Changes or Cancellations

Contract termination fees (if assessed by the service provider) will not be paid or reimbursed by the County. This includes termination fees of employees who quit, are terminated, transfer to another department, or are moved into another position with no cell phone allowance.

Payment of Allowance

Once determined that an employee is eligible, the Elected Official/Department Head may assign allowances based on the following tiers of usage:

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Allowance Amounts (monthly):

- Employee = \$46.16
- Official = \$92.32

The cell phone allowance will be processed through Tyler County Payroll as taxable income and is subject to standard payroll withholdings to the extent required by Federal Law. This allowance does not replace or attempt to replace any overtime payment due to the employee for work carried out through the use of his or her cell phone. It is the policy of Tyler County to abide by all the statutory and common law standards relating to compensation of employees, including with respect to the usage of communication devices.

The allowance will be paid bi-weekly.

Workplace – Employees receive a cell phone allowance due to the critical need to maintain accessibility with County staff and officials in order to ensure the uninterrupted flow of services to our constituents. Regardless of whether an employee is provided with a cell phone allowance, employees' usage of cell phone for personal and /or non-County-related reasons while working cannot be excessive. Excessive personal calls during the workday, whether talking, texting, using the internet, or engaging in social media, is strictly forbidden. Employees should endeavor to make or receive personal calls during designated breaks, lunch periods, before and after working hours. Abuse of cell phones will result in disciplinary action up to and including termination.

Operating a motor vehicle – When operating a vehicle in the course of one's employment, either county or personally owned, safe operation of the vehicle is the employee's primary goal. Employees are required to obey and any all policies, ordinances, laws, or regulations relating to cell phone usage. Employees who need to take or make a call while driving must pull off the road and be parked in a safe location before making or receiving a phone call. The County shall not be responsible for any failure to obey any state, county or other law or regulations prohibiting cell phone use. (Law Enforcement must refer to their departmental policy)

Records Requests

County employees must understand that use of their personal cell phones for business purposes may be subject to disclosure pursuant to the Public Information Act.

Informational Technology

For all cell phones, regardless if they are County-owned or employee-owned, connections to County messaging services or County-licensed applications may be loaded and configured only as authorized by Information Technology (IT), consistent with the IT cellular telephone policy. IT can provide only limited support for personal cell phone devices with operating systems other than those recommended by IT.

Should a County-owned or employee-owned device become lost, or stolen or otherwise become a risk to the County computing environment, IT maintains the right to remove County messaging of County-licensed programs from the device remotely.