

TOWN of LANSING

Policy Title:	CELL PHONE POLICY		
Current Revision Date:	05.21.2025	Resolution/Motion #	M25-15
Previous Revision Date:	Employee Handbook Rev 05.18.2016 Section 510	Resolution/Motion #	Resolution 16-93

I. Purpose and Objective. The purpose of this policy is to ensure employees have the tools and services necessary to effectively perform the duties and responsibilities of their position; to promote a productive work environment with minimal distractions; and to keep employees safe.

For the purposes of this policy, when “cell phone” is referenced, this includes wireless, hand-held electronic devices including smart phones such as iPhones, androids, tablets or similar devices which can be used for phone calls, text messaging or internet and email access.

This policy outlines the appropriate and safe use of cell phones in the workplace including while driving a personal vehicle for business purposes or while in a Town vehicle. For employees whose job duties and responsibilities require the frequent use of a cellular device, the Town may issue a business cell phone for work-related communications or alternatively provide a cell phone allowance paid as a taxable benefit through payroll, for use of a personal cell phone.

II. Appropriate Use of Cell Phones

A. While in the Workplace. The following guidelines must be observed by all cell phone users in the workplace or while conducting business on behalf of the Town regardless of the location.

1. Cell phones should be turned off, or set to silent or vibrate mode, during meetings, conferences and in any circumstance where incoming calls may be disruptive.
2. While at work, employees are expected to exercise discretion when using cell phones. Excessive personal calls or texting during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls during non-work time when possible or step out of the work area to minimize distracting co-workers.
3. An employee who uses a cell phone for work-related purposes must follow all pertinent IT policies including the Town of Lansing’s Computer Systems and Internet/E-mail Service policy. As stated in that policy, internal and external email, voicemail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the company, including when utilizing personal devices for Town business.

B. While Driving or Operating Equipment. Employees must prioritize safety when using cell phones in the workplace. This includes while operating machinery or performing tasks that require full attention.

1. Employees must adhere to all applicable local, state, and federal laws and regulations regarding cell phone use and prioritize safety while in any vehicle. This includes all Town-owned vehicles and equipment such as trucks, excavators, RTV’s, ATV’s or similar as well as personal vehicles being used for Town business.
2. The Town does not require use of a cellphone while driving. Safety must come before all other concerns. Employees with job responsibilities that may include driving, are expected to refrain from using a cell phone while driving.

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3. Reading or sending text messages and/or emails while driving is strictly prohibited.
4. Regardless of the circumstances, including slow or stopped traffic, if a call is placed or accepted while in a vehicle, employees are required to use appropriately installed, hands-free devices, Bluetooth capabilities, or pull off to the side of the road and safely stop the vehicle before placing or accepting the call.
5. To facilitate the provisions of this policy, hands-free equipment may be provided with Town-issued phones or in Town vehicles when necessary.
6. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.
7. Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely & personally responsible for all liabilities that result from such actions, regardless of whether the cell phone is Town-issued or personal, and regardless of whether the call was work-related or personal.

C. While in the Vicinity of Hazardous Materials. Employees must be aware of their surroundings and refrain from cell phone use while in the vicinity of hazardous and/or flammable materials such as paint thinner, aerosol cans, diesel fuel, and gasoline. This includes the area around fueling stations and while pumping fuel into vehicles, mowers, or gas cans.

III. Cell Phones – Town-Issued or Personal Cell Phone Used for Town Business. This policy applies to all personnel who have been issued a cell phone which was purchased by the Town or has a personal cell phone which is used to conduct business on behalf of the Town.

