

ADMINISTRATIVE GUIDELINE



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Memo to: Senior Staff

From: Tony Wachewicz, City Attorney
Lynn M. Boland, Human Resources Director
Dawn M. Foeller, Finance Director

Subject: ADMINISTRATIVE GUIDELINE - Smartphone Reimbursement

Date: May 7, 2014

For those employees in your department that are eligible for a city-issued smartphone, the City of Green Bay is providing the opportunity for the employee to receive a \$35 monthly reimbursement in lieu of a city-issued smartphone.

With Department Head approval, an employee may surrender their City-issued smartphone and use their personal smartphone for business use. Employees who are eligible for smartphone use and prefer to maintain separate personal and City smartphones may do so.

Employees opting to use their personal smartphone in lieu of a City-issued smartphone will receive the monthly reimbursement to cover business-related data costs up to \$35 monthly on their personal smartphone. No reimbursement is available for voice usage. Each Department is responsible for budgeting for the allowance even though the reimbursement represents a savings over the City provided smartphone.

Reimbursement will be in the form of a quarterly allowance paid through the payroll system as a taxable benefit. Employees will be required to fill out a reimbursement request and provide a copy of their phone bill to ensure they have the necessary data pack included on their personal smartphone. The allowance does not constitute an increase in base pay and will not be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.

Privacy. Personal smartphones used in lieu of a City-issued smartphone are subject to public records law because they are used for City-related business. Any member of the public may request to view public records contained on an employee's personal smartphone. Although materials that are not "purely the personal property of the [employee] and have no relation to his or her office" are not subject to public disclosure, under certain circumstances a judge may review the entire memory of a personal smartphone to determine whether all City-related information has been disclosed. Employees may not delete any information stored on their smartphone unless the information is saved in another format.

The following are employee responsibilities with respect to the use of personal smartphones for City business.

- Choice of Service Providers. Employees may choose the cellular service provider and plan design of their choice.
- Active Smartphone Contract. Employees must retain an active smartphone contract as long as the smartphone allowance is in place.
- Miscellaneous Fees. If prior to the end of a cellular service contract, a personal decision is made by the employee to discontinue or change the contract, the employee will bear the cost of any fees associated with that change or cancellation.
- Phone Number Notification. Employees must provide their smartphone number to their Department and the City's IT Division and immediately notify both parties if the number changes.
- Loss of Smartphone. In the event of a loss of a smartphone, the employee must immediately notify the City's IT Division in order to have the City web email access disabled and to password or pattern protect the smartphone from inadvertent use.
- Business Use Expectations. Employees receiving a smartphone allowance are expected to carry their smartphone on their person both on and off duty and respond when called for City business.
- Virus Protection. Due to the proliferation of viruses, malware, and other security concerns, it may be necessary to install a mobile security client on the personal mobile device, which may increase the bandwidth of data for mobile plans that are based on bandwidth plans.
- Legal Compliance. Use of a smartphone in any manner contrary to local, state, or federal laws will constitute misuse and will result in immediate termination of the smartphone allowance, if applicable.

Reimbursement Form Link: http://is-web2/?page_id=70