Administrative Directive No. 120 – 2-8-16
Personal Cellular Device Reimbursement in lieu of City-issued



## AGREEMENT TO PERMIT USE OF PERSONAL CELLULAR DEVICE IN LIEU OF CITY-ISSUED DEVICE

The City of Hamilton finds it necessary that the below-named employee, hereinafter "Employee", have access to a mobile communications device and accessories, hereinafter the "Device", for purposes of fulfilling the Employee's duties to the City.

| Employee Printed Name | Cellular Telephone Number |
|-----------------------|---------------------------|

Employee, solely for Employee's convenience, prefers that the City not assign a City-issued Device and the City, in its sole discretion, agrees to permit this arrangement provided that the Employee agrees as follows:

- Communication records involving City business are Public Records. Employee shall, upon request to the City, immediately provide detailed records for the Device. The intent of this item is to permit the City to provide prompt inspection of public records per ORC 149.43.
   Employee's failure to provide full cooperation may result in disciplinary action.
- Employee shall provide a personal cellular device that is compatible with the IT Department specifications. The Device shall at all times be and remain Employee's personal property.
   Personal cellular devices that are being used for City business must have a pass-code or password to lock the device.
- 3. Employee shall maintain an agreement with a third-party service provider; at a minimum, to provide the service(s) needed to fulfill the Employee's duties to the City. The employee should review with a tax professional whether any of the costs incurred by the employee may be deducted as a qualified business expense for tax purposes. The employee may receive a monthly allowance to offset the service plan costs. This allowance is not intended to fully reimburse the employee's out-of-pocket costs. It is assumed that the employee shall be responsible for the remaining balance.
- 4. Employee's purchase of the Device and third-party service is not for public purposes and is not tax exempt. Employees shall pay all taxes.
- 5. Employee acknowledges that the telephone number assigned to the Device will be subject to disclosure as a public record.
- 6. By signing below, I hereby authorize the city to wipe my registered personal cellular device containing City information upon my separation from employment for any reason. This will result in the deletion of City information from the Device. I understand that it is my responsibility to back up personal applications and data on my registered personal cellular device prior to this event. I understand that I am not authorized to restore any application or data that originated through City employment following this process.

| Acknowledged and Agreed this | day of | , 20               |  |
|------------------------------|--------|--------------------|--|
|                              |        |                    |  |
|                              |        |                    |  |
|                              |        |                    |  |
|                              |        | Employee Signature |  |



## **Cellular Device Issuance Criteria**

The need for personnel to carry a cellular device (city issued or personal in lieu of) must be reviewed annually, to determine if those positions' status should be continued as-is, changed or discontinued

During the transition period from city-issued cellular devices to using personal cellular devices in-lieu of a city issued device, as well as annually, each department head will review the applicability of their staffs' responsibilities against the criteria for city-issued phone allowance. The following criteria will determine if a position is eligible for a city-issued cellular device and/or the reimbursement for using a personal cellular device in-lieu of a city-issued cellular device. If the position requires one of the following criteria, that specific position is permitted use of a city-issued cellular device or personal cellular device in-lieu of.

## Tier 1 Criteria (Voice/Text):

|             | <u>Emergency Call Back</u> : Job Function requires <u>continuous</u> accessibility for critical City services (e.g., On-call responsibility) and employee does not have convenient access to a land-line; or                                      |
|-------------|---|
|             | <u>Public Safety Operation</u> : Job function directly supports Police and Fire operations and requires employee to <u>routinely</u> use a mobile phone to be accessible; or  |
|             | First Responder: Job Function is designated as a "first responder" to emergencies; or   |
|             | <u>Mobile Work Environment</u> : Job function <u>routinely</u> requires extended time away from a convenient landline (greater than two consecutive hours) and it is essential to the City that the employee be accessible during those times; or |
|             | <u>Personal Safety</u> : Job Function displays personal safety concerns for individuals while traveling, working evening hours, working in isolated areas, or working in high crime areas.  |
|             | <u>After Hours Use</u> : Job Function requires being available for contact after normal business hours on a <u>regular and consistent</u> basis.  |
|             | <u>Shared Use</u> : Mobile phone is assigned to multiple individuals, a vehicle, a facility, or used during specific times throughout the year.   |
| Tier 2      | 2 Criteria (Data):  |
|             | <u>Access to Email/Data</u> : Job function <u>routinely</u> requires access to email/data outside of office or beyond normal working hours and it is essential to the City that the employee be able to send/receive emails during those times    |
|             |   |
| Employ      | ee Name Cellular Number   |
| <br>Departr | ment Head Approval  |

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## **Cell Phone Assignments**

| Employee Name | Position | City-Issued<br>(Y/N) | Tier 1 | Tier 2 | Cell-phone # | Carri |
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