

Category: 400

Number: 422

Subject: ADMINISTRATIVE POLICY ON CELLULAR TELEPHONES

1. PURPOSE: The purpose of this Policy is to establish administrative regulations for employees in the use of cellular telephones in the conduct of official County business.
2. AUTHORITY: The Saginaw County Board of Commissioners. Administrative policies shall be subject to revision or termination by the Board of Commissioners at its discretion.
3. APPLICATION: The regulations and procedures outlined in this policy statement are to apply to all County owned, rented and leased cellular telephones and personal cell phones used while on County business
4. RESPONSIBILITY: The authority to assign equipment, authorize use of on County business and the administration of this policy is the responsibility of each department head. Cellular telephone assignment shall be made only upon the approval of the appropriate department head.
5. DEFINITIONS: NONE
6. POLICY

#### 6.1 General Statement

- 6.1.1 The basic guideline of this policy shall be to provide employees with efficient cellular telephone equipment and services.
- 6.1.2 The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public or in situations in which necessary communications cannot be provided by any other means.
- 6.1.3 The use of a County owned, rented or leased cellular telephone by an employee will be in compliance with the rules and regulations detailed in this policy.

#### 6.2 Acquisition of County-Owned, Rented or Leased Cellular Telephones

- 6.2.1 The purchase of all County of Saginaw cellular telephone services, facilities and equipment shall be provided and/or coordinated through the Controller's Office. County of Saginaw departments must follow all procedures promulgated by the Controller/Chief Administrative Officer in the acquisition of cellular telephones.

### 6.3 Assignment of County-Owned, Rented or Leased Cellular Telephones

6.3.1 The authority to assign equipment rests with each department head. Should a change in the demands of a particular position or department necessitate a change in cellular telephone assignment status, a request shall be considered, and if warranted, be approved by the County department head. Equipment will be assigned on the basis of functional requirements of the employee's position and should not be construed as being substitute for other compensation or as a fringe benefit. Cellular telephones are assigned and certain privileges in their use are granted only as a means of providing effective management of County functions.

6.3.2 Stipend: If an employee, whose position is deemed necessary to utilize a cell phone by the department head, wishes to utilize their personal device, they may receive a monthly stipend of \$40. The stipend shall be paid quarterly.

### 6.4 Replacement, Theft, Loss or Damage

6.4.1 Replacement cost of any cellular telephones resulting from damage, loss or theft is the responsibility of the Department to which the equipment was assigned unless the department head determines the damage, loss or theft was due to employee neglect and, as such, the employee will be responsible to cover all costs associated with its repair or replacement.

6.4.2 When an employee transfers to another County of Saginaw department, exits County of Saginaw employment, or no longer requires use of such equipment, it is the responsibility of the department head to retrieve cellular phone equipment assigned to that employee. During the exit process, the department head will verify that such equipment has been collected from the employee. All passcodes and locks must be removed from the device. If the device is not turned in, the employee will be responsible for the fair market value of the device.

6.4.3 Departments are required to report any theft or loss of cellular phones to the department head immediately (or no later than 48 hours after receipt of the information or evidence) so that cellular service can be deactivated.

6.4.4 The cost of purchasing and equipping a county provided cell phone is not to exceed \$400.

### 6.5 Procedures for the Implementation of the Cellular Telephone Acquisition, Assignment and Use Administration Regulation.

6.5.1 General Acquisition, Approval and Assignment

6.5.1.1 Cellular telephone acquisition shall be in accordance with this policy and will be in compliance with procedures issued by the County Controller/Chief Administrative Officer. Assignment will be based upon department head approval.

#### 6.5.2 Procedure for Other Equipment

6.5.2.1 The Controller/Chief Administrative Officer shall promulgate procedures for the general acquisition of all other cellular telephone equipment and services by County departments as needed.

#### 6.5.3 Record Maintenance

6.5.3.1 Each department head will develop and maintain records sufficient to ensure proper utilization of County equipment. These records should include cellular telephone assignment, cellular telephone use and, in particular, such information warranted under take home assignment to ensure accountability of equipment used beyond normal working hours.

### 6.6 General Rules and Regulations Pertaining to Cellular Telephone use by County Employees.

#### 6.6.1 County Cellular Telephone Use. The Employee must:

6.6.1.1 Ensure that the County cellular telephone is in proper operating condition at all times. Any malfunctions should be reported immediately to the department head, Purchasing/Risk Manager, and appropriate vendor.

6.6.1.2 Obey all applicable federal, state and local laws and ordinances while operating County owned equipment on County business.

#### 6.6.2 Specific Practices Prohibited

6.6.2.1 The operation of a cellular telephone for any illegal act.

6.6.2.2 The operation of any equipment, in the conduct of County business, which results in the violation of any applicable federal, state or local law, rules or ordinances.

6.6.2.3 The operation of any equipment in such a manner that could result in property or bodily damage either to the County or the public due to careless or negligent operation on the part of the employee.

6.6.2.4 Any cellular phone use, inclusive of talking, viewing, texting, emailing, etc., regardless of whether the cellular phone is the employee's or county-issued, while driving any vehicle during the course of employment. The cellular phone's voicemail feature should be on to store incoming calls while driving. All calls and message retrievals should be made after the vehicle is safely parked.

6.6.2.4.1 This section shall not apply to law enforcement staff while conducting official law enforcement activities and Mosquito Abatement Commission Field Staff while operating a County vehicle for adult larveciding program.

6.6.2.4.2 County employees shall be permitted to use cell phones as global positioning and navigational systems when they are affixed to a motor vehicle.

6.7 Hands-free cellular phones and other devices are subject to this policy.

6.8 Any violation of section 6.6 shall be considered intentional and willful misconduct and outside the scope of employment. This section shall be strictly enforced.

6.9 Monitoring Responsibilities: The responsibility for monitoring individual employees' use of cellular phones rests with the Supervising Department Head or Elected Official.

## 7. ADMINISTRATIVE PROCEDURES:

7.1 Exceptions: any exception or unusual circumstances not provided for in the policy must have specific written prior approval from the County Controller/Chief Administrative Officer.

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:  
Saginaw County Controller/CAO

Approved as to Legal Content:  
Saginaw County Civil Counsel

Adopted: November 23, 1999  
Replaced: June 23, 2009  
Amended: June 18, 2019; November 16, 2021