

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. R20-1140

**A RESOLUTION TO ADOPT A POLICY WITH RESPECT TO CITY CELL
PHONE AND USAGE**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City Council desires to establish a policy with respect to the usage of City-issued cell phones for employees and city officials;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval. The policy attached hereto as Exhibit A is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO REOLVED this 28th day of January, 2020.



ANTHONY S. FORD, Mayor

APPROVED AS TO FORM:



MICHAEL WILLIAMS, City Attorney

ATTEST:



(SEAL)
VANESSA HOLIDAY, City Clerk

EXHIBIT A

CELL PHONE USAGE POLICY

City of Stockbridge Cell Phone Policy

Purpose

The purpose of this policy is to describe the regulations for cell phone and smartphone device administration, procurement of these devices, business and personal use, department accountability/responsibility, individual responsibilities, and service providers.

SCOPE

No Expectation of Privacy: Employees who are issued City cellular phones and/or wireless devices understand that there is no expectation of privacy when using City provided cellular phones and/or wireless devices. The City has the right to review all records related to cellular and/or wireless devices including but not limited to phone logs, text messages, and internet usage logs. Cellphones should be turned off or set to silent or vibrate mode during meetings, conferences and in any circumstance where incoming calls may be disruptive. Users should further be aware that all records are subject to discovery under the Public Records Act.

Personal Cellphones

While at work, employees are expected to exercise discretion in using personal cellphones. Excessive personal calls during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of City of Stockbridge policy.

City of Stockbridge will not be liable for the loss of personal cellphones brought into the workplace.

Eligibility for City Cellular Phone

- A. Senior management staff in an exempt position that must be available to receive and place time sensitive calls and/or considered on a permanent on-call status.
- B. Full-time employees in a highly specialized position that are considered on an on-call status for extended periods and must maintain communication beyond business hours.
- C. Full-time employees whose job duties regularly require them to be in constant contact with the City or public and they work primarily outside of a City office.
- D. Department heads shall recommend which employees within their departments qualify for a cell phone allowance. The City Manager shall give final approval on all cell phone allowances.

Mobile Devices (General)

- A. The need for a standard issued city purchased mobile device and securing all necessary funds will be the responsibility of each Department Head and/or Supervisor. Costs include any cost for the standard issued device approved by the City, protective case/folio, monthly service fees, licensing fees, client access licenses, business applications, and MDM (Mobile Device Management) licensing.

- B. Any mobile device that connects to the City of Stockbridge network shall be managed by MDM (Mobile Device Management) software and licensing, chosen and managed by Technology Services. This includes any device that accesses City Email, City Phone System, or other system or resource located within the City Network or Networks.
- C. Conditions which must be met for any mobile device to be enabled to access City email: 1. All mobile device users must sign a waiver (Mobile Device Security Request Form_ provided by the Information Technology Department acknowledging the employee has read the Mobile Device Policy and agrees to abide by all policy statements within.
- D. All Department Heads and/or equivalent shall be aware of the FLSA provisions regarding compensation of employees for all time worked and ensure that non-exempt employees understand and are complying with the appropriate use of email during non-scheduled work hours.
- E. If at any time any email enabled device is lost or stolen, the employee for whom the device is assigned is responsible for reporting the loss to the Technology Services Department within 24 hours of discovering a lost/stolen device. The Technology Services Department shall then remotely disable, lock, and/or "wipe" the device, therefore rendering the device inoperable.
- F. All email enabled devices shall be required to automatically "Lock" after a reasonable period of inactivity (no longer than 5 minutes) and must be password protected to "unlock" the device. This is to ensure that a device left unattended will not be able to access devices or information by parties not governed by this policy. These policies shall be enforced by the Mobile Device Management Client.
- G. It shall be considered a violation of this policy for any device approved for connection to the City network to be "hacked", "Jail Broken", "rooted", or any changes to the operating system provided by the manufacturer. Any unauthorized changes to the Operating System of any device compromises security and will result in termination of service to the device.
- H. Other "for a fee" downloads such as Music, Videos, Movies, etc.: will be the sole responsibility of the end user / employee to pay for any downloaded media of any type for which a fee is charged. It shall not be the responsibility of the City or Technology Services to backup, maintain, or otherwise protect any personally downloaded application, content, music, video, movie, etc. unless expressly approved and paid for by City of Stockbridge.

Personal Use of City Owned devices

Personal use of City-Owned devices shall only be used in the event of an emergency.

While Operating A Vehicle

- A. Employees whose job responsibilities include regular or occasional driving and who have a cellular phone for business use are expected to refrain from using their phone while driving, except with the use

of a hands-free device and in accordance with applicable laws. Every effort should be made to pull to the side of the road to a safe location prior to answering or initiating a cellular phone calls which may distract them from the safe operations of the vehicle. Employees must adhere to the hands free policy.

B. Text messaging, reading emails, writing emails, or accessing the internet while driving is not allowable under any circumstance and may result in disciplinary action up to and including termination.

C. If a City vehicle is involved in an accident, the employee's supervisor or city manager may request to see the driver's cell phone to verify that the driver was not distracted at the time of the accident. Refusal to accommodate this request shall be considered an admission that the phone was a factor contributing to the accident and may result in disciplinary action up to and including termination.

D. Employees who are charged with traffic violations resulting from the use of their cell phone while driving will be solely responsible for all liabilities that result from such actions and disciplinary action.

E. Employees in possession of city-issued cellphones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection.

Notification of Damage or Stolen City Cellular Phones/Devices

Employees are responsible for maintaining adequate physical protection for all equipment issued to them by the City. Employees shall promptly notify their direct supervisor if any City-owned cellular phone is damaged the cost for replacement will be the responsibility of the employee and/or elected official. If a City issued cell phone/device is stolen, the employee will be required to file a police report and submit the report to human resources and IT to obtain a replacement.

Access to Cell Phone Statements and Records

A. The City reserves the right to monitor the billing and use of all City-issued devices and has the authority to withhold any improper/unauthorized charges from the employee's wages for reimbursement purposes.

B. By accepting the use of a City cell phone, employees agree to promptly reimburse the City for all personal charges made which are deemed by the City to be excessive in frequency and duration. The reimbursement for unlimited plans or when actual charges cannot be determining other disciplinary actions may be issued.

C. The City reserves the right to monitor all usage of City-issued devices and communications by the employee.

D. Employees who receive a cell phone allowance agree to provide their cell phone number to their supervisor, to accept and make city business calls on their phone when required by their supervisor, not represent the cell phone he/she uses as the property of the city.

Video or audio recording devices

The use of camera or other video or audio recording-capable devices on city premises is prohibited without the express prior permission of management and of the person(s) subject to recording. Video or audio recording in restrooms and/or locker rooms is strictly prohibited.

Consequences for Violators

Employees violating this policy will be subject to discipline, up to and including termination of employment.