



Cell Phone/Mobile Device Use Policy

Policy Number: TRHR-27

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Approved by: Council

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Date of Review: every 2 years

Policy Statement

The Town of Three Rivers “the Town” is committed to maintaining a safe, productive, and professional work environment. Cell phones and wireless communication devices are provided or permitted to support operational needs; however, their use must not compromise workplace safety, productivity, or compliance with applicable laws.

This Policy sets out expectations for the appropriate and responsible use of cell phones and wireless communication devices in the workplace and while conducting Town business, including when operating motor vehicles or equipment.

Definitions

Due Process – The idea that laws and legal proceedings must be fair. An employee must be made aware of any allegations of misconduct (i.e., using a hands-free wireless communication device while driving) and be given an opportunity to provide their ‘side of the story’.

Hand-Held Device – A wireless communication device that is held in the hand or otherwise requires manual interaction while driving.

Hands-Free Device – A wireless communication device that can be operated without being held, including Bluetooth or vehicle-installed systems.

Motor Vehicle – Any Town-owned vehicle or personal vehicle operated in the course of Town of Three Rivers business.

Wireless Communication Device – Any hand-held or hands-free device capable of transmitting or receiving voice, text, or data communications, including cell phones, smart phones, Bluetooth devices, and in-vehicle communication systems.

Application

This Policy applies to all Town of Three Rivers employees, including full-time and part-time employees, contractors, interns, and consultants. The Policy applies to the use of Town-issued cell phones and wireless communication devices, the authorized use of personal devices for Town business, and the use of wireless communication devices while operating Town-owned vehicles, equipment, or personal vehicles in the course of Town business.

Guidelines

General Use of Communication Devices at Work

Employees may bring and use personal wireless communication devices at work, provided such use does not interfere with job performance, workplace safety, or the work of others.

Limited personal use during work hours is permitted; however, personal communications should generally be restricted to breaks and non-work time. Devices must be set to silent or vibrate mode during meetings and work activities.

The Town of Three Rivers is not responsible for the loss, damage, or theft of personal devices brought into the workplace.

Employees may not use any cameras, video and audio recording devices, or video or recording features of cell phones or other digital devices with such capability, at work that could cause violations of privacy and breaches of confidentiality.

Safety-Sensitive and Unsafe Work Situations

Employees must not use wireless communication devices at any worksite or while performing any task where such use could create a safety risk or distraction.

Where operationally necessary, devices may only be used when the employee is in a safe location and not exposed to risk.

Use of Wireless Communication Devices While Driving

Employees must comply with section 291.1 of the *Prince Edward Island Highway Traffic Act* when operating Town-owned vehicles, equipment, or personal vehicles in the course of Town business.

The use of hand-held wireless communication devices while driving is prohibited.

Wireless communication devices may be used in hands-free mode while driving provided such use does not distract from the safe operation of the vehicle. If communication cannot be conducted safely, the employee must safely pull over and park the vehicle before using the device.

Town-Issued Wireless Devices

The Town may issue wireless communication devices to employees whose positions require regular access to communication while away from the workplace or outside regular hours.

All Town-issued devices remain the property of the Town and are provided for operational purposes. The SIM card from a Three Rivers-issued cellular device may not be removed and used in any other device. Employees must return Town-issued devices in good working conditions upon request or upon the end of employment.

Where a Town-issued device is provided with protective equipment or accessories, employees are expected to use and maintain such equipment in accordance with reasonable care expectations.

Employees must make Town-issued devices available for inspection, maintenance, replacement, or upgrades as required. Employees may not purchase devices or modify service plans on behalf of the Town without approval.

A review of calling activity will be conducted monthly by the Town.

Personal Use of Town-Issued Devices

Town-issued wireless communication devices are provided primarily for Town business. Limited, occasional personal use is permitted unless otherwise authorized by the Chief Administrative Officer “CAO”, Deputy CAO or a Manager, provided such use does not interfere with work duties or result in additional cost to the Town.

Employees may be responsible for any charges incurred beyond approved service plans. Excessive or inappropriate personal use may be addressed in accordance with the Town’s corrective discipline policies.

Use of Personal Devices for Town Business (Stipend)

Where a Town-issued device is not provided and where operationally required, the Town may approve the use of a personal wireless communication device for Town business and provide a monthly stipend.

Eligibility for a stipend is determined by the employee’s Manager or Supervisor and includes consideration of job duties that require off-site work, after-hours availability, or emergency response responsibilities.

Once approved, the stipend will be provided on an ongoing monthly basis, subject to continued eligibility and operational requirements.

The personal device and service plan remain the responsibility of the employee. The Town assumes no liability for personal devices, service plans, or related disputes. Any stipend provided will be administered in accordance with applicable tax requirements.

Employees approved for a stipend must notify their Manager or Supervisor of any change affecting eligibility. The Town may modify or discontinue a stipend where eligibility changes, operational needs change, or where devices are used contrary to law or Town policy.

Roles, Responsibilities and Privacy

Managers and Supervisors are responsible for approving the use of personal wireless communication devices for Town business and for assessing continued eligibility for a stipend, including through periodic review.

Employees approved to use a personal device for Town business are responsible for purchasing and maintaining their device and service plan. The service agreement remains between the employee and the service provider. The Town assumes no liability for personal devices, service plans, charges, or disputes.

Any stipend provided will be administered in accordance with applicable tax requirements. Employees must notify their Manager or Supervisor of any change that may affect eligibility for a stipend.

Employees must comply with Town privacy, confidentiality, and security requirements when using personal or Town-issued devices. The use of recording, camera, video, or audio functions in a manner that breaches privacy or confidentiality is prohibited.

The Town may modify, suspend, or discontinue a stipend where eligibility changes, operational needs change, or where devices are used contrary to law or Town policy.

Security of Town-Issued Wireless Devices

Employees are responsible for taking reasonable care to protect Town-issued wireless communication devices and any Town data contained on them.

Lost, stolen, or damaged devices must be reported promptly to the Town. Employees may be responsible for repair or replacement costs where loss or damage results from misuse, negligence, or failure to follow this, Policy.

A breach of security or inappropriate use of Town-issued or authorized personal devices may be addressed in accordance with the Town's corrective discipline policies.

Non-Compliance

Non-compliance may be addressed through corrective discipline, up to and including discipline, in accordance with the Town of Three Rivers' applicable disciplinary policies.

Monitoring

Three Rivers management will review this policy every two years.