

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

In the Matter of Adopting the Columbia County)
Cell Phone Stipend Policy)
_____)

ORDER NO. 34-2011

WHEREAS, the County currently purchases County owned cell phones for numerous employees; and

WHEREAS, the County is losing administrative staff due to budget reductions; and

WHEREAS, paying a cell phone stipend rather than providing a County owned cell phone will reduce the administrative work load needed to purchase and track County owned cell phones.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Columbia County Cell Phone Stipend Policy as shown in Exhibit "A" which is attached hereto and incorporated herein by this reference be adopted; and

IT IS HEREBY FURTHER ORDERED that the Columbia County Cell Phone Stipend Policy shall become effective June 1, 2011.

DATED this 25th day of May, 2011.

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

By: _____
Anthony Hyde, Chair

By: _____
Earl Fisher, Commissioner

By: _____
Henry Heimuller, Commissioner

Approved as to form

By: Smal Hansen
Office of County Counsel

Cell Phone Stipend Policy

SECTION 1. PURPOSE

This policy establishes guidelines for stipends for use of County employees' personal cellular telephones for County business. Employees use cell phones for County business with different frequency, varying from occasional use to frequent use. The purpose of this Policy is to provide for flexible, cost effective use of cell phones.

SECTION 2. SCOPE

This policy applies to all County officials, employees and agents.

SECTION 3. POLICY AND PROCEDURES

The County recognizes that, due to the nature of most positions, it is more cost effective and provides more flexibility to provide a cell phone allowance in lieu of providing employees with County owned cell phones.

The County encourages departments to provide cell phone stipends to employees rather than providing County owned cell phones. Department heads should take the initiative to communicate this Policy to employees. However, this is a voluntary stipend and employees may not be forced to accept the stipend in lieu of a cell phone.

The appropriate department head may designate employees who will be provided with a monthly allowance to obtain a personal cell phone to be used for County related business in addition to personal use. However, this Policy is intended to provide a stipend to those positions which currently or recently had been provided with a County owned cell phone, as the intent is to reduce the required management of County owned cell phones.

Employees accepting the monthly allowance will be responsible for acquiring their own cell phone and calling plan, which they agree to use for County business according to the job requirements. Such requirements may include but are not limited to publication of the employee's personal cell phone number as needed and call availability requirements.

If assigned a monthly cell phone allowance, the employee will receive the cell phone allowance in monthly payments as part of compensation through the payroll system, per Internal Revenue Service and State Department of Revenue rules and regulations.

Provision of a monthly cell phone allowance for any employee is at the sole discretion of the County and the County reserves the exclusive right to modify or discontinue such assignment, allowance or practice at any time for any reason.

Monthly allowances will be provided in three categories: \$20 per month, \$30 per month or \$50 per month. The amount of the allowance provided shall be requested using the attached form. The Finance Department shall determine the appropriate cell phone allowance for each employee based on the employee's job duties. Most employees will qualify for the \$20 or \$30 category with few qualifying for the \$50 category.

In no event will the amount of the monthly allowance provided an employee exceed the amount it would cost the County to provide that employee with the appropriate level of service on a County owned cell phone.

Employees who receive a monthly cell phone allowance may not seek any separate reimbursement from the County for any cell phone charges incurred.

Employees who receive a monthly cell phone allowance should understand that information, such as cell phone bills, that documents use for County business may be requested through public records requests and/or if the County is engaged in litigation. Typically, only the information related to County business is released when this occurs.

Employees who are eligible for overtime under a union agreement or under the Fair Labor Standards Act should respond during normally scheduled work hours and on-call periods to work related phone calls or text messages. At other times (outside normal work hours or outside on-call periods) employees should not respond without prior approval from their supervisors. However, after hours County related calls which are de minimus in nature (usually defined as less than 7 seven minutes in length) would not incur an overtime obligation on the part of the County. Employees who work unauthorized overtime may be subject to disciplinary actions.

SECTION 4. CONSEQUENCES FOR VIOLATION OF THIS POLICY

Any violation of this Policy will subject the employee to discipline up to and including dismissal.

Change History

Version #	Approval Date	Effective Date	Brief Description
1			Reviewed by BOCC and approved by Order #



Columbia County

I have read and understand the Columbia County Cellular Telephone Stipend Policy and agree to the provisions of the allowance as presented. Monthly allowance requested is:

- \$20
- \$30
- \$50

I have obtained a personal cell phone (#_____). I understand that this phone is to be used for both County and personal business and I agree to pay all costs associated with its use.

- I have returned my County issued cell phone #_____ and have replaced it with my personal cell phone.
- I have not been using a County issued cell phone.

I understand that, if I am eligible to earn overtime, I have no authority to answer or respond to work related calls or texts except for during regular working hours, unless my supervisor has explicitly approved the overtime.

Employee Name: _____ Employee Signature: _____

Date: _____

Department Head Signature: _____ Approved Not Approved

Date: _____

Finance Signature: _____ Approved Not Approved

Date: _____