

Bicknell Town Cell Phone Reimbursement Policy

Mobile phone charges may be reimbursed for the employee, in the form of a cell phone allowance, for a portion of the cost of a personal phone used for business purposes to improve service, enhance efficiency, provide safety and/or security, and facilitate employee contact and communication. No further reimbursement for cell phone costs is available to employees who receive such an allowance.

Eligibility:

Employees whose job duties include the frequent need for a cell phone may receive a monthly cell phone stipend, to cover town-related costs. An employee is eligible for a personal phone stipend if at least one of the following criteria is met:

- The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important that he/she is accessible during those times;
- The job function of the employee requires him/her to be accessible outside of scheduled normal working hours where time sensitive decisions/notification are required;
- The job function of the employee requires him/her to have wireless data and internet access; and/or
- The employee is designated as a first responder to emergencies.

Reimbursement:

If it is determined that an employee will be reimbursed for use of personal cell phone, the maximum amount that an employee can be reimbursed is \$65 per month. Depending on the anticipated frequency of town business use of the cell phone a prorated allowance may be given instead of the maximum amount above.

Accountability:

- The employee is responsible for purchasing a cell phone and establishing a service contract with the cell phone service provider of his/her choice. The

cell phone contract is in the name of the employee, who is solely responsible for all payments to the service provider.

- If, prior to the end of the cell phone contract, a personal decision by the employee, employee misconduct, or misuse of phone, results in the cell phone allowance being discontinued or the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that charge or cancellation. For example, if an employee resigns, and no longer wants to retain the current cell phone contract for personal purposes, any cancellation charges will be the employee's responsibility.
- The employee must retain an active cell phone contract as long as a cell phone allowance is in place. The employee must provide the Mayor and Town Council with their current cell phone number and immediately notify all parties if the number changes. Employees receiving a cell phone allowance are expected to carry the cell phone on their person and respond appropriately when called for town business.
- Because the employee owns the cell phone personally the stipend provided is not considered taxable income and the employee may use the phone for both business and personal purposes, as needed. The employee may, at his/her own expense, add extra services or equipment features as desired. If there are problems with service, the employee is expected to work directly with the carrier for resolution.
- Bicknell Town does not accept any liability for claims, charges or disputes between the service provider and the employee. Use of the phone in any manner contrary to local, state, or federal laws will constitute misuse, and may result in immediate termination.
- Employees are expected to delete all Bicknell Town data from the cell phone when their employment with Bicknell Town is severed, except when required to maintain the data in compliance with litigation hold notice.
- When an employee receives an allowance for town use of their personal cell phone, their personal information is considered private. However, because personal data is commingled with public data, the personal data may be viewed by a state officer or court in response to a GRAMA request or court action related to Bicknell Town data.

- Employees are responsible for operating town-owned vehicles in a safe and prudent manner, and therefore must obey state law as it applies to mobile phone use in vehicles. Employees are discouraged from operating mobile phones while driving personal and town-owned vehicles. Discouraged operation of a mobile phone while driving includes: Use of mobile phone, either hand held or hands-free. Reading or responding to emails or text messages while operating a town-owned vehicle. Employees should take steps to: Redirect incoming calls to voicemail. Make emergency calls after parking in a safe location.

Bicknell Town Cell Phone Allowance Agreement

The Bicknell Town Council has determined that _____ must have cell phone service for the following business reasons:

__ Bicknell Town needs to be able to contact the employee outside of normal business hours for business purposes.

__ Bicknell Town requires that the employee be available to communicate with employees, town council, commissions and the public through phone calls, texts or emails while away from the office.

Bicknell Town has determined that the most cost effective means of providing cell phone service to the employee is for the employee to use his/her personal cell phone service for town purposes, and that the employee will be given an ongoing cell phone allowance. This allowance is not taxable to the employee because the allowance is provided to the employee for valid town reasons. The allowance is calculated by the Town Council.

The following conditions apply:

- The employee agrees to use their cell phone for town purposes stated above.
- The employee agrees to abide by the cell phone reimbursement policy.
- The employee will notify the Town Council if the cell phone service cost drops below the allowance amount per month.
- Allowances paid under this agreement will be discontinued when the town need for cell phone service is no longer justified or the employee is no longer employed by the district.

The Bicknell Town Council has determined that _____ shall receive a cell phone allowance of _____ per month.

Employee Signature

Mayor Signature

Date

Date