

# HIDALGO COUNTY CELL PHONE POLICY

## PURPOSE

The purpose of this policy is to provide guidelines for the assignment, use and control of cellular telephones administered to Hidalgo County (“County”) employees and to ensure such equipment is used in the most efficient and ethical manner. For policy acknowledgement purposes, all cellular phone users must agree and sign the **“Cellular Phone Agreement”**.

## ADMINISTRATION

The Department Head or Elected Official shall be responsible for the administration and adherence of this policy. This policy can be made more restrictive if the Department Head or Elected Official deems necessary, but shall never be less restrictive. The Department Head or Elected Official will be held responsible for the damage and/or abuse of the phones as stated in the “Cellular phone Agreement”.

## ELIGIBILITY & ACQUISITION

Assignment of a cellular telephone shall be based on an employee’s need for immediate two-way communication as deemed necessary by the Department Head or Elected Official. When making the determination whether an employee should receive a County issued cellular telephone, the Department Head or Elected Official must complete and sign the **“Cellular Phone Request Form(s)”** after carefully considering and certifying whether:

1. The duties of the position involve frequent travel or routinely take an employee into the field or away from routine telephone and radio communications and such duties require that the employee must be contacted on a recurrent basis and respond in an expeditious time frame; or
2. The employee must be contacted after normal business hours or on weekends and the employee will not have ready-access to other means of communication.

The assignment of a cellular telephone shall not be considered a benefit to County employees, but a necessary tool to be used for the benefit of the County. The Department Head or Elected Official shall not assign cellular telephones to an employee when a less costly communication alternative is safe and effective (i.e. pager, two-way radio, land line telephone, etc.).

The Information Technology (IT) Department will be coordinate this program and will maintain a master list of all employees who have been issued a cellular telephone. All cellular telephones will be acquired through the County’s contract provider. All changes in service will be handled by the IT Department so accurate records may be kept It shall be the responsibility of each Department Head or Elected Official to ensure that sufficient funds are budgeted for the monthly operational costs associated with cellular telephones and equipment prior to assigning a cellular telephone to an employee.

Please note that cellular telephone usage expenditures shall be charged to line-item “532 Telephone – Cellular” or any special revenue funds allocated for this type of service within each department’s budget. Charges for air-time shall be paid from the

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appropriate budget line item as assigned. The equipment (cell phone, batteries, accessories, etc.), shall be charged to the appropriate line-item, depending on price(s) and item(s).

No foreign or donated equipment shall be introduced into the cell phone pool. All equipment must meet the equipment standard set by the County.

Procedure:

1. Department must fill out the CELLULAR REQUEST FORM, with the following information: Requesting employee, employee #, budget account number, plan type, equipment cost, justification and department head signature. In case the phone will not be assigned to an employee the department head is the one responsible for any associated use and costs.
2. The request for the cell phone is present before COMMISSIONER'S COURT.
3. Once approved, a purchase order for the full amount of the equipment and yearly service is then produced by the requesting the phone.
4. The PO must then be forwarded to the IT Department for ordering.
5. Once the phone is received by the IT Department the user must sign the CELLULAR PHONE AGREEMENT. It is assumed that upon signature the employee has read the CELL PHONE POLICY.
6. The cell phone is assigned to the employee.
7. On a monthly basis the employee is responsible for filling out the AFFIDAVIT FOR PERSONAL CELLULAR TELEPHONE USAGE.
8. This affidavit should be turned in to the employee's accounts payable person who is then responsible of forwarding it and all the other departmental affidavits to the IT Department.
9. If the employee leaves the department via transfer or termination the cell phone must be immediately returned to the IT Department for reassignment, even if it is within the same department. All reassignments must be submitted for approval before Commissioner's Court before the phone is given to the employee.

Employees shall make every effort to restrict the use of County-issued cellular telephones to official County business and personal telephone calls should be kept to an absolute minimum. In specific cases the County reserves the right to restrict the numbers that a certain telephone can receive and make calls from and restrict service time.

