

28. ELECTRONIC DEVICE POLICY

POLICY

It is the policy of Scott County to establish procedures for acquiring and guidelines for use of county issued cellular phones, smart phones, mobile broadband devices and other electronic devices. Electronic devices are issued to individuals and departments to support the effective performance of their jobs.

The IRS no longer views cellular devices as a taxable fringe benefit.

SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a County elected office holder providing the appropriate elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability.

Whenever the provisions of this policy are in conflict with the code of Iowa, federal law, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the code of Iowa will prevail.

DEFINITIONS

Cell phone - refers to a cell phone capable of voice calls, and possibly text messages.

Smart phone - refers to a device that serves as a phone and may also have a data plan attached that enables you to use Internet-based services.

Cellular device - refers to either a cell phone or smart phone.

Mobile broadband device - refers to various types of devices that allow wireless high speed internet access to a computer, laptop or PDA, such as a PC card, broadband cellular adapter, broadband card or air card.

Electronic device includes all of the above or any form of device used to communicate electronically.

ADMINISTRATIVE PROCEDURES

- A. A Department Head may request a cellular device for an individual in their department if one or more of the following criteria are met:
 - 1) The employee's position requires a need for constant communication with the individual, including after normal business hours.
 - 2) The employee spends large amounts of time away from the office and access to a land line.
 - 3) Personal safety for the individual while traveling or working in remote areas.
- B. The Department Head will coordinate with the IT Department the most cost effective means of electronic device needed by the employee to safely and efficiently perform their required duties. Smart phones typically will only be provided to staff that are exempt under FLSA. Non-exempt employees that are permitted to have access to a smart phone are permitted use during authorized work hours. Supervisors are responsible for monitoring usage pursuant to FLSA standards, so as not to create a compensable work event outside of authorized overtime.
- C. IT will coordinate all billing procedures. Every attempt will be made to put all cellular phones under one service provider to obtain the best pricing economies and to facilitate monthly billings. In order to obtain the best pricing and comply with purchasing policies, no employee or department head, other than the IT Department, is permitted to negotiate or discuss cellular device plans on County devices with an outside vendor.
 - 1) Employee's personal calls may require reimbursement if excessive use is noted and incurs additional expenses by the County. Employees shall be required to reimburse the County for any costs incurred by purchasing apps, games or ringtones. Employees should not use County provided devices to text numbers for charitable causes.
 - 2) Invoices detailing usage will be monitored monthly by the IT Department and shall be reported to the Department Head/Elected Official; or County Administrator if requested.
- D. The County will not pay the basic monthly services fee for employee-owned cellular phones. Any direct costs incurred for County business calls on employee-owned phones above the basic monthly service fee may be submitted to that employee's Department Head for review and approval for reimbursement from that department's budget pursuant guidelines for personal calls established in the Travel Policy.

E. Employee usage of cellular or electronic devices shall comply with the following guidelines along with those in the Technology Use Policy:

1) Termination of Use: An employee's access to an electronic device may be terminated for violations of this policy, the Technology Use Policy, for continued overages related to personal calls, text messaging, or purchases of third party content such as apps, games or ringtones. Personal calls and text messages do count toward the overall limits established for cellular devices under the County's service agreement.

2) Lost or stolen device: An employee shall report a lost or stolen device immediately so it can be turned off. Employees should use reasonable precautions to prevent loss, damage, theft or vandalism to County issued electronic devices. Equipment that is lost, stolen or damaged outside the normal course of business is the responsibility of the employee assigned the device.

3) Public Record: The phone number and records of a County issued cellular device are considered a public record.

4) Safe Use: In the interest of safety, employees using cellular devices (regardless if County issued) are expected to exercise appropriate care and caution if used in a moving motor vehicle. Employees are to avoid the use of cellular equipment under any circumstances where such use might create or appear to create a hazard. Employees shall be familiar with and comply with the laws regarding cellular devices in the jurisdiction in which they may be driving. Text messaging, reading emails, or writing emails while driving is not allowable under any circumstance. Employees who are charged with traffic violations resulting from the use of a cellular device while driving on duty are responsible for any fines incurred and may be subject to disciplinary action and termination of use.

5) Personal Cellular Devices: During paid work time, employees are expected to exercise the same discretion in using personal cellular devices as is expected for the use of any County phones. Excessive personal calls (including text messaging) during the work day, regardless of phone used, can interfere with employee productivity and be distracting to others. A reasonable standard the County encourages is to limit personal calls during work time to an average of no more than two or three short-duration calls per day as needed. Employees are expected to make personal calls during breaks when possible and to ensure that friends and family members are aware of the County's policy. Flexibility will be provided in circumstances demanding immediate personal phone use, but this immediate need should be communicated to an employee's supervisor.

- F. Department Heads may establish cellular device use policies or work rules that are more restrictive than this policy.