

TOWN OF THREE RIVERS

**Cell Phone/Mobile Device Use Policy**

Policy Number: TRHR – 19

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Approved By: Town Council

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**PURPOSE**

This cell phone policy sets forth Three Rivers’ policies about cell phone usage. It provides clarification for the issuance and use of cell phones and to establish the protocol for reimbursement by employees using personal cell phones for Three Rivers business.

**AUTHORITY**

This applies to all Town of Three Rivers employees issued a Three Rivers-owned cell phone or who are authorized to use a personal cell phone for Three Rivers business.

Discipline will be consistent, uniform and objective. The imposition of discipline will be carried out by those Supervisors or Managers with delegated disciplinary authority and in keeping with the principle of due process.

Three Rivers reserves the right to modify or update this policy at any time.

**APPLICABILITY**

This policy applies to all Three Rivers employees. Three Rivers employees include full-time or part-time, independent contractors, interns, and consultants.

**CELL PHONE**

For the purpose of this Policy, the term Cell Phone is defined as any handheld electronic device with the ability to receive and/or transmit voice, text, or data messages without a cable connection (including, but not limited to cellular phones, radio-phones/walkie-talkies, telephone pagers).

**USE OF CELL PHONES OR SIMILAR DEVICES**

**General Use at Work**

Three Rivers permits employees to bring personal cell phones to work.

While at work, employees are expected to exercise the same discretion using personal cell phones as they use with Three Rivers phones. Excessive use of the device during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to other employees. Occasional, brief personal calls are acceptable.

Employees should restrict personal calls during work time and should use personal cell phones only during scheduled break or lunch periods in non-working areas.

Other personal calls should be made during non-work time whenever possible, and employees should ensure their friends and family members are instructed of this policy.

To minimize distractions in the workplace employees must set cell phones on vibrate while away from the cell phone.

To ensure the effectiveness of meetings, employees are asked to set cell phones on vibrate for the duration of the meeting.

Three Rivers is not liable for the loss of personal cell phones brought into the workplace.

### **Unsafe Work Situation**

Three Rivers prohibits employee use of cell phones or similar devices while at any work site at which the operation of such device would be a distraction to the user and/or could create an unsafe work environment.

Such work sites must be secured, or the device used only by an employee who is out of harm's way at such work environments.

### **Three Rivers-Issued Cell Phones**

Three Rivers may issue cell phones to employees whose jobs require them to make calls while away from work or require them to be accessible for work-related matters.

Cell phones may be re-assigned, refurbished, or new as determined by Three Rivers' current device inventory. Management will ensure the device provided will meet the work requirements for which it is issued. Employees are not allowed to purchase new cell phones on behalf of Three Rivers.

Cell phones issued by Three Rivers remain Three Rivers property. All data contained within the cell phone account remains the property of Three Rivers.

The SIM card from a Three Rivers-issued cellular device may not be removed and used in any other device.

A phone issued with a case must remain in the case at all times.

No additional features shall be used or added to a plan without prior approval from a Manager/Supervisor.

Employees must comply with Three Rivers requests to make their Three Rivers-issued cell phones available for any reason including upgrades, replacement, or inspection.

Employees who leave Three Rivers for any reason must return their Three Rivers-issued cell phones unlocked and in full working condition before the last day of employment.

### **Personal Use of Three Rivers-Owned Cell Phones**

Unless otherwise authorized in writing by the CAO or Manager, Three Rivers-issued cell phones are to be used only for Town of Three Rivers business purposes.

Occasional, brief personal phone calls using a Three Rivers-issued phone are permitted, however, personal use exceeding this standard will result in discipline, up to and including termination.

Employees may be charged for any costs or charges over and above the agreed-upon shared data package.

### **Use of Personal Cell Phone for Three Rivers Business**

If no suitable device is present in inventory, and if it is mutually agreeable to management and the employee, an employee may be offered the option of using a personal cell phone for Three Rivers.

#### **Eligibility**

- a. An employee may be eligible for the stipend if at least one of the following criteria is met, as determined by the employee's Supervisor or Manager;
  - i. The job function of the employee requires considerable time outside of his/her assigned office, work area, or at irregular hours or working alone and the employee must be accessible during those times;
  - ii. The job function of the employee requires him/her to have wireless data and internet access while working off-site; and/or
  - iii. The employee is designated as a "first responder" to emergencies.

#### **Stipend Plan**

- a. Eligible employees may receive a monthly stipend;
- b. Once approved, the employee will be eligible to receive the stipend automatically each month;

### **Oversight, Approval and Funding**

- a. Managers and Supervisors are responsible for identifying eligible employees and are strongly encouraged to review whether a cellular device is necessary, and to select alternative means of communication where possible.
- b. Each Manager or Supervisor is responsible for determining employee cell phone needs and assessing each employee's continued eligibility for a cell phone stipend. This includes an annual review to determine continued eligibility of their employees.

### **Employee Rights and Responsibilities**

- a. The eligible employee is responsible for purchasing a cell phone and establishing and maintaining service with the cell phone service provider of choice. The cell phone contract is in the name of the eligible employee, who is solely responsible for all payments to the service provider.
- b. The stipend provided will be processed for tax purposes as determined per current CRA guidelines.
- c. If the employee terminates their cell phone service plan at any point, they must notify their Manager or Supervisor within 5 business days to terminate the stipend.
- d. The Town of Three Rivers does not accept any liability for damage to the phone, claims, charges or disputes between the cell phone service provider and the eligible employee.
- e. The employee is bound by the same safety and security processes for care of Three Rivers data on the personal cell phone as outlined in this policy for Three Rivers-issued cell phones.

### **Cancellation or Reduction**

- a. Any stipend will immediately cease or be reduced if:
  - i. An employee's employment with Three Rivers terminates;
  - ii. An employee's Manager or Supervisor determines they are no longer eligible for the stipend;
  - iii. The eligible employee no longer has a cell phone or cell phone service plan; or
  - iv. Three Rivers decides to eliminate or reduce the stipend or the eligible employee's Manager or Supervisor determines to reduce the amount of the stipend.
  - v. The eligible employee uses the cell phone in any manner contrary to local, provincial, or federal laws or Town of Three Rivers policy.

### **Prohibition of Cameras on Phones**

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.

## **Security of Three Rivers-Issued Cell Phones**

Employees are responsible for the security of Three Rivers-issued cell phones and the data contained on them. This includes theft, damage, or loss of the cellular device and may include responsibility for repair or replacement charges.

During working hours employees must always carry the cell phone on their person and never leave the cell phone unattended.

If lost, stolen or damaged, the employee must immediately report it to the Three Rivers administration office.

A breach of security through inappropriate use or care of a Three Rivers-issued or authorized personal cell phone will result in discipline, up to and including termination.

## **Review of Monthly Charges**

A review of calling activity will be conducted on a monthly basis by Three Rivers.

## **Effect of Policy**

Violations of the foregoing rules will be considered a serious offence and may result in the imposition of discipline up to and including termination.