



# Administrative Directive

Title: Use of Wireless Phones and Services		Index Number: AD 2.05
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## **1.0 Purpose and Need**

Wireless communications technology, in particular wireless cellular phones, has become a viable tool that many City members now use to conduct and deliver City services on a daily basis. Provisions must be made for the management of use and cost of wireless phones and service. This directive defines the available options for departments to provide wireless technology to those members requiring such technology in the course of daily business, as well as defining responsibilities of both management and members in the appropriate use and oversight of wireless technology. The guidelines provided herein allow for departmental flexibility in providing the best services to our City while minimizing the expenditure of taxpayer dollars.

## **2.0 Administrative Directive**

The need and use of wireless phone and data equipment and services provided in whole or in part with public funds must be in direct support of the assigned duties and responsibilities of the user and support the delivery of municipal services. A member's use of such technology shall be consistent with specific requirements set forth in this directive to insure appropriate, efficient, ethical, and legal use of wireless equipment.

## **3.0 Responsibility and Authority**

Department Directors or their designees are responsible for determining member need for wireless phone services within their respective departments and for periodically evaluating member eligibility. Departments should analyze the true business need for wireless communication while considering all other forms of communication available to City members (pagers, landline phones, e-mail, radio, etc.).

1. Department Directors or their designees are also responsible for:
  - a. Informing employees of the purpose for cellular communication in conducting City business.
  - b. Ensuring members understand the requirements of usage.
  - c. Ensuring compliance with this directive.
  - d. Communicating to members the consequences of noncompliance.
2. Members and their respective departmental management are jointly responsible for understanding the terms of this directive as well as terms specific to the particular option of wireless communication chosen for the member. Departments and members should monitor the continued applicability of these services, equipment, and terms to the assigned duties and responsibilities of the user.
3. The Telecommunications Division of the Department of Communications and Information Technology (ComIT) is responsible for the management and administration of the City's wireless contract. Additionally, the Telecommunications Division will be responsible for maintaining an accurate inventory of cellular equipment, users, and services purchased under this contract. Any and all wireless procurements will be coordinated with and approved by the Telecommunications Division to ensure consistent application of standards, contract terms and services.

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#### 4.0 Definitions

**1. Wireless Phone Equipment and Services** are commercially available radio technology that enables paid subscribers, through use of either a car-mounted, transportable, or hand-held portable phone, to make and receive local and long distance phone calls from any location (within wireless coverage areas). This equipment and service include Cellular (Cell) Phones and Personal Communications Services (PCS) Phones.

**2. Members** – Members of the City of Virginia Beach municipal government are: Constitutional Officers, Appointed Officials, City Staff and Volunteers.

**3. Business Call** – Any phone call made by a member for the purpose of conducting official City business in direct support of their assigned duties and responsibilities.

**4. Personal Call** – Any phone call made by a member when not conducting official City business in direct support of their assigned duties and responsibilities.

**5. Stipend** – A pre-determined allowance automatically included in the member's normal payroll process to cover the cost of routine City business conducted on a member-owned cellular phone.

**6. Cellular Mobile Data Device** – Devices such as laptops, personal digital assistants (PDAs), smartphones and aircards (wireless cards) using commercial cellular services to remotely access data.

#### 5.0 Wireless Phone Safety Considerations

**Safety** – Safety while using a wireless phone is paramount. The City does not endorse wireless phone use while driving.

1. Wireless phones should only be used by a member while driving, if the member is using the phone with a "hands-free" system. A wireless phone should be dialed by a driver only if the phone is equipped with a voice-activated dialing scheme. Otherwise, drivers on City business or using City vehicles should pull over to the side of the road, stop the car, and then operate the phone. This paragraph is not an endorsement of "hands-free" or voice-activated dialing, and members assume all liability and cost if they choose to utilize these technologies.
2. It is recognized that public safety officials and uniformed officers receive advanced defensive driving training. The use of wireless phones and other electronic communication devices by public safety officials and uniformed officers may be dictated by the urgency of the situation, as long as such use is within the boundaries defined by their defensive driving training.

#### 6.0 Wireless Phone Options

There are **three** options to provide members access to wireless technology for the purpose of conducting City business.

1. City provided equipment and service:
  - a. Departments may choose to provide eligible members or groups of members ("shared equipment") with equipment purchased by the City of Virginia Beach and supported by a wireless service provider under contract with the City. This option is most applicable to wireless phones shared by rotating crews, phones assigned to a specific vehicle, event or location, or a member who is in the field for the duration of the work day. This option is also applicable to individual members who have a direct City business necessity for a cell phone but only use a small or moderate number of minutes per month, or those members who have a direct City business necessity for cellular data services, or those members who might be eligible for a stipend but in discussion with management find it is not a feasible option.
  - b. Use of wireless phones must be supportive of organizational objectives and be consistent with the mission of the City of Virginia Beach. City wireless phones should be used for safety purposes or to assist in the completion of an assigned task and are not intended to be a personal convenience. Use of City wireless phones is for official City business; however, minimal, incidental personal use is allowed.
  - c. Departments are responsible for monitoring usage to ensure it is not excessive or being abused.
  - d. Use of a City wireless phone for commercial profit or secondary employment is strictly prohibited.

