


# POLICY

	Policy:	<b>CELL PHONE &amp; PERSONAL COMMUNICATION DEVICE POLICY</b>		
	Department:	Corporate Services		
	Division:	Information Technology	By-Law No.:	2015-109
	Prepared By:	Dave Carpenter	Approval Date:	September 14, 2015
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	Replaces:	IT 001-2009 Cellular Phone and PDA Device Use Policy - Feb. 23, 2009		

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## 1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to ensuring that Town of Amherstburg employees possess the proper telecommunications equipment necessary for them to support Town of Amherstburg business.

## 2. PURPOSE

- 2.1. To provide uniform guidelines for the purchase, use, and payment of cellular (cell) phones and other personal communication devices. Directors may issue cell phones or personal communication devices to staff members if it is deemed necessary to support Town of Amherstburg business.

## 3. SCOPE

- 3.1. This policy applies to all Town of Amherstburg staff and members of Council.

## 4. DEFINITIONS

- 4.1. **Cell phone** is a phone that can make and receive telephone calls over a radio link while moving around a wide geographic area. It does so by connecting to a cellular network provided by a mobile phone operator. Cell phones support a wide variety of other services such as text messaging, MMS, email, and internet access.

- 4.2. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the *Municipal Act, 2001*.
- 4.3. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, as an entirety, the Mayor, Deputy Mayor and Councillors.
- 4.4. **Director** is the person responsible for direction and operational control of a division as defined on the Town's organizational structure.
- 4.5. **Employee/Staff** is any person employed with the Town of Amherstburg, including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, and paid work placements.
- 4.6. **IT** refers to the Town's Information Technology Department.
- 4.7. **Manager** reports directly to a Director (or the CAO in some instances) and who is responsible for a department within a division of the Corporation, as defined on the Town's organizational structure.
- 4.8. **Personal Calls** are defined as personal calls of minimal duration and frequency that are essential to allowing the employee to continue working, and cannot be made at another time or from a different telephone. Examples of personal calls are calls to arrange for unscheduled or immediate care of a dependent, a family situation, a personal emergency, to alert others of an unexpected delay due to a change in work or travel schedule, etc.
- 4.9. **Personal Communication Devices** are defined as commercial wireless devices, such as cellular phones, mobile email devices, pagers, personal digital assistants ( PDAs), and other similar devices.
- 4.10. **Senior Management Team (SMT)** is comprised of the Chief Administrative Officer and the Directors. If a Director is unavailable, a delegate may be assigned.
- 4.11. **Town** is the Corporation of the Town of Amherstburg.
- 4.12. **User** is an individual that has been provided a cell phone or personal communication device by the Town of Amherstburg.
- 4.13. **WEDnet** is the Windsor-Essex Development network.

## 5. **INTERPRETATIONS**

- 5.1. Any reference to this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

- 5.2. Where not specifically identified in this policy, any use of a cell phone or personal communication device is regulated by the Town's Technology Use policy.
- 5.3. Where a Director is authorized to undertake any act pursuant to this policy, such act may be undertaken by a Director's authorized designate.

## **6. GENERAL CONDITIONS**

### **6.1. Criteria for Issuing Cell Phones**

- 6.1.1. Directors may request a cell phone to be issued to an individual department staff member in the following situations:
  - 6.1.1.1. The nature of work assigned limits the ability to use the office or other departmental phones.
  - 6.1.1.2. The nature of the work assigned requires the individual to be reasonably available outside of normal office hours.
  - 6.1.1.3. The nature of the work assigned is critical to the operation of the Town and immediate and timely response is required.
- 6.1.2. Directors may request a cell phone for departmental use to be shared among several staff members if an "on-call" or "on-duty" policy exists within the department and cell phone support is essential to Town operations.
- 6.1.3. Requests for cell phones are made by submitting a completed Cellular Phone Service Request Form to the manager of information technology that includes the funding sources for all related costs.

