



COUNTY COUNCIL

Max Burdick, Chair
District #6

Jenny Wilson
At-Large A

Richard Snelgrove
At-Large B

Jim Bradley
At-Large C

Arlyn Bradshaw
District #1

Michael Jensen
District #2

Aimee Winder Newton
District #3

Sam Granato
District #4

Steven L. DeBry
District #5

November 22, 2016

Ms. Lori Bays
Deputy Mayor
Rm. N2-100, Government Center
Salt Lake City, Utah

Dear Ms. Bays:

The Salt Lake County Council, at its meeting held this day, approved the following Countywide Policy & Procedure:

#1035 – Employee Use of Cell Phones

Pursuant to the above action, you are hereby authorized to distribute the same.

Respectfully yours,

SALT LAKE COUNTY COUNCIL

SHERRIE SWENSEN, COUNTY CLERK

By Linda Duffy
Deputy Clerk

ld

SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON
EMPLOYEE USE OF CELL PHONES

Purpose -

To establish the responsibilities and procedures regarding County-provided cell phones and allowances for cell phones. Adherence to this policy ensures compliance with applicable Internal Revenue Service (IRS) regulations. This policy covers iPads and other tablet devices but excludes the use of County-provided or personal mobile computers including notebooks and laptops.

Reference

Countywide Policy 1125 Safeguarding Property/Assets
Countywide Policy 1062 Management of Public Funds
Countywide Policy 1304 - Discovery and Reporting of Wrongdoing or Criminal Activity
Countywide Policy 1400-1 IT Security: Acceptable Use Policy
Countywide Policy 1400-4 - IT Security Incident Reporting
Countywide Policy 1400-5 IT Security: Mobile Device Protection
Salt Lake County Ordinance – Section 2.81 Security of Personal Identifiers
Salt Lake County Ordinance – Section 2.82 Records Management

1.0 Definitions

The following definitions will be used when referenced hereafter:

- 1.1 Cell Phone – A portable device that uses wireless cellular technology to send and receive phone signals including, but not limited to, iPhones, smart phones, Blackberries, and Personal Digital Assistants (PDAs). Tablet devices, such as iPads, are considered cell phones for purposes of this policy.
- 1.2 Employee - an employee assigned the controlled asset pursuant to Countywide Policy #1125.

2.0 General Policy

It is the policy of Salt Lake County to provide employees, where deemed appropriate, cell phones and data plans for business purposes. Employees may be given an ongoing allowance, reimbursed for actual costs incurred for these services, or may be provided these services by their agency pursuant to the discretion of the Department or Elected Official and the budget allocation granted by the Council. Reimbursements and allowances are subject to review and approval per this policy.

- 2.1 All cell phones purchased by County organizations must be purchased pursuant to the Salt Lake County Purchasing Ordinance and in accordance with specifications established by County Contracts and Procurement.

- 2.2 Cell phones purchased by Salt Lake County become the responsibility of the acquiring organization and the assigned employee as defined in County Policy 1125 Safeguarding County Property/Assets.
- 2.3 Individual employees may not alter the terms of the County's base package agreement without specific authorization of the department director or elected official and the Contracts and Procurement Division.
- 2.4 Cell phones purchased by County organizations must be listed on the controlled asset list by the acquiring organization.

3.0 Responsibilities of Employees

- 3.1 Employees who receive a County-provided cell phone or use a personal cell phone for business are required to adhere to all County-Wide IT Security Policies including, but not limited to, 1400-1, 1400-4, and 1400-5.
- 3.2 When an employee is using a County-provided cell phone, employees should not have any expectation of privacy regarding any data or communication sent to/from or stored on the County-provided cell phone.
- 3.3 When employees receive an allowance or reimbursement for business use of their personal cell phone, their personal information will generally not be subject to GRAMA or will be considered "private" under GRAMA. However, because personal data is comingled with business data, an employee's personal data is subject to inspection by the County or court in response to a GRAMA request, discovery or court action related to the business data. Business data is subject to the County retention schedule and may be subject to litigation holds.
- 3.4 Employees are responsible for maintaining a copy of their personal cell phone bills for at least one year for auditing purposes.
- 3.5 Violation of this policy may result in disciplinary action and revocation of cell phone privileges.

