

Buffalo County Resolution



Drafted By:
Sonya J. Hansen
Presented Month/Year:
March 2019
Involved Committees:
Human Resources
Finance Committee

County Department:
Administration

Fiscal Impact: YES / NO
AC Approved: YES / NO

RESOLUTION # 19-04-11

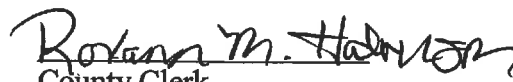
A RESOLUTION TO ADD POLICY NO. 111 TO THE BUFFALO COUNTY HANDBOOK – CELL PHONE POLICY

WHEREAS, the current Buffalo County Handbook requires the Buffalo County Board of Supervisors to authorize by resolution any amendments to the Employee Handbook; and,

WHEREAS, the Human Resource Committee and Finance Committee have recommended the adoption of Policy No. 112 to the Buffalo County Employee Handbook that addresses the use of cellular devices to remain available for work related communication, a copy of which is attached as Exhibit A and to be incorporated herein and to become a part of this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Buffalo County Board of Supervisors hereby adopts Policy No. 111 Cell Phone Policy to be incorporated into the Buffalo County Handbook. A copy of the policy is attached as Exhibit A and to be incorporated herein and to become a part of this resolution.

Adopted at a duly called and noticed meeting of the Buffalo County Board of Supervisors on the 16th day of April, 2019.



County Clerk

ATTEST:

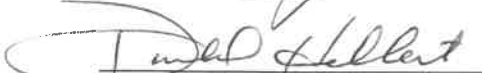

County Board Chairperson

Respectfully Submitted:

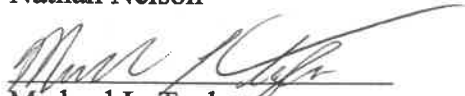
Human Resources Committee


Larry Grisen


Bernard Brunkow


Donald A. Hillert

Excused
Nathan Nelson



Michael L. Taylor

FINANCE COMMITTEE


Mary Anne McMillan Urell


Donald A. Hillert

Yes-via phone
David Danzinger


Larry Grisen


Nettie Rosenow

ANTICIPATED FINANCIAL IMPACT STATEMENT

~~No Additional~~ Financial Impact \$620⁰⁰

POLICY 111. CELL PHONE POLICY

1. **Purpose:** To provide efficiency through the use of technology, the County shall provide a county issued cell phone or a personal cell phone allowance to authorized individuals. The use of a cellular device allows the employee to remain available for work related communication while away from their office land line and enable them to complete the essential functions of their job. This policy is not intended to reimburse an employee who is required to have a phone number on file to be contacted for weather related activities or emergency services as part of their job duties.
2. **Policy:** The respective Department Managers are responsible for identifying the needs of their departments and requesting needed equipment and services.

All requests for a cellular phone allowance require authorization by the Department Manager and shall meet the following justification guidelines:

- 2.1 Employee has management responsibility which requires a cellular phone for operational tasks; or
- 2.2 Task driven functions that require a cell phone:
 - 2.2.1 An identifiable and articulable need,
 - 2.2.2 For a specific task or function,
 - 2.2.3 The use of which shall enhance efficiency or effectiveness of county operations
3. **Allowances:** Once a Department Manager has determined a specific need for an employee to possess a cell phone for the efficiency of county operations, and that employee either currently has a personal cell phone, or agrees to obtain a cell phone at their own expense, that employee shall receive a monthly allowance for the proposed use of that phone for county business. The allowed stipend will be considered a non-taxable fringe benefits to the employee.
 - 3.1 \$10.00 per month per designated employee.
 - 3.2 The allowance is for monthly phone use only. Allowances shall be paid on the first payroll of the month for the preceding month. To be eligible for the monthly allowance, an employee must have worked the majority of the month.
 - 3.4 If the employee separates employment the 1st – 15th of the month, they are not eligible for the month's allowance. If the employee separates employment the 16th – end of the month, they are eligible for the month's allowance.

Policy 111. CELL PHONE POLICY

Effective Date:

Revised Date:

