

CITY OF OLATHE
ADMINISTRATIVE GUIDELINE

SUBJECT: Policy for Use of Wireless Devices for City Business

PREPARED BY: Resource Management

EFFECTIVE: May 1, 2009

APPROVED BY: Leadership Team

SUPERSEDES: Jan 24, 2007

APPLICABLE TO: All Employees

1.0 PURPOSE

- 1.1 To establish a policy for the management and use of wireless (cellular) devices for City of Olathe employees that complies with IRS regulations concerning taxable fringe benefits.

2.0 GENERAL

- 2.1 The city recognizes a need for the use of wireless devices by city employees in the performance of their duties. The City Manager has authorized Department Directors to determine which employees require the use of a wireless device.
- 2.2 Wireless devices used for city business must be kept on during business hours or while on call. Department Director devices must be on during business hours and other reasonable waking hours for emergency calls.
- 2.3 For the purposes of this policy, personal wireless device use is defined as any usage that is not 100% relevant to city business. Employees are responsible for reporting all personal use and reimbursing the city.
- 2.4 Compliance with this policy is the responsibility of the Department Director. The Department Director is encouraged to make frequent spot audits for verification and compliance. The City Auditor may also periodically audit policy compliance.
- 2.5 Employees who fail to meet the requirements of this policy may be subject to disciplinary action.

3.0 PLAN OPTIONS

- 3.1 Employees, with the approval of their Department Director, will have their choice of the following options:
- A. MONTHLY ALLOWANCE – The preferred option for employees requiring use of a wireless device is a monthly allowance in their paycheck to offset the business expense of a personal wireless device. No substantiation of personal minutes is required with this option. The full amount of the monthly allowance is taxed to the employee.
1. Monthly Allowance Plan Tiers (Select either a, b, or c for voice. Tier d may be combined with a, b, or c or selected individually). Tier e may be added to any other tier.

- a. Basic Usage – \$35 monthly allowance, (up to 100 business minutes per month) – Employees in this tier are considered to require basic usage of a wireless device in that the wireless device is used primarily to contact the employee when out of the office, in an on-call situation, in an emergency, or attending to city business at locations other than their primary place of work.
- b. High Usage – \$45 monthly allowance, (up to 300 business minutes per month) – Employees in this tier generally would spend a great deal of work time out of the office and must remain in contact with their place of business or with the customers or citizens they serve.
- c. Extensive Usage – \$55 monthly allowance, (over 300 business minutes per month) – Employees in this tier, by the nature of their position, are required to extensively use wireless communications in the course of their duties.
- d. Data Usage - \$30 monthly allowance – Employees in this tier generally would spend a great deal of work time out of the office and must remain in contact with their place of business or with the customers or citizens they serve via email using a personally owned device.
- e. Text Messaging - \$5 monthly allowance – Employees in this tier must provide a specific reason for needing this option. (This tier may serve as a less expensive alternative to full data plans.)

When assigning an allowance tier, Department Directors should consider the current cost of wireless service compared to the anticipated and/or historical usage required for the employee to perform their duties. The Department Director may require an employee to utilize a specific wireless provider, device, or plan regardless of the plan option chosen, in order to maintain established business practices in a particular department (i.e. Nextel Direct Connect 2-way service).

2. Monthly Allowance Procedures

- a. For all employees authorized to receive an allowance, a completed Wireless Device Authorization Form (Attachment A) will be initiated by the department, signed by the Department Director, and forwarded to the Purchasing Division for processing. A copy of the employee's wireless contract or, if an existing personal device, the most recent wireless bill must be provided to verify current employee account.
- b. All allowance supported wireless devices must be assigned a number in the 913 or 816 area code.
- c. All allowance supported wireless devices and accessories will be the employee's personal property, billed to their home address, unless otherwise approved by the department director, and the employee will be responsible for the monthly bill. All repairs and maintenance of wireless devices and accessories will be the responsibility of the employee. Reimbursement for the loss or damage of personal wireless

devices and/or accessories while on duty will be at the discretion of the Department Director .

