

ORDINANCE NO. 70 -2011
INTRODUCED BY: Headen

AN ORDINANCE ENACTING NEW SECTION 159.21 OF THE CODIFIED ORDINANCES TO PROVIDE FOR A COMMUNICATION DEVICE USAGE POLICY.

WHEREAS, it has been recommended by the City's Audit Committee that a communication device usage policy be put in place to govern City-issued communications devices, such as cellular telephones, pagers, radios, desk telephones, and similar devices to limit use of them to their intended use for official business of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1: Existing Chapter 159, "Employees Generally", of Part Five, (Administrative Code), of the Codified Ordinances of the City of Richmond Heights is hereby amended to add new Section 159.21, "Communications Device Usage Policy", to read as follows:

"159.21 COMMUNICATIONS DEVICE USAGE POLICY.

(a) City-issued cellular telephones, pagers, radios, desk telephones and similar communications devices are intended for official business use. For purposes of this section, City-issued cellular telephones, pagers, radios, desk telephones and similar communications devices are collectively termed "Communications Device or Devices".

(b) Communication Devices shall be issued only to those employees with a demonstrated City business for these types of communication. When an employee no longer has a demonstrated need for the Communications Device, or when the employee terminates employment with any particular City department or office, that employee shall return any Communications Device equipment to that department or office.

(c) Employees who use a City-issued Communications Device shall agree to the following rules of use:

(1) Employees shall limit all use of Communications Devices to what is reasonably necessary to conduct City business.

(2) Personal use of a Communication Device is permitted. Such personal use, however, must be clearly incidental to City business use. Such personal use shall be infrequent and of short duration. Supervisors are responsible for monitoring an employee's usage.

(3) Employees must reimburse the City for any costs associated with personal use of Communications Devices. In the event an employee refuses to reimburse the City for costs associated with the employee's personal use of a Communication Device, the cost will be deducted from the employee's compensation from the City.

(4) If an employee uses the employee's personally-owned communications device to make or receive personal calls while on duty, such communications shall be infrequent.

(5) Employees must safeguard any Communications Devices in their possession from theft or use by unauthorized persons.

(6) The loss, or damage, of any Communications Device shall be reported to the employee's supervisor immediately. If theft is suspected, the City's Division of Police shall also be notified immediately and a police report shall be completed.

(7) Employees shall exercise extreme caution when driving and using Communications Devices. Employees shall not text or perform any other type of messaging while driving. Unless utilizing a hands-free speakerphone option, employees shall stop their vehicles as soon as safely possible, to use a Communications Device.

(d) All employees shall be given a written copy of this section to read and shall sign a form provided by the City which acknowledges they have read and understand this section.

Section 2: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2011

Daniel J. Ursu, Mayor

APPROVED: _____, 2011

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council