



## ADMINISTRATIVE REGULATION

### OFFICE OF THE CITY MANAGER

<b>Number</b>	<b>AR 313</b>
<b>Responsible Department</b>	<b>Information Services</b>
<b>Established/Effective Date</b>	<b>July 9, 2019</b>
<b>Latest Revision Date</b>	<b>October 30, 2023</b>
<b>Next Review &amp; Reauthorization Date</b>	<b>October 30, 2025</b>

#### **SUBJECT: Desk and Mobile Phone Use and Stipend Program**

1. **Purpose:** To establish a policy and procedure for the use of City-issued communication devices and to partially reimburse eligible City employees for the use of their personal smart/cell phone to conduct City business when it is determined to be a requirement for their job duties.
2. **Authority:** Charter of the City of Huntington Beach, Section 401
3. **Application:** This Administrative Regulation shall apply to all departments and their employees authorized to utilize City-issued telephones (desktop telephones and/or cellular/smartphones) and associated telecommunication services in order to perform their City duties.
4. **Policy:**
  - 4.1. Employees use different types of communication devices to conduct City business:
    - City-issued telephones (commonly referred to as desk phones or landline phones)
    - City-issued smart/cell phone
    - Personal smart/cell phone (being partially reimbursed via the stipend program)
    - Video conferencing devices (i.e. Microsoft Teams and Zoom)
  - 4.2. City-issued telephones and mobile/smartphones shall be provided and used for official City business only. Personal use of City-issued phones is prohibited except in emergencies.
  - 4.3. Each department is responsible for regularly monitoring their phone bills and ensuring they are being used only for City business. Any violation of this policy may result in a full cost-recovery reimbursement to the City, up to termination.
  - 4.4. It shall be the policy of the City that employees using their personal mobile phones to conduct City business, may apply to receive a monthly stipend to partially offset the cost (hereafter referred to as the Cell Phone Stipend Program or the Program). The stipend does not intend to pay the entire cost of the employee's smart/cell phone bill.



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- 4.4.1. The Program's goals are to provide an efficient method of enhancing City employee communications, improve employee productivity, and facilitate communication in the event of an emergency. This is also designed to reduce the financial/staff costs of managing the City's smart/cell phone program and provide employees with a broader choice of phone models, carriers, and plans.
- 4.4.2. The monthly stipend amount includes a proportional estimate of the base monthly service fee for the calling plan and data plan (if applicable). Please see the FAQ or consult with the HR for the current stipend amounts.
- 4.4.3. The Huntington Beach Municipal Teamsters (HBMT) employees are not eligible for this program due to the Fair Labor Standards Act (FLSA) rules. Exception may apply per the City Manager and HR Director's approval.
- 4.5. The Program participants may opt in or opt out of the program using the procedure outlined in the Provision 6 below.
- 4.6. The City may discontinue the Smart/Cell Phone Stipend Program at any time due to budget constraints and/or any other reasonable causes determined by the City Manager. In the case of the discontinuation of the Program, the City shall inform program participants at least 2 weeks prior to the discontinuation.
- 4.7. In addition to the guidelines set forth in this policy, the terms and conditions of the City Employee Policy Manual shall be adhered to, including, but not limited to [AR 605 – Emails & Computer Resource Use](#), which can be found on Surfnet.
- 4.8. Exceptions to this Policy: Exceptions to this policy may be authorized if the City Manager or designee approves a written request for consideration with appropriate justification from a Department Head.
- 5. **Responsibility:**
  - 5.1. Each Department Head is responsible for reviewing and approving their employee's participation in Stipend Program and submitting the [Smart/Cell Phone Stipend Authorization Form \(Attachment 1\)](#). The costs of the stipend program must be budgeted for and funded by the employee's department.
  - 5.2. The Information Services (IS) Department is responsible for providing technical assistance to connect employees' Outlook e-mail/calendar/contacts connection with the City network, etc.
  - 5.3. The HR Department is responsible for reviewing and approving the Authorization Form and communicating with the Finance Department – Payroll team regarding the stipend program information (stipend amount, effective date, etc.)
  - 5.4. The Finance Department – Payroll team is responsible for ensuring that correct stipend amount is reflected on the participating employee's payroll in a timely



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manner.

#### 6. Procedures:

6.1. Under the Stipend Program, employees will be required to provide and maintain their own smart/cell phone and maintain active service for as long as they are receiving the stipend. Employees receiving a stipend may be asked to submit proof of an active service account, such as a monthly service bill, at any time.

