

# East Lake Tarpon Special Fire Control District



## *SOG 237 Cellular Phone Policy*

**Implementation  
Date: 11/2000**

**Revision Date(s): 3/26/2018**

**Reviewed Date(s): 02/18/2019**

**Forms or Attachments: None**

### **Purpose**

This policy outlines the use of cell phones at work, the personal use of business and/or personal cell phones and the policy regarding the safe use of cell phones by employees.

### **237.1 Personal Cellular Phones**

While at work, employees are expected to exercise discretion in using personal cellular phones. Personal cell phone use during the work hours, regardless of the phone used can interfere with employee productivity, safety, and may be distracting to others. Personal cell phones are not to be carried on the job without specific permission from the Division Chief who will keep supervisors regularly informed of this permission. Employees will inform their supervisor of the need to carry a phone who in turn will set up a meeting with the Division Chief to discuss this need. Permission for use will be granted/denied on a case-by-case basis.

Employees are encouraged to make personal calls during breaks and lunch and to ensure that friends and family members are aware of the District's policy. (The District will not be liable for the loss of personal cellular phones brought into the workplace. Cellular telephones may not be used to defame, harass, intimidate, or threaten any other person.) Employees are prohibited from using their cell phones in any illegal, illicit, or offensive manner.

### **237.2 Cellular Phone Use while Operating a Vehicle**

Employees whose job responsibilities include driving or equipment operation shall refrain from using their phone/communication device while driving a District vehicle or while driving any other vehicle (rented, leased, borrowed, or their own vehicle) while conducting District business.

Drivers shall comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cell phones. Incoming or outgoing cellular phone calls are not allowed while driving. Sending or reading text messages, emails, dialing cellular phones, viewing television, videos, or DVD's and inputting data into laptop computers, personal digital assistants or navigation systems are prohibited while driving. The cellular phone voicemail feature should be on to store incoming calls while driving and all message retrievals and calls should be made after the vehicle is safely parked.

Driving while distracted in the State of Florida is a moving violation (Florida §316.305). Accidents incurred while the driver is using a cellular phone may be considered to be preventable and the driver may be subject to disciplinary action. Employees who are charged with traffic violations resulting from the use of their phone while driving will be responsible for all financial liabilities (fines associated with citations) that result from such actions.

Failure to follow this policy may result in disciplinary action, including and up to termination.

The District will issue a cell phone to each on duty Division Chief, and the three on duty station Lieutenants. Personnel who are assigned these phones will have these phones with them at all times with the exception of charging time and emergency calls requiring bunker gear. District phones are to be used for District business only.

Administrative Chiefs and key personnel as identified by the Fire Chief or his designee will each be issued District phones. In lieu of a District issued phone, personnel required to carry a cellular phone at all times, for District business, may opt to use the District's Cellular Phone Stipend Program.

### **237.3 Cellular Phone Stipend Policy**

The cellular phone stipend program is designed to provide a taxable allowance to reimburse employees for the business use of wireless service. The allowance will not be considered part of the employee's base salary or be considered for calculation of retirement benefits. Employees will be responsible for the monthly service charges and maintenance of their wireless plan and related phone equipment and accessories. The stipend will not fund the cost or replacement of the wireless device and is not intended to pay for the entire monthly bill because the wireless device will also be available for personal use. The District may change or terminate this policy at any time.

#### **Monthly Stipend Payments**

\$30 Stipend: Cellular phone

\$55 Stipend: Smart Phone