



CITY OF HUGHSON CITY EMPLOYEE CELLULAR PHONE USE POLICY

A. PURPOSE

To establish the procedures and protocols for the use of City owned cellular phones, and to establish the procedures and protocols for work-related use on an employee's personal cellular phone. This policy applies to all City of Hughson employees, and elected/appointed officials, who use a City owned cellular phone, and/or who use their personal devices for business purposes.

B. POLICY

1. City Owned Cellular Phones

The City Manager, or his/her designee, has the discretion to authorize the assignment and use of a City owned cellular phone by an individual employee for City related business. The cellular phones are to be used for City business only.

If the phone is damaged, lost, or fails to work properly, the employee must notify their supervisor and the purchasing agent immediately. The person assigned to the cellular phone is responsible for its security.

Each employee who is issued a cellular phone is responsible for the maintenance and care of the equipment.

Only employees of the City of Hughson may be issued a cellular phone, an exception would be when this policy conflicts with a contract in which a City cellular phone is provided to a non-employee.

2. Work-Related Use on a Personally Owned Cellular Phone

Employees shall use the City of Hughson corporate email system when sending or receiving City of Hughson data.

C. MANAGEMENT RESPONSIBILITIES

Management staff must remain diligent in appropriately contacting employees who fall under FLSA regulations, on their personal time. In the case of an emergency, it is appropriate to call an employee to ask a quick work question, clarify the employee's schedule, clarify an issue that has arisen regarding the status of a particular situation, or where an item is located, and this will be very limited emergency use. It is not appropriate to call or contact City employees, who fall

within FLSA regulations, during their personal time to discuss work-related business that can wait.

D. PROCEDURES CALIFORNIA PUBLIC RECORDS ACT REQUEST

1. Personally Owned Cellular Phones used for City Business

When performing an adequate search of a personally owned cellular phone for public records, an employee must search their device for records responsive to a relevant Public Records Act request. An employee must produce any public records to the City of Hughson. If an employee chooses to withhold any personal records that are not related to the City's business and are not public records, he/she must submit an affidavit with facts sufficient to show to the information is not a public record. A sample Affidavit is attached as Exhibit A.

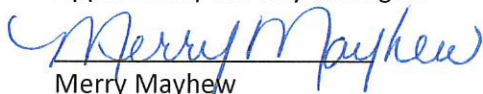
2. City Owned Cellular Phone

The data created, stored on, or transmitted using City-owned cellular phones is the property of the City. Text messages, and/or emails created on a cellular phone which are intended to be retained in the ordinary course of the City's business are recognized as official records that need protection/retention in accordance with the California Public Records Act. When performing an adequate search of a City owned cellular phone for public records, the City Clerk, and/or designee, will search the device for records responsive to a relevant Public Records Act request.

E. IMPLEMENTATION AND OVERSIGHT

The City Manager and/or designee, has responsibility for the implementation of and oversight of this policy.

Approved by the City Manager:



Merry Mayhew
October 16, 2023

**CITY OF HUGHSON
CELLULAR PHONE USE ACKNOWLEDGMENT**

I, _____, hereby acknowledge receipt from the
City of Hughson of a Cellular Phone.

Model: _____

Serial Number: _____

Phone Number: _____

I accept full responsibility for proper control and use of the phone, agree to adhere to the
City of Hughson Cellular Phone Use Policy and acknowledge that failure to adhere to the
Policy may result in discipline up to and including termination.

Signature

Date



PLEASE READ, FILL IN YOUR NAME, AND SIGN BELOW.
RETURN TO THE CITY CLERK'S OFFICE BY *[Insert Date]*.

AFFIDAVIT

I, _____, conducted a thorough search of my personal email accounts and personal device for any text messages and/or emails related to the conduct of City business that may be responsive to the public records request(s) referenced below:

Insert Public Request Act Request(s)

I have provided the City with any and all responsive public records related to this request. Any personal records I have withheld are not related to the conduct of the City's business and are not public records.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this ____ day of _____, 2022 at Hughson, California.

By: _____
SIGNATURE