

ORDINANCE 40-2011-12

AN ORDINANCE ESTABLISHING A CELLULAR PHONE USAGE POLICY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville, Tennessee Cellular Phone Usage Policy, attached hereto as Exhibit A, is hereby established.

<i>POSTPONED:</i>	November 3, 2011
<i>FIRST READING:</i>	December 1, 2011
<i>SECOND READING:</i>	January 5, 2012
<i>EFFECTIVE DATE:</i>	January 11, 2012

1-5-12
Second Reading



City of Clarksville Policies and Procedures

Policy Number	IT-110		
Department	Information Technology		
Subject	City Cell Phone Usage		
Date	October 12, 2011		
Department Approval			
Administrative Approval			

I Purpose

To establish guidelines for all cellular devices that are funded by the City of Clarksville.

II Definition

The City of Clarksville issues this new policy and its interpretation covers all pagers, cellular and smartphones, hereinafter referred to as “cellular devices” that are funded by the City of Clarksville. In order for the City of Clarksville to be compliant with the new policy, we ask you to note the following new requirements and the resulting changes in procedure

III Policy

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1. General Policy

The City of Clarksville recognizes that certain job functions require that an employee be accessible when away from his/her normal duties to include times outside scheduled working hours. For this reason, the City of Clarksville will provide cellular devices to select employees.

Cellular devices provided by the City of Clarksville are intended to be used for official City of Clarksville business. Therefore, personal use of City of Clarksville cellular devices is not prohibited, however, the City expects employees to exercise prudent judgment in keeping personal calls to a minimum. Each department is responsible for the monitoring and discipline of employees for excessive personal use of city provided cellular devices. Further, all use of cell phones is governed by the existing information technology computer usage policy.

It is recognized that it is impractical to limit the use of City of Clarksville cellular devices to 100% business use. For example, employees cannot always control incoming calls, the determination of whether a specific call is business related or personal can be open to determination based on specific facts and circumstances, and our current plan is a pool of minutes shared by our user base.

It is also understood that any use of a cellular device (City of Clarksville provided or not) that pertains to City of Clarksville business use (email for example), is subject to the TN Open Records Act.

This policy applies to all City employees, and to the Mayor, City Council members, and the City Judge, except that those officials are not entitled to any stipend as set forth below for use of a personal cellular device.

2. Criteria for Assignment of Cellular Devices

City of Clarksville cellular devices may be assigned to employees provided at least one of the following criteria are met. Simple convenience is not a criterion for cellular device need. It is the responsibility of the administrative leaders to make the determination as to whether a cellular device is warranted.

A. The job function of the employee may require considerable time outside of their assigned office or work area and it is important to the City of Clarksville that they are accessible during those times.

B. The Job function of the employee requires them to be accessible outside of scheduled or normal work hours.

3. Cell Phone Stipend

An employee may be provided a stipend, with the approval of their Department Head, instead of a City of Clarksville provided cell phone device, to offset the cost of using an employee's personal cell phone device for official city business. Two types of stipends will be provided, one for only a normal cell phone that is primarily for voice calls and one for a smartphone that has additional capability such as email.

The employee and Department Head will fill out and sign the form attached to this policy to authorize paying the stipend to the employee's paycheck. The authorization form will

then be submitted to payroll for processing. The Department Head will determine the type of stipend (normal cell phone or smartphone) to be provided to the employee based on the employee's need for electronic communication access while away from their assigned office or work area, or for access outside of scheduled or normal work hours.

The employee should consult with Information Technology on the type of device to be purchased to ensure compatibility with the City of Clarksville network and computer systems. The use of a Blackberry device is discouraged due to the additional cost and resources to maintain the server used to communicate with Blackberry devices.

The stipend amount for both types of devices will be set by the Information Technology Director. The stipend amounts are currently set at Twenty Dollars (\$20) per month for a normal cell phone and Fifty Dollars (\$50) per month for a smartphone.

If the employee receiving a stipend no longer has cell phone service, they can no longer receive the stipend. It is the responsibility of the employee to notify the City promptly if this occurs. An employee's failure to report the cessation of cell phone service while continuing to receive a stipend can result in disciplinary action against the employee.

