

## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 1 of 9

### **1.1.0 PURPOSE**

- 1.1.1 The purpose for a cellular phone policy is to standardize the guidelines for issuance and use of a cellular phone by Solano County employees in accordance with IRS regulations. The provision of a cellular phone to a County employee is intended to be a business tool used for official County business communication in conjunction with assigned duties.
- 1.1.2 A cellular phone is a tool to facilitate communication while employees are away from their office/desk and fixed-base telephone. In addition, cellular phones may be issued and used for County business communication during emergencies and after-hours for callback or complaint investigation.

### **1.2.0 POLICY**

- 1.2.1 The Department Head may approve the issuance of a County-owned cellular phone to an employee, who meets the eligibility criteria outlined in Section 1.5.0 of this Policy. A County-owned cellular phone is intended for official business use only. The Department shall follow the process for the authorization and procurement of a County-owned cellular phone prescribed in Section 1.8.1.
- 1.2.2 Upon the request of an employee, the Department Head has the discretion to recommend the payment of a cellular phone allowance to an employee, in lieu of the issuance of a County-owned cellular phone. The Department Head shall recommend to the County Administrator's Office (CAO) an appropriate level of cellular phone allowance based on the employee's expected business use of a cellular phone. The CAO shall review the Department recommendation and approve the level of cellular phone allowance that is appropriate based on the information provided.
- 1.2.3 An employee receiving a cellular phone allowance shall maintain a personal cellular phone that is available for business use. The employee shall provide the personal cellular phone number to the Department, and the number may be used for Solano County business.
- 1.2.4 For purposes of this Policy, the term "cellular phone" shall include electronic devices in which a person may have oral only communications (e.g., phone), visual communications (e.g., Facetime), written only communications (e.g., email, Messenger, text messages) and devices which access the internet, electronic applications, and/or County files which might include databases operated by other governmental entities.

## D-1 CELLULAR PHONE POLICY



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 2 of 9

### 1.3.0 DEPARTMENT RESPONSIBILITIES

- 1.3.1 The Department Head is responsible for reviewing and approving the *Authorization for County-owned Cellular Phone or Cellular Phone Allowance*, Attachment A. Authorization for cellular phone allowance shall be submitted to the CAO with the Department Head's recommendation for the appropriate level of allowance based on the employee's expected business use. The employee must meet the eligibility criteria outlined in Section 1.5.0 of this Policy. The Department Head is also responsible for the ongoing justification of the employee's continued eligibility.

#### 1.3.2 Department Review

- A. The Department Head or designated representative shall review and approve monthly statements of County ordered and issued cellular phones prior to submission for payment to the Auditor-Controller's Office to ensure:

1. reasonable and appropriate use,
2. compliance with the substantiation requirements, and
3. business usage is consistent with "selected monthly plan".

#### 1.3.3 The Department shall maintain the following in a centralized file:

- A. Record of all employees assigned a County-owned cellular phone or paid a cellular phone allowance. Included in the files are copies of current and prior fiscal year employee's cellular phone service plan, cellular phone number, list for annual re-certification of the cellular phone allowance, monthly billing statements, and approved *Authorization for County-owned Cellular Phone or Cellular Phone Allowance*, Attachment A.
- B. Current list of all County-owned cellular phones assigned to their department. The list should include equipment description assigned cellular phone number, cellular phone service plan and add-on features, name of employee that the cellular phone is assigned.

- 1.3.4. The Department shall also establish procedures to ensure that a County-owned cellular phone is returned, or cellular phone allowance is terminated for an employee who is no longer eligible or has terminated employment with the County.

### 1.4.0 EMPLOYEE RESPONSIBILITIES

- 1.4.1 Every employee who is issued a County-owned cellular phone or receives a cellular phone allowance shall read the County Cellular Phone Policy.

## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 3 of 9

- 1.4.2 Ensure that any County-owned cellular phone is used for official business use only.
- 1.4.3 The employee shall turn-in the County-owned cellular phone or notify his/her department to terminate the monthly cellular phone allowance when no longer assigned to the Department.
- 1.4.4 The employee shall take precautions to safeguard County-owned equipment (cellular phones) against damage or loss. The employee may be liable for the replacement of the County-owned equipment if it is lost or damaged as outlined in Section 1.8.1.E.2.
- 1.4.5 The employee shall consider safety concerns when using a cellular phone while traveling. The employee shall comply with California Department of Motor Vehicles restrictions, or any other State in which the employee is driving while on County business, with the use of a cellular phone while driving.
- 1.4.6 Exceptions:
  - A. The operator uses a hands-free cellular phone, which allows the user to communicate without the use of either hand.
  - B. When the sole purpose of the phone call is to communicate an emergency to a police or fire department, a hospital or physician's office, or an ambulance.
  - C. Police officers, fire fighters and operators of other authorized emergency vehicles while in performance of their official duties.
  - D. It is recommended that County employees exercise sound judgment when determining safety in each of the exceptions listed above.

### **1.5.0 ELIGIBILITY**

- 1.5.1 The Department Head shall consider the following criteria to determine eligibility for the issuance of a County-owned cellular phone:
  - A. The nature of work assigned requires substantial travel, which therefore limits the ability to use the office or other departmental phones; or
  - B. Due to frequent and prolonged time out of the office, a cellular phone is required to support departmental operations; or
  - C. The nature of the work assigned requires the individual to be reasonably available outside of normal office hours. The possibility or the isolated instance that an employee may be called to work outside normal office hours does not by itself meet

## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 4 of 9

this criterion. The Department should consider the frequency that an employee has actually been called or may be called by looking at past experience; or

- D. Staff are emergency services workers or first responders; or
- E. The nature of the work requires travel to locations where employee safety is a concern.
- F. During normal working hours, an employee is expected to answer all business-related calls to his/her cellular phone and promptly respond to any messages.

### **1.6.0 CELLULAR PHONE ALLOWANCE**

1.6.1 The County recognizes that, due to the nature of some positions, it may be more cost-effective and practical to provide some employees a cellular phone allowance in lieu of providing a County-owned cellular phone.

1.6.2 Upon the employee's request, the Department Head may authorize an employee to receive a monthly cellular phone allowance, to obtain a personal cellular phone that would be used for County-related and personal business. The Department Head shall recommend to the County Administrator an appropriate level of allowance based on the expected business usage of a personal cellular phone by the employee. The County Administrator shall review the recommendation, approve an appropriate level of allowance based on the justification, and establish the effective date if it is different than the beginning of the next pay period. (The effective date cannot be earlier than the beginning of the next pay period following the County Administrator's approval.)

### **1.6.3 Level and Rates**

A. The County has established three levels that will provide an employee with a cellular phone allowance that reasonably reimburses him/her for the business use of a personal cellular phone.

#### **1. Level 1 – Occasional Business Use - \$40.00/month**

An employee in this level is considered to have limited usage of a personal cellular phone. The personal cellular phone is used primarily to contact the employee when out of the office, in an on-call situation, in an emergency, or attending to County business at locations other than their primary place of work.

#### **2. Level 2 – Regular Business Use - \$100.00/month**

An employee in this level generally would spend a great deal of work time out of the office and in the "field" and do not have easy access to a telephone in order

## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 5 of 9

to remain in contact with his/her place of business, or with the citizens and businesses they serve.

### **3. Level 3 – Frequent Business Use - \$150.00/month**

An employee in this level is required to use a personal cellular phone to perform assigned duties and would be critically disadvantaged without access to County information at all times.

- B. EXCEPTIONAL CELLULAR PHONE ALLOWANCE** – An employee requiring a cellular phone allowance greater than those provided by the rates above may request an exception to the standard policy. The request for exception must be accompanied by a justification and supporting documentation. Occasional, infrequent spikes in business use do not qualify for a higher cellular phone allowance or additional reimbursements.

