



## LEWIS AND CLARK COUNTY POLICY

<b>Subject:</b> Cell Phone Policy	<b>Policy No:</b> 1.1.3
<b>Approved:</b>	<b>Effective Date:</b> <b>Revised Date</b>

### I. **Policy Statement**

This policy establishes guidelines for the both the use of County owned cell phones and tablets as well as reimbursement for personally owned cell phones and tablets used for official County business.

### II. **Applicability**

#### **Scope:**

This policy is applicable to all county employees. For purposes of this policy, “employee” includes all Lewis and Clark County employees and elected officials.

#### **Administration:**

- A. Employees are responsible for following the policy.
- B. Department Heads are responsible for the implementation of the policy within their departments, approval of cell phone requests and ongoing compliance.

### III. **Definitions**

**Board or BoCC.** The Board of County Commissioners of Lewis and Clark County, Montana.

**Chief Administrative Officer (CAO).** The Chief Administrative Officer of Lewis and Clark County, Montana, or such person’s designee

**County.** Lewis and Clark County, Montana.

**Department Director.** The duly appointed Director of any department of the County.

### IV. **Directives**

The County recognizes that cell phone technology is a valuable communication tool and is integral to the operation of Lewis and Clark County. An employee holding a position that includes the need for a cell phone may receive a County owned device or use a personally owned cell phone and receive a stipend to compensate for the business related costs to its use.

An employee is eligible for a County owned cell phone or a stipend if:

1. It is necessary for the employee to be in communication 24/7 in the event of a County or department emergency.
2. The employee's job regularly requires them to be in the field and away from a phone for frequent and extended periods of time and the nature of the job requires the office or outside parties to have immediate or prompt access to the employee.

#### **A. Stipend Plan**

- Department Head and Chief Administrative Officer approval is required in response to a request from an employee eligible for a cell phone or tablet stipend.
- The employee and the department head will agree to an amount based on the cost to the employee for expected usage of cell service. This amount may not exceed the actual cost of providing a County issued cell phone.  
Reimbursement amounts, based on expected usage are: \$65 per month, \$45 per month, \$25 per month, \$10 per month
- The employee agrees to allow the County to publish their number internally for business purposes and to accept business calls and/or messages on the cell phone.
- To be reimbursed on a stipend plan, a cell phone reimbursement form must be signed by the employee and approved by the Department Head. The Department Head will submit to the Chief Administrative Officer for final approval.
- Employees shall be reimbursed monthly through payroll.
- Employees are responsible for the cellular phone contract and payment of the monthly fee, taxes and service charges.
- The County will not accept any liability of claims, charges or disputes between the service provider and the employee.
- Employee understands that work related texts and voice messages on cell phones are public records subject to Montana's open records laws. Employees have a duty to maintain such records in accordance with Montana's local government record retention schedules.

#### **B. County Owned Cell Phones**

The County may own cell phones for various business purposes, including public safety, emergency response, on-call functions, facilities management, and select supervisory circumstances. Employees who receive County owned and provided cell phones should be aware that all data, files, apps, and communications records are the property of Lewis and Clark County and should hold no expectation of privacy in the use of property.

To obtain a County owned cell phone:

- The employee must receive Department Head approval before new service is initiated.
- The phone model should be appropriate to the County's business needs.
- Upon employment termination, the phone and number may be transferred to another employee performing the same function (i.e., Sheriff's Deputy).

- Department heads must review annually all cell phone holders within their department to ensure that only employees with a legitimate need hold County owned cell phones.

V. **Closing**

VI. **References**

VII. **Attachments**

Cell phone reimbursement agreement.