- d. The monthly allowance will be included in the employee's paycheck and is subject to all appropriate federal, state, and local taxes.
- e. To receive the monthly allowance, the employee must maintain a wireless service plan, available for city business as required, and must provide the wireless device number to the Department Director. Any changes (user names, account numbers, cancellations, number changes, etc.) not including rate plan changes must be reported to the Department Director.
- f. The Department Director is responsible for an annual review of employee business related wireless device use to determine if existing wireless device allowances should be continued as is, changed or discontinued.
- g. Employees who are provided an allowance for City business purposes can request reimbursement for additional business expenses. Because the allowance only covers the business portion of a personal wireless plan, excess reimbursement will only be made if the employee can document that business minutes exceed the minute allocation of their monthly allowance. For reimbursement, the employee must submit a business expense statement and copies of the wireless device bill (with business calls and purpose noted) to the Department Director. After review and approval by the Department Director, the business expense statement will be forwarded to the Accounting Division for payment.
- h. The monthly allowance will continue until such time as the Department initiates an action to discontinue the allowance. If prior to the end of the wireless device contract, a personal decision by the employee, employee misconduct, or misuse of the device results in the need to end or change the wireless device contract, the employee will bear the cost of any fees associated with that change or cancellation. If prior to the end of the wireless device contract, a city decision (unrelated to employee misconduct) results in the need to end or change the wireless device contract, the city will bear the cost of any fees associated with the change or cancellation. For example, the employee's supervisor has changed the employee's duties and the wireless device is no longer needed for city business. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the city if proper documentation of the cost of the change is presented within thirty (30) days following notification that the allowance will be discontinued.

- B. CITY-OWNED DEVICES – In limited circumstances, where there is a specific business purpose as determined by the Department Director, employees may be issued a city-purchased and city-owned device where the city pays the monthly service plan. Wireless devices may include phones, data devices (i.e. BlackBerry), and wireless cards. All personal usage on the city-owned device is strictly prohibited. In the rare event that a personal use occurs on the city-owned device, the employee must document the usage and reimburse the City. Personal voice calls made

or received on city-owned wireless devices will be reimbursed to the city at \$.45/minute, even if the use of personal minutes did not cause the “anytime” minute threshold of the plan to be exceeded in a billing cycle. Personal data use must also be reimbursed to the City at a rate of .015/KB (\$15.36/MB). The bill must be approved by the Department Director and forwarded to the Accounting Division for payment within fourteen (14) days from receipt of wireless bill. All employees that use a city-owned device in the course of their duties must complete a City-owned Wireless Device User Agreement (Attachment B).

- C. POOL DEVICES – In limited circumstances, where there is a specific business purpose as determined by the Department Director, “pool” devices, including wireless cards, may be issued that are not assigned to a specific employee, but rather multiple shifts, on-call rotations, or workgroups. All personal usage on the city-owned device is strictly prohibited. In the rare event that personal use occurs on the city-owned device, the employee must document the usage and reimburse the City. Personal voice calls made or received on city-owned wireless devices will be reimbursed to the city at \$.45/minute, even if the use of personal minutes did not cause the “anytime” minute threshold of the plan to be exceeded in a billing cycle. Personal data use must also be reimbursed to the City at a rate of .015/KB (\$15.36/MB). The bill must be approved by the Department Director and forwarded to the Accounting Division for payment within fourteen (14) days from receipt of wireless bill.

1. If a Department “pool” device is required, the following procedure is to be used:
 - a. The purchase of the wireless device and its associated service must be made through the Purchasing Division. However, it is the Department’s responsibility to ensure that each wireless device has the proper rate plan applied to the device. The Purchasing Division can assist in determining the types of devices and services available.
 - b. A Wireless Device Authorization Form must be completed and signed by the Department Director. The form will then be forwarded to the Purchasing Division to affect the purchase.
 - c. Purchases of replacement devices, accessories, and batteries may be made directly by the using department.
 - d. Monthly bills for service must be reviewed by the department and all non-business charges noted. The bill must be approved by the Department Director and forwarded to the Accounting Division for payment.
 - e. All employees that use a “pool” device in the course of their duties must complete a City-owned Wireless Device User Agreement (Attachment B).

- D. DATA SERVICE DEVICES – With Department Director approval, employees requiring city data (e-mail, internet, calendar, etc.) services may choose between two options.

1. The City will purchase and own the data device and pay for the data service rate plan. Any voice plan added to the device exclusively for business purposes will be paid by the city and subject to personal use

restrictions as described herein. If supported by the employee's wireless provider, employees may assign a personal number on a City-owned data device. The personal voice plan will be the responsibility of the employee and must be billed separately and directly to the employee.

2. Employee may purchase and own the data device and apply for a monthly allowance(s) as described herein. Information Technology Services will assist with the initial connection of employee owned devices which meet the prescribed specifications, but the employee will have to work directly with the vendor for connectivity issues. All purchased devices must support Blackberry™ or Microsoft™ "Active Sync" technology in order to connect to City email and calendar services.

- E. TEXT MESSAGING – Text messaging service may be added to any city-owned or allowance supported wireless device if approved by the Department Director.

ATTACHMENT A

**CITY OF OLATHE
WIRELESS DEVICE & WIRELESS CARD AUTHORIZATION**

Name of Employee: _____ **Date of Request:** _____

Department/Division: _____

Plan Options (see reverse for explanation of plans):

Employee Owned Equipment

(A copy of the employee's wireless contract or, if an existing personal device, the most recent wireless bill must be provided to verify current employee account.) Employee can get allowance for voice, data, and text messaging.