The employee will be provided a one-time opportunity when first authorized a stipend to purchase their existing City of Clarksville provided cell phone device. The purchase price will be calculated by taking the cost of the device (determined by what the carrier would charge someone for the same device when purchased for a personal plan) depreciated over a 24 month time period. For example, if someone could purchase a device for \$200 dollars when new and the employee wanted to purchase from the City 12 months after the device was originally put in service then the cost to the employee would be \$99.50 (199 times 12/24).

4. Procedure for City of Clarksville Audit

The City of Clarksville will conduct random reviews of usage and charges for City issued cellular devices to verify that cellular device policies and procedures are being followed.

Cellular phone bills are to be retained in the department's files for auditing purposes for (5) years.

Each January, an inventory of each cell phone line currently billed to the City of Clarksville will be conducted. City departments that receive their own cell phone bill will be responsible for conducting their audit while information technology will be responsible for auditing the remaining cell phone lines. Unused cell phone devices should be deactivated immediately once they are no longer used.

5. Procedure

A. Issuance of Cellular Device

i. Department Heads will complete the required cell phone request form for any newly assigned, upgrade or replacement cellular device.

ii. The justification for the cell phone request should be filled out before the order is placed with the cellular carrier. Typical justifications include someone who is away from their desk for at least part of each work day and would need to be contacted immediately for City of Clarksville business, someone who is on call frequently at nights or weekends and/or someone who travels out of town frequently on city business. Cell phone requests are filed with the department unless the billing for the cell phone is sent to the IT Department (in which case the requests are filed with the IT Department).

ii. The Information Technology Department may advise the Department Head as to the type of device or plan that is appropriate for the employee.

iii. If the department receives and processes their own cellular bill, the department will order the device directly with the carrier. If the IT Department processes the department's cellular bill, the department will create a work order with the cell phone request attached. The IT Department will then process the order and notify the department when the device is ready to be picked up.

B. Phone Repair

i. If a department receives and processes their own cellular bill, the department can contact the cellular carrier directly to setup phone repair or replacement for their devices

ii. If the IT Department processes the department's cellular bill, the IT Department will assist with the phone repair/replacement. In this situation, the department will create a work order to request assistance from the IT Department with a cellular device.

C. Blackberry Activation Request

i. Email itworkorder@cityofclarksville.com with your email address and a new password will be issued within one business day.

D. Accessory Needs

i. If a department receives and processes their own cellular bill, the department may process and order their cellular device accessories. It is preferred to order accessories directly from the cellular carrier in order to take advantage of discounts offered to the City of Clarksville.

ii. If the IT Department receives and processes the cellular bill for the department, then the IT Department will assist with the purchase of accessories. In this situation, a work order should be issued to request the purchase of accessories.

6. International Calling and Roaming

A. Due to cost City employees should not use a city provided cell phone device to place international calls unless the situation requires a timely response and use of the cell phone is imperative to the conduct of City business. Any international calls placed should have documentation attached to the cell phone bill explaining the urgency or need to place such calls.

B. Due to cost, City employees traveling outside the United States should get written permission of the department head before carrying or using a City provided cell phone outside the United States. This permission should only be granted if it is vital, as determined by the Department Head / Mayor, that this person have good communication with the City of Clarksville while out of the country. The person that is traveling outside the United States will consult with the IT Department to receive the cost of using a cell phone outside the United States for both voice and data in order to ensure that the lowest cost method of communication is used. The person should always use the lowest cost method of communication such as using a pre-paid phone in the country or countries traveled to or by the use of software programs such as Skype for voice communication. Free or low cost Wi-Fi should be used as the best way to send and receive email versus the use of roaming on a cellular network while outside the United States. Documentation, including the approval of the Department Head / Mayor, should be attached to the cell phone bill as explanation for the international use of the City of Clarksville provided cell phone or smartphone.

C. The City of Clarksville will not reimburse anyone for international related calling and roaming on their personal cell phone without approval of the department head and Mayor. The person will need to document that the call was urgent and necessary to City of Clarksville business to the Department Head and the Mayor before being reimbursed.

7. Return and Discontinuance of Service

A. Upon separation of service from the City of Clarksville, it is the responsibility of the Department Head to collect any cellular devices and return the device to the City Department that purchased the device for reconciliation and/or reissuance.

B. Any expenses imposed as a result of non-compliance will be charged to the appropriate departmental budget.