

City of Richmond
Administrative Manual

SUBJECT: Electronic Communication Device Policy

SECTION: Information Technology

POLICY NUMBER: AP 658

INITIAL DATE PREPARED: August 25, 1999

LAST DATE REVISED: July 13, 2023

I. Purpose

The City of Richmond, CA recognizes that "electronic communication devices," including cellular telephones, smart telephones, tablets, radios, and similar communication devices may be necessary to conduct business, and through this policy outlines the responsibilities associated with the provision of this equipment.

This document sets forth the City's policy with regard to acquisition, accountability, reimbursement, and use of electronic devices. It also sets forth procedures on the personal use and reimbursement of electronic communication devices.

II. Policy

- A.** It is the policy of the City to promote efficient and effective communications. To achieve this objective, electronic communication devices may be made available to City Council Members, Department Heads, Supervisors, Superintendents, Managers, and any other employee whose use is approved by the City Manager or his or her designee.
- B.** Any equipment purchased by the City is owned by the City and must be returned to the City when the City official or employee separates from service or when the need for such equipment no longer exists.
- C.** As described in further detail below, electronic communication devices provided by the City are the property of the City. The use of these devices shall be limited to City business. The Information Technology (IT) Department shall maintain a comprehensive list of electronic communication devices, which shall be updated on an annual basis. Employees who privately purchase electronic communication devices should not include the City as co-owner or co-lessee.

III. Procedure

A. Electronic Communication Device Issuance

A City issued electronic communication device will be supplied under one or more of the following conditions:

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- Job responsibilities require an employee to be away from regular landline access and/or desktop computers for extended periods of time and communication by the employee is necessary to fulfill job objectives.
- The employee's role requires the ability to conduct voice, text, email, or other methods of two-way communication.
- The use of an electronic communication device enhances the employee's personal safety on the job and provides communication during emergencies.
- Job responsibilities require an employee to be available for emergency response or consultation after normal business hours.

Each request for an electronic device should be submitted using an Electronic Communication Device Authorization Request (AP 658-1). The Department Director shall forward the approved form to the Information Technology Department.

For all officials and employees other than Members of the City Council, the issuance of City-owned electronic communication devices shall be approved by the applicable Department Directors. It shall be the responsibility of the Department Director to ensure that funds are budgeted for the purchase and monthly service costs prior to issuance.

For Members of the City Council, the issuance of City-owned electronic communication devices shall be approved by the City Manager. Designated City Council staff shall ensure that funds are budgeted for the purchase and monthly service costs of those electronic communication devices prior to issuance.

The IT Department shall be responsible for issuing the electronic communication device and shall select the service provider. The phone numbers for City-issued phones shall be provided to other City officials and staff as required to ensure proper communication.

B. Accountability

i. Electronic Communication Device Usage

Unless otherwise permitted by this policy, City officials and employees entrusted

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with City-issued electronic communication devices shall restrict their use of these devices to the official business of the City of Richmond. Devices are issued solely to enhance officials and employees' service to the public and any use should necessarily and properly have a nexus to that purpose. Officials and employees must responsibly and prudently use the equipment in a manner which ensures the safety of themselves, their co-workers, and the general public.

All City-owned devices are subject to recall, retrieval, and inspection by the City at any time and for any reason. Please be advised that the City of Richmond reserves the right to access and retrieve any and all use or communication data on all City-issued devices. The general use of devices shall not be in lieu of more cost-effective, safe, and available means of communications.

Employee responsibilities for use of City-owned electronic communication devices include:

- Protecting the City-owned device from theft, loss, or damage.
- Immediately reporting loss or theft of the device to a supervisor or department head, and the Information Technology Department. In the event a City-issued electronic communication device is stolen, officials and employees must complete a police report naming the City as a victim. The official or employee must provide a copy of the report to the Director of Information Technology and the applicable supervisor or department head.
- Using discretion while communicating sensitive or confidential subject matter via the electronic device as cell phone calls, texts, and emails may not be secure.
- Ensuring the device is used only for the expressed work-related purpose or as otherwise permitted in this policy. Device use in violation of any local, state, or federal law is prohibited. Device use in violation of department work policies or for the purpose of personal financial gain is prohibited and may be subject to disciplinary action.

Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the device for return or inspection. Employees unable to present the device in good working condition within the time period requested may be expected to bear the cost of replacement.

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ii. Personal Use of Electronic Communication Devices

City-issued electronic communication devices are generally restricted to work-related activities. In an emergency or when no other immediate means of communication is available, occasional personal calls of short duration may be permitted. Incoming and outgoing personal calls, texts, and emails, shall not interfere with the work-related use.

Employees must reimburse the City for personal use that directly imposes charges on the City over and above the prevailing plan. It will be the responsibility of the Department Director to assign a staff member to track personal use of the device. The IT Department Director or designee should provide employees any overage reports on a monthly basis.

iii. Authorization Compliance with Policies

City departments are responsible for ensuring compliance with the City's electronic communication device policy.

It is the responsibility of the City Manager, the Department Director, or their designee to ensure that all officials and employees who are assigned the use of an electronic communication device receive a copy of this written policy and that an appropriate acknowledgement form is signed by the recipient of the device. Copies of the receipt form must be retained in the employee's personnel file.

If devices are lost or stolen, employees must report this to their immediate supervisor, so service can be discontinued. In addition, Information Technology (IT) should be notified immediately to ensure all measures to secure data on the device are implemented.

Malfunctioning devices are to be reported to the employee's supervisor to arrange for replacement or repair via the IT Department. The City is not responsible for replacing devices damaged by acts of the employee

iv. Return of Equipment

Officials and employees are responsible for returning equipment upon transferring from one department to another, upon leaving employment with the

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City, or when the applicable Department Director determines the equipment is no longer necessary. The employee will be liable for the equipment and all airtime charges incurred after leaving City employment but before the equipment is returned.

v. **Driving and Electronic Communication Devices**

Texting and email usage is prohibited while driving.

Employees must refrain from using their device while driving, except with the use of a hands-free device and in accordance with applicable laws. Every effort should be made to pull to the side of the road to a safe location prior to answering or initiating cell phone calls, texts, or emails. This rule also applies to use of privately-owned cell phones during business hours.

Employees who are charged with traffic violations resulting from the use of their electronic communication device while driving will be solely responsible for all liabilities that result from such actions.

vi. **California Public Records Act**

Officials and employees must acknowledge that statements, text messages, and other usage data on City-owned devices are subject to disclosure under the California Public Records Act.

vii. **Reimbursement**

Officials and employees shall reimburse the City for all costs associated with any unauthorized personal use.

Approved:



Kinshasa Curl, City Manager

July 13, 2023

Date