### **6.2. Service Provider**

- 6.2.1. The Town obtains cell phone service, phones, personal communication devices, and accessories using a vendor acquired through WEDnet. Agreements provide discounted pricing based on globally procured programs on behalf of local municipalities and provide a wide range of service plans to meet the needs of Town of Amherstburg departments.
- 6.2.2. Service provider agreements will be reviewed on a regular basis, as deemed appropriate by the Manager of Information Technology.
- 6.2.3. Should the requirement to procure a new service provider be present, this process shall be completed in accordance with the Town's Procurement Policy.

### 6.3. **New Device Activations**

- 6.3.1. The Cellular Phone Service Request Form is required for all new cell or personal communication device activations and accessories.
- 6.3.2. In every instance where a new activations or changes to plans are requested, the Information Technology department will contact the service provider to obtain approved changes and/or new service.

### 6.4. **Service Plans Changes**

- 6.4.1. In every instance where a new activations or changes to plans are requested, the Information Technology department will contact the service provider to obtain approved changes and/or new service.
- 6.4.2. In all cases, the most economical service plan that meets individual business needs must be chosen.
- 6.4.3. The Cellular Phone Service Request Form is required for all existing service plan changes.
- 6.4.4. Directors must approve any upgrades from basic service plans.

### 6.5. **Equipment and Purchases**

- 6.5.1. Departments should purchase baseline cell phone equipment.
- 6.5.2. Directors must approve any phone model upgrade.
- 6.5.3. Employees are responsible for the safekeeping and care of their cell phones or personal communication device.
- 6.5.4. Purchases will be placed by the Information Technology department following receipt of a properly completed Cellular Phone Service Request Form, and in accordance with the Procurement Policy.
- 6.5.5. The Information Technology Department will make arrangements directly with the designated service provider for necessary equipment.
- 6.5.6. All cell phones to be used specifically or primarily for business purposes shall be purchased and owned by the Town of Amherstburg.

### 6.6. **Charges and Oversight**

- 6.6.1. The Information Technology Department is responsible for managing all costs related to the cell phones and personal communication devices assigned to staff including hardware, accessories, service plans and overages.

- 6.6.2. The Information Technology Department shall review monthly billing statements to ensure service plans are appropriate for business use.
- 6.6.3. Departments must ensure all overages due to non-business use are reimbursed by the individuals assigned the cell phone. Non-business use resulting in plan overages will be reimbursed by the individual employee. Cheques will be made payable to the Town of Amherstburg and received by the Finance department with 30 days of receipt of a cellular invoice.
- 6.6.4. Where users are required to be available and are out the cell phone coverage area, users shall provide the Manager of Information Technology prior notice two weeks in advance in order for the arrangement of appropriate options to the cell phone plan. Options provided shall be at the discretion of the Manager of Information Technology and shall be of reasonable accommodation to the user.
- 6.6.5. Cell phones may have plans that accommodate placing long distance calls. Long distance calls should be kept to a minimum and should be placed only for the purpose of advancing Town business.

#### 6.7. **Payment and Billing**

- 6.7.1. Monthly cellular service invoices are received by the Town's Accounts Payable Department.
- 6.7.2. Cell phone service invoices are sent to the Information Technology Department for usage review and to ensure there are no billing errors.
- 6.7.3. Billing errors shall be brought to the attention of the Accounts Payable Department immediately for review and approval for account billing.
- 6.7.4. Once invoices are processed, monthly cellular service invoices are received by the Information Technology Department for a trend analysis review.

#### 6.8. **Personal Calls**

- 6.8.1. Town of Amherstburg cell phones and personal communication devices must be used primarily for business calls. Personal calls should be limited.

#### 6.9. **Disasters and Emergency Situations**

- 6.9.1. In the event of a disaster or emergency affecting the Town, cell phones in non-critical areas will be redistributed to support mission critical areas.

