

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 106-10

Passed December 13, 2010

12/7/10-gmk
(Personnel & Safety)

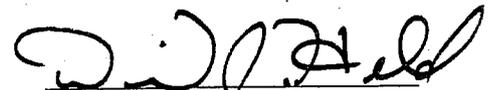
Ordinance No. 106-10

An ordinance adopting the City of North Canton's Policy on Cellular Telephone Use and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON;
COUNTY OF STARK; STATE OF OHIO:

- Section 1. That the City of North Canton's Policy on Cellular Telephone Use, be, and the same is hereby adopted.
- Section 2. That a copy of said Cellular Telephone Use Policy, be, and is hereby attached hereto and incorporated herein as if fully rewritten herein.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely implementation of the City's Cellular Telephone Policy; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed: 12/13/10


MAYOR

SIGNED: 12/13, 2010

ATTEST:


CLERK OF COUNCIL

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CITY OF NORTH CANTON CELLULAR TELEPHONE POLICY FOR CITY PROVIDED PHONES

Purpose:

Generally, cellular telephones are assigned to employees who must remain accessible due to the nature of their duties and/or those who must be available for emergency response or consultation. The purpose of this policy is to provide guidance with regard to the proper use of City-provided cellular telephones and the City's expectations of those with such privileges.

City Expectations:

Employees are expected to keep their cellular telephone turned on during times agreed upon with their Supervisor to assure that they can be reached.

Using a cellular telephone while driving a vehicle is strongly discouraged.

Texting on a cellular telephone while driving is strictly prohibited.

City-provided cellular telephones should not be used when a less costly alternative is readily available, such as a land line telephone or existing two way radio.

Personal use of City-provided cellular telephones is prohibited, except where exigent circumstances require the brief personal use of the City-provided phone. These calls should be of short duration. Frequent or lengthy calls for personal reasons during work time are a violation of this policy. If it is determined that an employee has excessive personal use on their City-provided telephone, they will be required to reimburse the City for personal calls. These circumstances will be reviewed on a case by case basis and reimbursement will be at the discretion of the Director of Administration.

Employees in possession of City-provided cellular telephones are required to care for the telephone in a responsible manner, and to take appropriate precautions to prevent theft, damage and vandalism.

The City reserves the right to monitor the use of all City-provided cellular telephones.

Department Head / Supervisor Responsibilities:

Department Heads, with the approval of the Director of Administration, will determine which positions require a cellular telephone to be provided by the City. This evaluation will be based on the benefit to the City for providing a cellular telephone to an employee, the scope of the position's responsibilities, the need to be able to contact the employee on short notice, and the employee's role in emergency response.

Supervisors shall be responsible for oversight of employee use of City-provided cellular telephones and shall monitor and review such usage as they deem appropriate.

The Department Head is responsible for notifying the Director of Administration if a City-provided cellular telephone authorization is revoked, and for periodically reviewing the need for a City-provided cellular telephone for a particular position.

When an employee terminates employment, the Supervisor or Department Head is responsible for making sure the employee returns the City-provided cellular telephone.

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The Supervisor is required to inform the Director of Administration immediately when a City-provided cellular telephone is reported lost or stolen.

Employee Responsibilities:

Employees are required to return the City-provided cellular telephone when they leave employment.

Cellular transmissions are not secure. Employees should use discretion in relaying confidential information.

In the event that a City-provided telephone is lost or stolen, the employee is responsible for reporting it to their supervisor as soon as possible.

Employees are not to access and/or download online features (such as ring tones) to their City-provided cellular telephone. These features can result in extra charges and expose the cellular telephone to viruses. This conduct would be considered a violation of this policy and the employee may be required to reimburse the City for any expenses incurred, and would be subject to disciplinary action.

Employees are not allowed to purchase accessories for the City-provided phone (face plates, holders, etc.) and charge them to the City unless previously approved by their Supervisor.

Any communication which violates applicable laws and regulations is forbidden.

Misuse of a City cellular telephone may result in disciplinary action up to and including termination of employment

Incidental Use of Personal Cellular Telephones for City Business:

Typically the City will not reimburse an employee for incidental use of their personal cell phone for work. However, an employee can request reimbursement under extraordinary circumstances incurred on a personal phone bill (e.g., emergency situations when regular communications are down).

Pictures and Videos on City Phone:

No picture or video taken shall be published or otherwise disclosed in any manner or in any form unless required by operation of law or specifically authorized by appropriate management personnel.

Supplemental Rules

Nothing in this Policy shall be construed as limiting the authority of the Director of Administration or Department Head to craft a Department-specific policy or work rules that supplements this Policy, provided such supplemental policy or work rules do not materially conflict with this Policy.