4.0 Responsibilities of Agencies

- 4.1 The agency must justify an employee's business need for cell phone service. If the business need cannot be clearly identified, no such services or allowances shall be provided.
- 4.2 The agency shall determine the most cost effective method of providing employees with the services that meet the agency's business needs, including agency or Information Services data security requirements.
- 4.3 For County-provided cell phone services or allowances paid for business use of an employee's own service, the agency shall prepare an agreement justifying the business

need, how the service will be provided, allowance amount (if applicable), and any related conditions. The agreement will be signed by the employee, supervisor, and agency head or designee. A new agreement shall be completed when changes to the plan or business need occur.

- 4.4 The agency shall monitor compliance with County policy regarding cell phone usage. Divisions, departments, and offices may adopt policies, not in conflict with this policy, giving specific direction regarding cell phone usage.

5.0 Allowances and Reimbursement for Business use of Personal Cell Phones

- 5.1 The allowance or reimbursement shall not exceed the actual cost of the plan.
- 5.2 Agencies may set an allowance amount for an employee or group of employees depending on the business needs, costs, and other applicable factors. The allowance should be calculated on the services needed for business and not include extra services used for personal reasons.
- 5.2.1 Employee must submit a copy of their first cell phone bill to Mayor's Finance.
- 5.3 Employees may be reimbursed for approved County usage incurred by the employee on their own cell phone. To be eligible for reimbursement, the employee must incur out-of-pocket costs that must be approved by their supervisor and must submit the original bill or other valid receipt substantiating the costs. These reimbursements will be processed through the payroll system as a non-taxable amount.

6.0 Processing of Allowances and Reimbursements

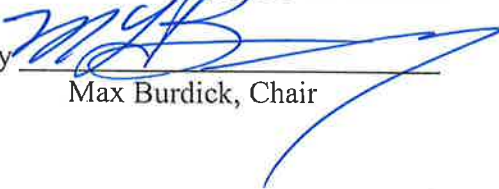
- 6.1 Approved allowances shall be forwarded to the agency payroll technician upon approval of the employee's Department Director/Elected Official.
- 6.1.1 The agency payroll technician will create additional pay for the amount of the approved allowance and forward a copy of the authorization to Mayor's Finance.
- 6.2 Approved reimbursements of the employee's Department Director/Elected Official shall be forwarded to the agency payroll technician upon approval.
- 6.2.1 Employees will submit a reimbursement form to their payroll coordinator.
- 6.2.2 If any reimbursement is due an employee under this policy, a Request for Reimbursement should be submitted at least annually (before the close of the fiscal year) for the amount accumulated, in order that the funds may be paid from the same fiscal year in which the expense occurred.
- 6.2.3 If any reimbursement is due upon an employee's termination from employment, it should be submitted to the Division Payroll Technician for

processing through the automated payroll system, along with other termination pay due the employee.

6.2.4 The Division Payroll Technician and/or the Payroll Section of Mayor's Financial Administration may withhold payment of phone reimbursement if such payment is in violation of this policy.

APPROVED and ADOPTED this 22nd day of November, 2016.


SALT LAKE COUNTY COUNCIL

By 
Max Burdick, Chair

ATTEST:

~~Sherrie Swensen~~ Deputy Clerk
County Clerk

Approved as to form and legality:


Zachary L. Lancaster
Deputy District Attorney
Date: 10-26-16

Voting:

| | |
|---------------------------------|--------------|
| Council Member Bradley voting | <u>"Aye"</u> |
| Council Member Bradshaw voting | <u>"Aye"</u> |
| Council Member Burdick voting | <u>"Aye"</u> |
| Council Member DeBry voting | <u>"Aye"</u> |
| Council Member Granato voting | <u>"Aye"</u> |
| Council Member Jensen voting | <u>"Aye"</u> |
| Council Member Newton voting | <u>"Aye"</u> |
| Council Member Snelgrove voting | <u>"Aye"</u> |
| Council Member Wilson voting | <u>"Aye"</u> |