#### **1.6.4 Tax Issues and Payment**

- A. The cellular phone allowance is a taxable benefit paid monthly through the employee's payroll check. The cellular phone allowance covers the cellular phone service plan for the month that the allowance is paid. Should an employee lose entitlement to the cellular phone allowance during the month, the allowance will be pro-rated, and any overpayment will be recouped.
- B. The cellular phone allowance expires annually on December 31st. The Department Head shall revalidate his/her employees' authorization for cellular phone allowance for the next calendar year by providing a list of these employees to the County Administrator by November 15<sup>th</sup> of each year.

- 1.6.5** An employee who receives a cellular phone allowance must maintain a personal cellular phone available for business use for the period covered by the monthly cellular phone allowance. The employee is responsible for obtaining his/her own usage plan, cellular phone, and other equipment, and for the care and maintenance of said equipment. The employee shall immediately notify the Department if his/her personal cellular phone service plan is cancelled or terminated.

- 1.6.6** The County shall not be liable for any unpaid or delinquent charges of an employee on a personal cellular phone service plan.

#### **1.7.0 COUNTY-OWNED CELLULAR PHONES**

- 1.7.1** Procurement and Use of County-owned Cellular Phones

## D-1 CELLULAR PHONE POLICY



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 6 of 9

- A. The Department of General Services shall be responsible for the centralized procurement of cellular phone equipment and services. The Department of Information Technology (DoIT) will identify standards for County purchased cellular phones. General Services will solicit proposals based on those identified standards and negotiate agreement(s) that provide the most advantageous procurement of cellular phone equipment and monthly cellular phone service plans.
- B. The Department will submit a *Cellular Phone Order Form*, Attachment B to General Services. General Services will coordinate with the Department for the procurement of cellular phone cellular phone equipment and monthly cellular phone service plan.

### 1.7.2 Conversion to Cellular Phone Allowance

- A. The Department Head may recommend an employee with a County-owned cellular phone to convert to a cellular phone allowance. If desired, the employee may have the ownership of the existing County-owned cellular phone transferred to the employee without cost to the employee.

## 1.8.0 PROCEDURES

### 1.8.1 Cellular Phone Policy Procedures

#### A. Approval, Issuance and Care of County-owned Cellular Phones

1. Upon determination of an employee's business need for a cellular phone, the immediate supervisor of the employee shall prepare and submit an *Authorization for County-owned Cellular Phone or Cellular Phone Allowance*, Attachment A to the Department Head.
2. The Department Head shall review the justification and evaluate the request against the eligibility criteria outlined in the County Cellular Phone Policy. See Section 1.5.1.
3. If approved, a *Cellular Phone Order Form*, Attachment B shall be prepared and submitted to the Department of General Services for procurement of cellular phone equipment and monthly cellular phone service plan. General Services will coordinate with the Department in selecting the cellular phone provider, cellular phone equipment and appropriate cellular phone service plan for the employee.
4. The employee is responsible for the safekeeping and care of the cellular phone. The employee may be liable for the replacement of lost or stolen cellular phones.

## D-1 CELLULAR PHONE POLICY



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 7 of 9

### B. Official Business Use Only

1. County provided cellular phones are for official business use only. The incidental (infrequent) personal use of a County-owned cellular phone is not permitted.

