# TOWN OF PLYMOUTH

**POLICY: CELL PHONES DURING WORK HOURS**

**BOS/11/11/R01**

**Approved: 6/28/2011**

**Effective: 6/29/2011**

## 1.0 PURPOSE:

The purpose of this policy is to outline the use of personal and work cell phones while working, including special issues related to camera phones, the use of town provided cell phones, and the safe use of all cell phones by employees operating public vehicles or public equipment.

## 2.0 POLICY GUIDELINES

### 2.1 Camera Phones

The use of cameras in the workplace, which includes the use of camera phone features, is allowed for authorized legitimate Town business only.

### 2.3 Town Provided Cellular Phones

Where job needs demand immediate access to an employee, the Town may issue a Town-owned cell phone to an employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used principally for Town business.

Employees in possession of Town equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request by the employer, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested, may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

### 2.4 Driving and Safety Issues for all Cellular Phone Use

All employees are prohibited from using a cell phone, hands on or hands off, town issued or personally owned, or a similar device, while operating a town vehicle or town

equipment. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment or the Town or residents or vendors or volunteer activities or meetings or civic responsibilities performed for or attended in the name of the Town, or any other activities not named here. Safety must come before all other concerns and talking while operating a public vehicle is an unnecessary distraction and a liability to the employee and the Town.

Employees must pull off to the side of the road and safely stop the town owned vehicle or equipment before placing or accepting a cell phone call.

Employees, who are charged with traffic violations resulting from the use of their phone while driving, will be solely responsible for all liabilities that result from such actions.

Employees are required to have the two way radio on while operating and/or driving town owned equipment and/or vehicles (if so equipped) and must use and respond through this device for all communication.

Violations of this policy will subject employees to disciplinary action, up to and including discharge.

In the police department only, the use of a department issued cell phone may be allowed when driving/responding to an emergency.

**2.5 Personal Cellular Phones during work hours**

During work hours or work shifts, when an employee is not operating a town owned vehicle or equipment but is 'on the clock', employees are expected to exercise discretion in using personal cellular phones. Excessive personal calls during work time, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard is to limit personal calls (or texts, or emails, etc) during work time to no more than one or two per shift as needed. Employees are therefore asked to make any other personal calls/texts/emails on non-work time and to ensure that friends and family members are aware of the Town's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Town will not be liable for the loss of personal cellular phones brought into the workplace.

**2.6 Enforcement**

Violations of this policy will subject employees to disciplinary action, up to and including discharge.