A. Town-Issued Cell Phone.

1. When an employee's job duties and responsibilities necessitates use of a cell phone, it is the policy of the Town to consider the issuance of a business cell phone for work-related communications.
2. Town-issued cell phones must be authorized by the employee's supervisor. The supervisor will be responsible for determining the appropriate equipment and best cell phone plan.
3. Personal use of Town-issued cell phones should be kept to a minimum. An employee may not make or receive personal calls on a Town-issued cell phone that will result in additional charges to the Town, except in an emergency or with prior approval from their supervisor. The employee must reimburse the Town for any additional charges incurred as a result of personal use.
4. An employee who has been issued a cell phone must follow all pertinent IT policies including the Town of Lansing's Computer Systems and Internet/E-mail Service policy. This policy provides requirements and guidelines as to the appropriate use of, and prohibited uses of, Town-issued electronic devices including internet and email requirements.
5. Employees in possession of Town-issued cell phones are expected to protect the equipment from loss, damage or theft. Town-issued cell phones are the property of the Town, and must be treated, used, and safeguarded as such.

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6. Employees must immediately notify their supervisor in the event of the loss, theft, or damage of a Town-issued cell phone. The Town may hold employees financially responsible for the loss, theft, or damage of a Town-issued cell phone if the loss, theft or damage was due to negligence.
7. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for upgrade, security updates, inspection or return.

B. Personal Cell Phone Used for Town Business

1. Employees whose job duties and responsibilities require frequent use of a cell phone may be eligible to receive extra compensation in the form of a taxable cell phone allowance paid via payroll.
2. This is a taxable fringe benefit. The Town will not reimburse employees for any additional taxes as a result of receiving this allowance.
3. This allowance does not constitute an increase to base pay and will not be included as base compensation for future raises, salary adjustments, retirement contributions, or other employee benefits.
4. Upon approval, the employee will receive a cell phone allowance in their regular paychecks paid twice monthly for the duration of eligibility.
5. Eligibility to receive a cell phone allowance must be reviewed and approved by the Department Head. The Town Supervisor will be the approving signature for Dept Heads, Town Clerk, Justices and Highway Superintendent. Both the employee and the person approving the allowance must sign a completed Cell Phone Allowance Request Form.
6. No cell phone allowance will be paid until this form is completed, reviewed and signed by Human Resources/Bookkeeper and on file with Payroll.
7. The Department Head is responsible for a periodic review of cell phone allowances in his/her department. Reviews should be completed when there is a change to an employee's position which may affect eligibility and no less than annually thereafter.
8. Position duties and responsibilities that may meet the criteria for justification include:
 - a. Position duties that frequently require working offsite, outside of the normal office environment, and responsibilities that include making critical business decisions requiring immediate attention.
 - b. The employee frequently receives emergency or critical calls outside regular working hours and is expected to return the call and respond to the situation immediately.
 - c. The employee is designated as essential personnel in the event of an emergency which affects Town infrastructure, public health or safety and subsequently coordinates, directs, and supervises the response and necessary work.
 - d. The employee has responsibilities that require use of a cell phone to access confidential or essential websites and/or programs critical to Town business.
 - e. The employee responsibilities include being on-call and available to come to work outside regular working hours in the event of an emergency.
 - f. Other duties and responsibilities as defined and approved by the Department Head.

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9. The employee must maintain an active cell phone plan as long as the cell phone allowance is in effect. If the employees' cell phone number changes, they must notify their Department Head and the Bookkeeper immediately.
10. The employee is responsible for the purchase and maintenance of a cell phone to appropriately carry out their job duties and responsibilities as outlined on their Cell Phone Request Form.
11. The Town will not be liable for the loss, theft or damage of personal cellphones.

IV. Non-Compliance. Employees violating this policy will be subject to discipline, up to and including termination of employment. The Town Supervisor shall be advised of any breaches of this policy and will be responsible for appropriate remedial action, which may include revocation of the privilege to use cellular devices and disciplinary action, including suspension or termination of employment.

Revision History:

05.18.2016 Resolution#16-93	Employee Handbook Revision (Cell phone is Section 510)
05.21.2025 Motion M25-15	Major revision to update & clarify, added cell phone allowance & request form