- A. Monthly Allowances for Voice and Data Service (including Direct Connect):
- | | |
|---|---|
| <input type="checkbox"/> Tier a - \$35/mo (100 minutes or less) | <input type="checkbox"/> Tier b - \$45/mo (100 – 300 minutes) |
| <input type="checkbox"/> Tier c - \$55/mo (over 300 minutes) | <input type="checkbox"/> Tier d - \$30/mo (Data Service Only) |
|
 | |
| <input type="checkbox"/> Tier a & d - \$65/mo (\$35/mo 100 minutes or less plus \$30/mo Data Service) | |
| <input type="checkbox"/> Tier b & d - \$75/mo (\$45/mo 100 – 300 minutes plus \$30/mo Data Service) | |
| <input type="checkbox"/> Tier c & d - \$85/mo (\$55/mo over 300 minutes plus \$30/mo Data Service) | |
|
 | |
| <input type="checkbox"/> Tier e - \$5/mo (Text messaging) May be added to any tier above. | |

City-Owned Equipment – NO PERSONAL USE – Select all that apply:

- B. City-owned Device assigned to employee
- | | |
|--|--|
| <input type="checkbox"/> Direct Connect Only | <input type="checkbox"/> Voice Plan Only |
| <input type="checkbox"/> Direct Connect and Voice Plan | |
- C. City-owned Pool Device
- | | |
|--|--|
| <input type="checkbox"/> Direct Connect Only | <input type="checkbox"/> Voice Plan Only |
| <input type="checkbox"/> Direct Connect and Voice Plan | |
- D. City-owned Data Service Device (i.e. Blackberry)
- | | |
|---|--|
| <input type="checkbox"/> Data Only | <input type="checkbox"/> Data and Voice Plan |
| <input type="checkbox"/> Data, Direct Connect, and Voice Plan | |
- E. City-owned Device
- | | |
|---|--|
| <input type="checkbox"/> Text Messaging | |
|---|--|
- F. City-owned Wireless Card
- | | |
|--|--|
| <input type="checkbox"/> Wireless Card | |
|--|--|

Account Actions:

- Cancel Plan effective _____.
- Plan has been transferred to _____ effective _____.

Employee Certification and Signature:

I certify that I have read, understood, and intend to comply with the City of Olathe Wireless Device Policy.

Signature

Date

Department Director Certification and Signature:

I certify that the requested allowance/wireless device/wireless card is needed for this employee for the following business purpose: _____

_____.

Department Director

Date

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- E. **TEXT MESSAGING** – Text messaging services may be added to any city-owned or allowance supported wireless device with the approval of the Department Director.

ATTACHMENT B

**CITY OF OLATHE
CITY OWNED WIRELESS DEVICE USER AGREEMENT**

As an Employee of the City of Olathe, I, _____, recognize and understand that city-owned wireless devices are provided for Employee use in support of the business operations of the City of Olathe and are to be used only for legitimate business purposes. I further understand that the device belongs to the City and is to be used in an effective, efficient, ethical, safe and lawful manner.

I am aware that the City reserves the right to review, audit, and inspect wireless device records at any time, with or without notice.

I am aware that in accordance with existing City policy, personal wireless or data use is strictly prohibited on a city-owned device. If personal use of any kind (voice or data) does occur on a city-issued device, it is my responsibility to inform my Department Director and submit payment, along with the wireless bill, in accordance with existing City policy. I understand that if I fail to provide reimbursement for personal voice or data use on a City-issued device **within fourteen business days** of statement receipt, disciplinary action may be taken, up to and including termination. I understand that all money owed to the City for personal use that remains unpaid at the time of my termination of employment shall be deducted from my last paycheck including all wages and unused vacation time that has been earned through the last day of work; or paid in full on terms agreed to by the financial services director.

I understand that I am responsible for good care and maintenance of my assigned City-issued device and may be required to pay for any damage done to the device due to my negligence. I also acknowledge that I may become fully liable to the City for the full replacement cost of any lost Wireless equipment.

I am aware that my assigned device may be reassigned or withdrawn at the Department Director or City Manager's discretion at any time, with or without notice.

I understand that I will surrender my wireless device upon termination of employment.

I certify and acknowledge that I have received, read, and understand the policies and procedures of the City of Olathe, Kansas regarding the assignment and use of wireless devices and will comply with the terms and conditions stated throughout.

Signature of Employee

Date Signed

I have advised this Employee of the appropriate use of a wireless device. I understand I am responsible for this Employee's use of the assigned device and also responsible for ensuring the City is reimbursed for this Employee's personal use.

Signature of Department Director

Date Signed