### C. Approval of Cellular Phone Allowance

1. The Department Heads may recommend the payment of a cellular phone allowance to an eligible employee. If a cellular phone allowance is recommended for an employee, the Department Head shall submit the *Authorization for County-owned Cellular Phone or Cellular Phone Allowance*, Attachment A to the County Administrator with a recommendation for the appropriate cellular phone allowance rate to be approved for the employee based on the employee's expected level of business use.
2. The County Administrator shall review the recommendation, approve the appropriate cellular phone allowance level, and establish the effective date which shall be either the beginning of the next pay period following the County Administrator's approval or the beginning of a future pay period. The Department shall prepare a Personnel Action Requisition (ePAR) to initiate the cellular phone allowance and forward the ePAR to Human Resources (HR) for processing. HR will process the payment of the cellular phone allowance. The effective date cannot be earlier than the beginning of the next pay period following the County Administrator's approval. Retroactive payment to a pay period prior to the County Administrator's approval is not authorized.

### D. Termination of Authorization

1. The Department shall immediately terminate the monthly cellular phone allowance or the assignment of a County-owned cellular phone under the following conditions:
  - a. When the requirement and the business need for the cellular phone by the employee ceases to exist, as determined by the Department Head.
  - b. When the employee is transferred from the Department, the duties of the employee change or circumstances change in a manner no longer necessitating an assigned County-owned cellular phone or cellular phone allowance or terminates employment with the County. County-owned cellular phones will not be transferred between employees.
  - c. When there is a pattern of abuse.
  - d. When the employee is anticipated or expected to be unavailable to work lasting more than twenty-one calendar days (e.g., leave of absence, workers'



## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 8 of 9

compensation leave, paid administrative leave while an investigation is underway).

e. At the beginning of the first pay period following December 31<sup>st</sup> of each calendar year if the County Administrator has not approved the new/continuing cellular phone allowance as of the first pay period of the new calendar year.

2. When authorization for the use of a County-owned cellular phone is terminated, the Department shall immediately notify General Services to terminate the monthly cellular phone service plan via the most expeditious means, such as e-mail, telephone call, etc., and recover the County-owned cellular phone from the employee. The recovered County-owned cellular phone shall be returned to General Services within seven days.

3. If the employee is receiving a cellular phone allowance, the Department shall immediately process an ePAR to terminate the cellular phone allowance.

### **E. Stolen, Lost or Damaged County-owned Cellular Phones**

#### **1. Stolen County-owned Cellular Phones**

a. The Department Heads shall immediately notify General Services to terminate the cellular phone service plan.

#### **2. Lost or Damaged County-owned Cellular Phones**

a. The Department Head shall determine if the loss or damage is the result of negligence or misuse. If a determination of negligence or misuse is substantiated, employee shall be liable for the cost of the replacement of the County-owned cellular phone. Otherwise, the County will provide a replacement.

b. A finding by the Department Head of negligence or misuse may be appealed by the employee to the County Administrator for final determination.

3. Department will procure a replacement County-owned cellular phone through General Services.

### **F. Conversion Procedures**

#### **1. County-owned Cellular Phone to Cellular Phone Allowance**

a. Provided otherwise qualified, an employee with a County-owned cellular phone may request conversion to a monthly cellular phone allowance. Solely



## **D-1 CELLULAR PHONE POLICY**



Inception Date: 07/02/1991  
Last Revision Date: 12/10/2019  
By: Board of Supervisors  
Page: 9 of 9

at his/her discretion, the Department Head may recommend approval of the request or may deny the request.

- b. If approval is recommended, department shall follow the prescribed procedures outlined in Section 1.8.1.C.
- c. The Department shall notify General Services to terminate the monthly cellular phone service plan on the effective date of the cellular phone allowance.
- d. The Department shall recover the County-owned cellular phone from the employee and forward it to General Services. If the employee desires, the Department may transfer the ownership of the existing County-owned cellular phone to the employee at no cost to the employee.

### **2. Cellular Phone Allowance to County-owned Cellular Phone**

- a. An employee receiving a monthly cellular phone allowance may request the issuance of a County-owned cellular phone. Provided otherwise qualified, the Department Head shall approve the conversion.
- b. If approved, the Department shall follow the prescribed procedures outlined in Section 1.8.1.A.3.
- c. The Department shall immediately process an ePAR to terminate the cellular phone allowance upon issuance of a County-owned cellular phone.