## PLAN TYPE

The County will authorize the following types of service:

- Sprint Business Essential 1000 Plan: \$59.99/mo
- Sprint Business Essential Add a Line Plan: \$25.00/mo
- Unlimited Data Card Plan: \$69.99

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## PLAN TYPE (cont)

GPS tracking service:

Data Only 5mb Data Plan: \$11.50/mo

Data Only Public IP: \$3.00/mo

Data Only Comet Tracker Full Version: \$17/mo

Data Only Comet Tracker Light: \$19.95/mo

With voice unlimited data plan: \$10/mo

With voice public IP: \$3.00/mo

With voice Comet Tracker Full Version: \$17/mo

PDA Data Pack Plans

Non Blackberry: \$30/mo

Blackberry with voice Sprint only: \$39.99/mo

Blackberry with voice Nextel only: \$49.99/mo

Blackberry data only: \$49.99/mo

Equipment replacement protection: \$7/mo

International Direct Connect: \$10/mo

Mobile to Mobile: \$5/mo

Unlimited Text Messaging: \$20/mo

Emergency Direct Connect (only for first responders) \$3/mo

## USE OF COUNTY-OWNED CELLULAR TELEPHONES

- Cellular telephones are to be used only to conduct County business and should not be used for personal communication unless deemed an emergency; thus, employees are encouraged to obtain their own cellular phones for personal use.
- Cellular telephones should not be used when a less costly alternative is safe, convenient and readily accessible (i.e. pager, two-way radio, land-line telephone, etc).
- Cellular transmissions are not secure; therefore, employees should use discretion in relaying confidential information.

Employees shall not transmit, receive or store confidential county information on a county issued cell phone.

- Reasonable precautions should also be made to prevent equipment from theft and vandalism.
- County cellular telephones shall **not** be used for political gain, illegal, fraudulent, or malicious activity; entertainment (including games, radio or video), religious promotion, or activity on behalf of organizations or individuals having an affiliation with Hidalgo County.
- Employee shall not use a cellular telephone while operating a vehicle; hence, employee must stop a moving vehicle before using a County-issued cellular phone.

## Business Use of Employees Personal Cellular Telephone

While traveling in or out of Texas, employees may be reimbursed for air-time charges incurred when using privately owned equipment in performing County business if the employee does not have service from the employee's County-issued cellular telephone at the destination to which the employee has traveled. Hidalgo County is not liable for

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any damage to personal cellular telephone equipment whether or not being used for County business. Reimbursement shall be only for an expense incurred to conduct County business. In order to claim reimbursement, the employee must include this expense on the "Travel Reimbursement Form" for cellular telephone usage available from the auditor's office.

## **CELLULAR TELEPHONE MISUSE OR ABUSE**

County employees are prohibited from visiting the local SPRINT stores for service needs. All requests for service shall be handled by the IT Department. Any services procured without the consent of Commissioner's Court shall be at the expense of the individual involved in the transaction. Any abuse in the use of a County-issued cellular telephone will be considered misconduct and neglect of duty, subject to ineligibility to use a County-issued cellular telephone and/or disciplinary action up to and including termination. The employee may be held responsible for repair and replacement costs if the cellular telephone is lost or damaged as part of an employee's personal activity or negligence. Misuse or abuse of cellular telephones or related equipment shall be governed by Penal Code Sections 39.01 and 39.02.

## **INFORMATION TECHNOLOGY DEPARTMENT**

The IT Department will assist in the following duties and responsibilities:

1. Programming any features requested by the Department Head, Director or Supervisor on special programming of the cellular telephone.
2. Promptly perform necessary input to remove an employee's cellular telephone usage upon determination that an employee should no longer be issued a cellular telephone.
3. Review the quarterly assessment of cellular telephone usage provided by the contract provider and forward recommendations for adjustments or changes to the Purchasing Department.
4. Any changes, increases or decreases of minute usage will be contingent upon the County's quarterly cellular telephone analysis.

## **Effective Policy Date**

This policy shall become effective on >date< or upon activation(s) of new cellular service from Hidalgo County's current awarded provider (SPRINT).

PASSED APPROVED AND ADOPTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2009.

\_\_\_\_\_  
Hidalgo County Judge

ATTEST:

\_\_\_\_\_  
Hidalgo County