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- e. Business calls of an extended duration should be held to a minimum, especially if a less expensive alternative exists.
- f. Calls of an obscene, threatening, demeaning, harassing or otherwise offensive nature that are illegal, inappropriate or in violation of any applicable City or departmental policy, are strictly prohibited.
- g. City agencies and departments with wireless phones assigned or checked out to members on a temporary basis shall maintain a phone log listing member names, dates and check-out/check-in times for accountability.
- h. Wireless phones should not be used when a less costly alternative is safe, convenient, and readily available. In some cases, landline phones, paging systems or 800 MHz radio may be a more effective and cost-efficient alternative.
- i. It is each department's responsibility to periodically review individual wireless bills of City-owned phones to monitor use and compliance with this directive.
- j. Departments will procure equipment, arrange service contract needs and coordinate maintenance needs for all City-owned equipment through the Telecommunications Division of ComIT.
- k. Each department will provide the Telecommunications Division of ComIT with the necessary information to maintain an appropriate inventory of their department's respective wireless equipment and services.

2. Reimbursement for City business minutes on a member-owned cell phone:

- a. This form of cell phone reimbursement is only intended for extremely sporadic use, usually affiliated with a specific City event, function or emergency. Members shall obtain prior approval from the Department Director (or designee) for extended use of personal wireless phones for conducting City business.
- b. Members who incur charges above and beyond their contract-allowed minutes on their personal cell phones and can clearly document the overage was caused by City business-related use may request reimbursement for those minutes. The monthly statement documenting the overage must clearly indicate the itemized calls, the plan-allowed minutes and the cost per minute for overages. Statements should be submitted for approval from the Department Director (or designee). The billing statement provided will be considered a public document subject to disclosure under the Virginia Freedom of Information Act (FOIA). Members may, and should, redact the information they consider private (i.e., personal calls, account number, etc.), but must not redact information necessary to process the reimbursement (i.e., all information about calls for which reimbursement is sought, the member's name, etc.).
- c. Only the cost of voice minutes will be reimbursed; no cellular data service costs will be reimbursed. No other expenses related to the use of wireless phones are reimbursable. Reimbursement will be processed through the member department's accounts payable procedures.
- d. The City reserves the right to deny reimbursement if it determines there was not a justified business need. Department Directors or their designees may impose additional requirements that extend beyond those set forth in this directive.

3. Member stipends for routine use of a personal cell phone for City business:

- a. Once a Department Director or designee has determined that the member needs to have wireless phone services, department division administrators or other department managers shall determine if the member should be provided with a wireless allowance (stipend), instead of a City provided wireless phone. A wireless phone stipend should not be issued based on the member's position or title but should be made on a case-by-case basis. Consideration shall be given to the availability of existing City communication services, such as landline phones, paging systems, and radio services. Allowances are permitted only if the member meets one or more of the following criteria:
  - i. Public/Personal Safety – The member requires immediate direct communication with local police, fire, and/or emergency medical services or agencies in order to provide for the safety of citizens or members and there is frequently no access to a landline phone or the

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- ii. City's trunked radio system.
- ii. Accessibility – The member requires immediate direct communication to conduct urgent City business and there is frequently no access to a landline phone or the City's trunked radio system; or it is necessary for other City members to have immediate direct communication capabilities with this member for urgent City business.
- iii. Responsiveness – The member requires immediate direct communication to conduct urgent City business to ensure responsiveness and there is frequently no access to a landline phone or the City's trunked radio system.

b. Stipends shall be issued at two levels:

- i. Level 1 - City business requiring less than 300 minutes per month: \$20.00
- ii. Level 2 - City business requiring 300 or more minutes per month: \$30.00

c. Stipend Payment:


- i. Upon proper authorization to receive a wireless phone allowance (stipend) from the City, members will receive payment at times and amounts as shall be administratively established and approved by the Department Director or the Finance Department. Stipend payments shall not be less frequent than monthly.
- ii. Wireless phone stipends shall be paid with the member's payroll in accordance with applicable and governing federal, state, and local laws and regulations.


d. All reimbursements require approval by the Department Director or designee.

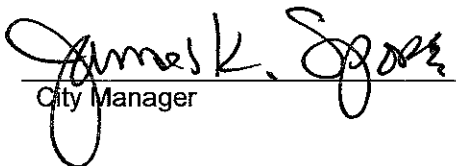
4. Cellular Data Services

- a. As City applications are deployed with access capabilities via commercial cellular data services, City technical support will only be provided for City-owned standard devices using City-contracted cellular data services.

Approved as to Content:  3-18-2010  
 Director, Department of Communications and Information Date

Approved as to Legal Sufficiency:  4/28/10  
 City Attorney Date

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 Deputy City Manager Date

Approved:  5-4-10  
 City Manager Date