### **1.9.0 AMENDMENTS**

- 1.9.1 The Director of Human Resources, with concurrence of the County Administrator and County Counsel, is authorized to make periodic administrative amendments to this policy, excluding Section 1.2.0 *et seq.* and the levels set in Section 1.6.3.



**County of Solano**  
**AUTHORIZATION FOR COUNTY-OWNED CELLULAR PHONE OR CELLULAR**  
**PHONE ALLOWANCE**

1.	Date:		
2.	TO: (Department Head)	From: (Supervisor)	
<b>Under the provisions of the County of Solano Cellular Phone Policy, I request that the employee named below be authorized the issuance of a County-owned cellular phone or cellular phone allowance.</b>			
3.	Employee Name:		
4.	Classification:		Department/Division:
5.	Justification for request:		
6.	Estimated monthly business usage: ___ minutes / month		
<b>Due to the business needs and/or special requirements for this position, I request that the following special equipment be authorized:</b>			
7.	<input type="checkbox"/> Smartphone <input type="checkbox"/> Other _____		
<b>I hereby acknowledge that I have received the County of Solano Cellular Phone Policy. I have read this policy and understand all its provisions. I agree to comply with all the requirements contained therein.</b>			
8.	<input type="checkbox"/> I request a cellular phone allowance in lieu of the issuance of a County-owned cellular phone. Employee Signature: _____ Date: _____		
<b>I certify that I have reviewed this request and have made the determination that the justification meets the criteria outlined in the County of Solano Cellular Phone Policy. Based on the business needs and requirements of the department, I approve the following:</b>			
9.	<input type="checkbox"/> County-owned cellular phone with a service plan. Employee has been informed of the substantiation requirements for the business use of the County-owned cell phone. <input type="checkbox"/> Cell Phone Allowance - Recommended Level: <input type="checkbox"/> Level 1 – Occasional Business Use <input type="checkbox"/> Level 2 – Regular Business Use <input type="checkbox"/> Level 3 – Frequent Business Use <input type="checkbox"/> Additional Allowance for Equipment: _____		
10.	Department Head Signature	Date:	
<b>I have reviewed the request for cell phone allowance and approved a monthly allowance at the following level:</b>			
11.	<input type="checkbox"/> Level 1 – Occasional Business Use - \$40.00/month <input type="checkbox"/> Level 2 – Regular Business Use - \$100.00/month <input type="checkbox"/> Level 3 – Frequent Business Use - \$150.00/month <input type="checkbox"/> EXCEPTIONAL – Allowance Greater than Provided Above - _____	Effective date (select one): <input type="checkbox"/> Beginning of next pay period <input type="checkbox"/> Beginning of future pay period. Specify Date: _____	
12.	County Administrator Signature:	Date:	



## County of Solano CELLULAR PHONE ORDER FORM

Please submit this form to General Services with a copy of the  
Authorization for County-owned Cellular Phone or Cellular Phone Allowance

All cellular phone/service plan requests require departmental review and approval. General Services will review each request for business justification and departmental approval. Complete a separate form for each cellular phone/service plan request and send to General Services. Please type or print legibly all required information. Any questions pertaining to the completion of this form should be directed to General Services.

### Employee Requestor Information

Name:		Title:	
Department:		Division:	
Telephone Number:		Work Email:	
Deliver to address:			

### ORDER INFORMATION

Individuals requiring assistance in selecting a cellular phone service plan and/or County-owned cellular phone are to contact General Services

Please specify the equipment and accessories:

Equipment Make/Model:

Equipment Cost:

Accessories:

Accessories Cost:

**By signing this form, the employee/requestor acknowledges that they are responsible for complying with the County Cellular Phone Policy.**

Employee Requestor Signature:

Date:

Approving Department Head Signature:

Date:

Name and Title of Approver: (Please print)