

**LUMPKIN COUNTY RESOLUTION NO. 2009-46**

**A RESOLUTION TO ADOPT  
THE  
LUMPKIN COUNTY CELL PHONE POLICY  
FOR THE  
USE OF COUNTY OWNED CELL PHONES AND PERSONAL CELL PHONES**

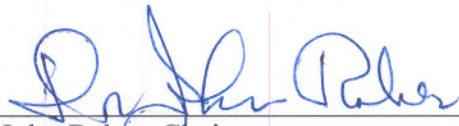
**Whereas**, the governing authority of Lumpkin County has acquired as official county equipment certain cellular telephones which have been issued to County employees for the performance of their duties; and,

**Whereas**, County employees also have personal cellular telephones which are routinely used during the times when they are on duty for the County; and,

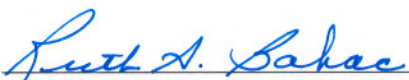
**Whereas**, the governing authority of Lumpkin County now desires to establish, adopt and publish an official policy governing the use of cell phones by County personnel, to provide for disciplinary action for certain defined activities, to establish standards for use, and for other purposes;

**Now therefore, it is hereby resolved** that the policy attached hereto as Exhibit "A," and which is by reference fully incorporated herein, and which shall be known as "The Lumpkin County Cellular Telephone Policy, 2009," is hereby adopted and made the official policy of Lumpkin County.

**Resolved, adopted and effective** this 25<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
John Raber, Chairman  
Lumpkin County Board of Commissioners

Attest:

  
\_\_\_\_\_  
Ruth A. Bohac  
Clerk, Lumpkin County

**Cell Phone Use**

Certain Lumpkin County employees may be provided with cell phone to assist them in performing their jobs. **The cell phone belongs to Lumpkin County, acting by and through its duly elected Board of Commissioners, and may only be used for county business purposes.** The cell phone provides an excellent means of communicating with other employees, supervisors, citizens, outside vendors, and other businesses. ***Use of cell phones must be tempered with common sense and good judgment. If you abuse your right to use a County cell phone, this privilege may be revoked. In addition, you may be subject to disciplinary action, including possible termination, and civil and criminal liability.***

Cell phones, County issued and personal phones included, should either be set to vibrate or be turned off during meetings, workshops, and at work stations so as not to create a distract.

**A. Activities Which May Result in Disciplinary Action**

1. Using the County cell phone for other than County business purposes.
2. Sending text messages for other than County business purposes.
3. Using a cell phone (County owned or personal) while driving a vehicle or operating equipment. **(See Vehicle Use Policy, Par. 3.310)**
4. Use of cell phone photo and video features is prohibited except for business related purposes.
5. Misuse of internet access via cell phones is prohibited except for business related purposes. **(See Information Technology Policy, Par. 3.309)**

Failure to comply with these guidelines may be brought to the attention of management for appropriate action, which may result in loss of the County owned cell phone, and disciplinary action up to and including termination of employment. Violations of applicable laws or regulations governing the use of cell phones and/or related features could result in criminal or civil prosecution in addition to disciplinary action taken by Lumpkin County.

- B. **No expectation of privacy.** Employees do not have an expectation of privacy in the phone calls made and received. Cell phone bills are reviewed on a regular basis for any suspected misuse. Employees misusing a County owned cell phone will be required to reimburse the County for all non-authorized uses, and will be subjected to disciplinary action up to and including termination of employment. The cell phone belongs to the County and may only be used for business purposes.
- C. **Other policies applicable.** In their use of the cell phone provided by Lumpkin, users must observe and comply with all other County policies and guidelines.
- D. **Amendments and revisions.** This policy may be amended or revised from time to time as the need arises. Users will be provided with copies of all amendments and revisions. Violations of this policy will be taken seriously and may result in disciplinary action under the Lumpkin County Civil Service Personnel Policies, civil and criminal liability.

**Use of personal cell phones**

Use includes placing and receiving calls, text messaging, instant messaging, playing games, etc. During working hours the use of personal cell phones will be limited to personal emergencies only. The term "personal emergencies" has been interpreted in a broad way. Examples of a personal emergency would include: communicating with a physician or other healthcare worker regarding health advisement issues relating to the employee or immediate family member; communicating with a mechanic about repairs to employee's vehicle or advising vehicle is ready to be picked up; confirmation of a delivery schedule or service visit, or other situations that cannot be reasonably be done after hours, on weekends or on personal break time. To avoid misunderstandings regarding personal emergency call, it is advisable to notify supervisor of any special circumstances that may require use of employee's personal cell phone during working hours.

Common sense and good judgment should guide employee use of personal cell phones. Excess use and/or abuse of this privilege may result in revocation of this privilege and disciplinary action up to and including termination of employment