6.2. Employees who utilize a smart/cell phone under the Program will ensure their smartphone is running an actively supported operating system.

6.3. Employees are required to provide their smart/cell phone number to their immediate supervisor, Information Services and any other City staff as determined by their Department Head. Any changes to an employee's phone number must be reported to the employee's supervisor within twenty-four (24) hours.

6.4. Technical support for smartphones will only be provided by the IS Department for e-mail, calendaring, and contacts.

#### 6.5. Security Requirements:

6.5.1. Because of the sensitivity of the data that may be contained on smartphones, such as confidential internal e-mail communications, contacts, and possibly passwords to access City resources, they are subject to additional restrictions:

- a) Information Services will not allow the connection of a hacked or jail-broken smartphone.
- b) The smartphone must be protected by a pass code that is required to unlock the phone before using it.
- c) Smartphones shall not be connected to a City desktop or laptop computer.
- d) Please refer to [AR 605 Email & Computing Resource Use](#) and [AR 606 Network Password and Cyber Security Policy](#) for additional guidance.

#### 6.6. Equipment

6.6.1. The IS Department will **not** provide technical support for employee's equipment other than ensuring connectivity of smartphones to the City's email and calendar system (if required). Employees may discuss the best options for equipment with Information Services before purchasing new equipment and participating in the Program.

6.6.2. The following options are available for employees and authorized users:

- a) Employees that already have personal wireless equipment and service(s) may continue to use their equipment and service(s), subject to approval by IS Department.
- b) If the employee is switching from an existing City wireless account



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following approval for the Program, that employee may choose to take ownership of that equipment using their new personal service plan.

- c) Employees who want to use a personal smartphone under the Program must review the specific make and model of the equipment to ensure it is able to connect to the City's email/calendar and other business systems (if required). The IS Department is not under any obligation to make personal smartphones work with any City systems.

6.6.3. Charges incurred to upgrade, replace, or repair equipment will be the responsibility of the employee/Program participant.

#### 6.7. Lost, Stolen or Damaged Equipment:

6.7.1. The loss of any smart/cell phone must be reported to Information Services immediately. **All** data (including photos) contained on lost smartphones will be remotely erased immediately by the IS Department to ensure the protection of the City network.

- a) It is the responsibility of the employee/program participant to restore their personal data.
- b) It is strongly recommended that employees regularly back-up their personal smartphone data to their home computer or their cloud storage service.

6.7.2. Employees on the Program must replace any lost or stolen equipment within one week. In the event that the time for the replacement of the missing equipment is longer than one week, the employee must notify Payroll to suspend the stipend for the employee until the replacement equipment has been received and is operational.

#### 6.8. Stipend Payments:

6.8.1. Once the Stipend Authorization Form is approved and completely processed by the Department Head, Information Services, Human Resources and Payroll, the stipend will be effective the next payroll period.

6.8.2. The stipend shall be paid bi-weekly via payroll and will be noted on the employee's paycheck.

6.8.3. The stipend is considered taxable income.

6.8.4. The stipend will not be prorated or paid retroactively if the employee had used his/her personal smart/cell phone before being approved for the Program.

6.8.5. Charges incurred to upgrade, replace, or repair equipment on the Program shall be the responsibility of the employee/Program participants.

6.8.6. Stipend Program Suspension: An employee and program participant not conducting normal assigned work functions due to disability, workers compensation or modified duty (paid time off leaves excluded) for an entire pay period will result in the suspension of the stipend. The stipend will resume the following pay period upon the employee returning to his/her normal assigned City work functions requiring the use of smart/cell phones.





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**6.9. Public Disclosure:** Employees participating in the Program understand and acknowledge that acceptance of the stipend will cause City business communications on the equipment (e.g. text messages, e-mails, phone call records, etc.) to be subject to disclosure under the California Public Records Act (CPRA). Employee agrees to cooperate in good faith with the City to respond to any public records act request or usage audit conducted by the City.

**Attachments:**

- [Smart/Cell Phone Stipend Authorization Form](#)
- [Smart/Cell Phone Stipend Program FAQ](#)

**Distribution:**

All employees may access the Administrative Regulations via the [SurfNet](#) or City website: [www.huntingtonbeachca.gov/AR](http://www.huntingtonbeachca.gov/AR)

John Dankha, Chief Information Officer  
Information Services Department

Approved As to Form  
Michael Gates, City Attorney

Eric G. Parra  
Interim City Manager

**Review Schedule**

REVIEW DATE	DEPT. HEAD INITIAL	CITY MANAGER SIGNATURE