

Cell Phone Allowance Policy 7.05 A

I. PURPOSE

- a. The City of Hudson recognizes that the performance of certain job responsibilities may be enhanced by or may require the use of a cellular (cell) phone or a Smartphone
- b. The City will begin issuing a cell phone allowance for those employees who hold positions where the duties of that position require the use of a cell phone. The benefits of such an approach include:
 - A single phone may be used for both personal and business purposes.
 - The allowance is not to be considered taxable income to the employee.

II. SCOPE

This policy applies to all City of Hudson employees who will be receiving an allowance for their personal cell phone.

III. POLICY

Employees, who are either authorized individually to be issued a cell phone or receive an allowance, (see eligibility criteria below) may, at the City's sole determination, receive a cell phone allowance in lieu of a City issued cell phone to compensate for business-related costs incurred when using their personally-owned cell phones.

IV. ELIGIBILITY

Eligibility shall be determined based upon the City of Hudson's Cell Phone Authorization Policy.

An employee who only occasionally is contacted for business purposes is not eligible for an allowance; however, s/he may submit a record of these expenses for reimbursement.

V. CELL PHONE ALLOWANCE

- a. Once approved, the allowance amount will be paid on a monthly basis.
- b. The allowance will be paid as a flat rate per month, based on the selected service and outlined below.
- c. The City will pay only the amount established herein. Any amount in excess of the established rates, including but not limited to charges for exceeding monthly minutes or data, are the responsibility of the employee.
- d. The allowance is neither permanent nor guaranteed. The City reserves the right to remove a participant from this plan and/or cancel the allowance for business reasons.
- e. The amount of the allowance will be determined based on the type of plan required of the employee's position to perform his or her job responsibilities. A tiered model based on the current market rates includes the following options:
 - Voice only - \$30 per month
 - Voice & Data - \$50 per month
 - Voice, Data, and Hotspot - \$60 per month
- f. As the allowance is for the business use of the cell phone, the City treats the allowance as nontaxable to the employee.

VI. EQUIPMENT PURCHASE

The City will not pay for the purchase of personal cell phones, activation fees, related accessories, or insurance.

VII. EMPLOYEES RIGHTS & RESPONSIBILITIES

- a. The employee is responsible for purchasing a cell phone and establishing a service contract with the cell phone service provider of his/her choice.

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- b. The cell phone contract is in the name of the employee, who is solely responsible for all payments to the service provider.
- c. Because the cell phone is owned personally by the employee, and the allowance provided is not considered taxable income, the employee may use the phone for both business and personal purposes, as needed.
- d. The employee may, at his or her own expense, add extra services or equipment features, as desired.
- e. If there are problems with service, the employee is expected to work directly with the carrier for resolution.
- f. Support from the City's Information Services (IS/GIS) Department is limited to connecting a personally-owned PDA/Smartphone to City-provided services, including email, calendar, and contacts.
- g. An employee receiving a cell phone allowance must be able to show, if requested by his/her supervisor, a copy of the monthly access plan charges and business related activity confirming they continue to have a contract for the cell phone (accountability).
- h. If the employee terminates the wireless contract at any point, s/he must notify his/her supervisor within 5 business days to terminate the allowance.
- i. The City does not accept any liability for claims, charges or disputes between the service provider and the employee.
- j. Use of the phone in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination.
- k. Any cell phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cell phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the wireless device service provider, and to IS/GIS as soon as possible.

VIII. CANCELLATION

Any allowance agreement will be immediately cancelled if:

- a. An employee receiving a cell phone allowance terminates employment with the City.
- b. The employee changes position within the City which no longer requires the use of a cell phone for business reasons.
- c. There is misuse/misconduct with the phone.
- d. A decision by management (unrelated to employee misconduct) results in the need to end the program or there is a change in the employee's duties.
- e. The employee does not want to retain the current cell phone contract for personal purposes.

IX. REMOVAL OR DELETION OF CITY INFORMATION

- a. Employees are expected to delete all City data from the cell phone when their allowance is severed or their employment with the City is severed, in accordance with Ohio public records laws and City policy, except when required to maintain that data in compliance with litigation hold notice. Removal shall be in cooperation and verified by the City Information Services Department.
- b. In the event the employee (or former employee) does not cooperate with Information Services Department in deleting all City data from the cell phone when their allowance is severed or their employment with the City is severed, the City reserves the right to remotely remove City Information, which may result in the loss of personal data and information.