**Buffalo County
Employee Handbook**

- 3.5 Employees shall not be reimbursed for the cost of any lost, stolen or damaged personal cell phones.
- 3.6 Department Managers shall complete a Cell Phone Allowance Form, available at the Administration Office that shall include the employee name, cell phone number and general ledger account code.
- 4.0 **County Owned Cell Phone:** County owned cell phones are for work purposes only. No personal use of a County owned cell phone is allowed except for “di minimus” use, defined as limited incidental calls of two (2) minutes or less per call not to exceed five (5) times a month.
- 4.1 Employees in possession of County equipment such as cell phones are expected to protect the equipment from loss, damage or theft. Upon separation of employment or at any time upon request, the employee may be asked to produce the phone to return for inspection, upgrade or changes. Like all county equipment, it is the employee’s responsibility to maintain and protect the equipment. In the event of damage or loss, this should be immediately reported to the employee’s supervisor.
- 4.2 Employees will not be allowed to purchase county owned cell phones upon separation unless approved by the County Administrative Coordinator.
- 5.0 **Procurement:** Department Managers are responsible to designate staff that is responsible to manage and administer cellular phone contracts with vendors, including purchasing and payment of charges.
- 6.0 **Phone Usage:** While at work, employees are to exercise the same discretion in using cell phones as they do the County phones. Excessive personal use during the workday, regardless of the phone used, can interfere with employee productivity and can be distracting to others. Employees shall limit personal use while on-duty or at work so that they do not interfere with the performance of their duties. Employees are asked to make any personal calls on non-work time when possible and to ensure that friends and family members are aware of the County’s policy.
- 6.1 Employees are not required to carry a cell phone, unless they have been authorized and approved to receive an allowance or a county owned cell phone.

Policy 111. CELL PHONE POLICY

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Buffalo County

Employee Handbook

7.0 **Camera Phones:** Use of camera phones to take photographs may violate the privacy rights of co-workers, vendors and customers and may also be used to convey confidential information or undermine the County's operations.

7.1 Use of the camera on a camera phone or any other camera or device in the county facilities that may capture visual images is prohibited unless it is being directly for work purposes and the employee received prior permission of their supervisor.

8.0 **Safety Issues for Cell Phone Use:** Buffalo County is aware that employees currently use their cell phones for business purposes and may be doing so while driving in their personal or company vehicle.

Research indicates that cell phone use while driving is dangerous, and may even approach the equivalent danger of driving while drunk, according to some studies, Buffalo County prohibits employee use of personal cellular phones or similar devices, for business purposes related in any way to our company, while driving.

This prohibition of cell phone or similar device use while driving includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; the business; our customers; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the company; or any other company related activities not named here while driving.

Using a cell phone while operating a vehicle is prohibited. It is the employee's responsibility to remain completely attentive to the task of driving while operating a vehicle.

8.1 Employees shall be responsible for payment of any traffic violations resulting from the use of a cell phone while driving.

8.2 An employee's failure to follow the provisions of this policy, or any subordinate departmental policy, may result in disciplinary action up to and including discharge.

Policy 111. CELL PHONE POLICY

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Revised Date:

**Buffalo County
Employee Handbook**

Office of County Administration



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Financial Advisor
Lisa Schuh
608-685-6207

Cell Phone Allowance Agreement Form (Policy 111)

Employee Name: _____ Stipend Start Date*: _____

Job Title: _____

Dept Name: _____

G/L account code: _____

Cell Phone #: _____

Cellular Carrier: _____

TYPE (Select one): County Owned Cell Phone Personal Cell Phone, please note allowance:

ALLOWANCE TYPE (Select one): \$10 per month for employee designated for continuous availability during work and/or non-work hours with only occasional calls or less than 300 minutes each month
 \$20 per month for employee designated for continuous availability during work and/or non-work hours with frequent calls expected or more than 301 minutes each month.

**Stipend payment should begin with the start of the next month.*

Policy Summary

Per policy 111, Buffalo County employees who have management responsibilities which require a cellular phone for operational tasks or has task driven functions that require a cell phone may receive a cell phone allowance. The allowed stipend will be considered a non-taxable fringe benefit to the employee.

Employee Responsibilities

Recipients of a cell phone either County Owned or Personal cellular (stipend allowance) have the following responsibilities:

- Review and follow Policy 111 regarding phone procurement, usage, camera phones and safety issues for cell phone use.
- For personal cell phones, the employee is responsible for plan choices, service features, and calling areas that meet the requirements of the job and the area of service the allowance is intended to cover. This includes termination clauses, and paying all charges associated with the cellular service and device.
- Report any job function changes that eliminate or significantly reduce the business need for a cell phone to your supervisor within 5 business days of this change. Also, if the employee reduces service levels in the wireless contract below the reimbursed amount, the same communication expectations exist.
- Keep (or have access to) monthly invoices for a two-year period so they can be produced upon request by either a County rep or the Internal Revenue Service.
- Comply with all Federal and State data maintenance and protection laws (e.g., FERPA, record retention requirements, etc.), as well as all County policies, including those pertaining to data security, acceptable computing use, and email.
- Delete all County data from the cell phone when employment with the county is severed, except when required to maintain the data in compliance with a litigation hold notice.

Employee Certification

By signing below, I certify that I have read, understand, and agree to the Cell Phone Policy and my responsibilities under the policy.

Employee Signature

Date

Department Head Signature

Date