## 6.10. Cell Phone Allowance

- 6.10.1. A cell phone allowance shall be provided to employees to compensate for the use of personal cell phones for Town business in lieu of the employee having a Town-issued cell phone.
- 6.10.2. Employees eligible for receiving a cell phone allowance generally include those whose job duties regularly require emergency call back, irregular work hours, or other job related factors that require the employee to routinely utilize a cell phone to enhance their ability to perform their job duties. This may include, but is not limited to, Directors, Managers, and full-time employees.
- 6.10.3. Directors shall recommend which employees within their departments qualify for a cell phone allowance. The Chief Administrative Officer shall give final approval on all cell phone allowances.
- 6.10.4. Cell Phone Allowance Amount:
  - 6.10.4.1. The standard monthly cell phone allowance amount shall be \$20.00.
  - 6.10.4.2. The monthly cell phone allowance may be adjusted up to an amount of \$35.00 for any employee whose necessary use of a personal cell phone for Town business justifies a greater need for personal cell phone plan minutes. This is conditional on the recommendation of a Director, and final approval of the CAO.
  - 6.10.4.3. Employees who receive a cell phone allowance are not eligible for reimbursement for further cell phone costs.
- 6.10.5. Payment of Cell Phone Allowance:
  - 6.10.5.1. Approved cell phone allowance will be paid weekly as part of the employee's paycheck and will be subject to all applicable payroll taxes.
  - 6.10.5.2. This allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.
- 6.10.6. Employees receiving a cell phone allowance must retain an active cell phone contract for their personal cell phone at all times while receiving a cell phone allowance.
- 6.10.7. Employees receiving a cell phone allowance must provide their Director/Manager and the Town's Information Technology Department with their current cell phone number and immediately notify both parties if the number changes for any reason.
- 6.10.8. Employees receiving a cell phone allowance are expected to carry the cell phone on their person both on and off duty, and respond when called for Town business.

- 6.10.9. Employees receiving a cell phone allowance may choose the cellular service provider and plan design of their choice. If available from the Town's contracted cellular service provider, employees may be able to take advantage of discounts for their personal service plans if they utilize the same provider as the Town (if available).
- 6.10.10. Employees receiving a cell phone allowance shall use their personal cell phone for both business and personal purposes, as needed. Use of the phone in any manner contrary to local, provincial, or federal laws will constitute misuse, and will result in immediate termination of the cell phone allowance.
- 6.10.11. If an employee receiving a cell phone allowance changes their personal cell phone contract, or if the Town terminates the cell phone allowance for any reason, the employee will bear the cost of any fees associated with said change or cancellation of the personal cell phone contract.

6.11. **Publication of Staff Cell Phone Numbers**

- 6.11.1. Cell phone numbers shall not be published as a matter of public record except for the following individuals:
  - 6.11.1.1. Council
  - 6.11.1.2. The CAO
  - 6.11.1.3. Directors
  - 6.11.1.4. On-call Personnel
- 6.11.2. Cell phone numbers that have not been published as a matter of public record shall be provided to others upon the discretion of users and their immediate supervisors in the interests of keeping Town business moving forward.

**APPENDIX A – CELLULAR PHONE SERVICE REQUEST FORM**



**TOWN OF AMHERSTBURG**

**New Cellular Phone, Personal Communication Device Request Form**

Please fill out this form, obtain appropriate approval and email to the Manager of Information Technology [dcarpenter@amherstburg.ca](mailto:dcarpenter@amherstburg.ca)

Cell Phone User: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_ Division \_\_\_\_\_

Office Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Cell Phone Dept. Acct.# \_\_\_\_\_

Choose Device Type (circle one)

Cell phone      iPhone      Android

Options (circle options)      mike enabled      text messaging  
data / Internet enabled      email enabled

Requestor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Required)

Dept. Director or Designate: \_\_\_\_\_ Date: \_\_\_\_\_  
(Required)

Division Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
(Required)