

To: All Department Personnel

From: Robert C. Malley, Director of Public Works

Date: December 3, 2012

Re: **Revised Cell Phone & Personal Communication Devices Policy**

The primary goal of this policy is to provide a safe working environment for all employees. Secondly, it is intended to prevent excessive personal calls and text messaging during the workday, which can interfere with employee productivity and be distracting to others. All department personnel have been cautioned in the past about excessive personal use of cellular phones and personal communication devices while on duty. It has become apparent that the above named devices have become a distraction for a few individuals in this workplace and that the personal use of them while on duty is being abused.

This revised policy outlines the use of personal cell phones and communication devices by employees while carrying out their duties for the Town of Cape Elizabeth Public Works Department. Effective the above date, department employees may continue to carry personal cell phones and communication devices on town time, or while operating town-owned equipment, subject to the following provisions:

- All phone calls will be received or made during break periods, or lunch breaks, unless they are related to department operations, except in the event of a family emergency. A family "emergency" is defined as a situation that requires the immediate attention of the employee.
- The above restrictions also apply to text messaging, instant messaging, surfing the Internet and utilizing social media sites.
- The use of camera/video functions on personal cellular phones and/or communication devices during the workday is prohibited, unless those functions are utilized for department-related business.
- The use of a hand-held cellular telephone, including text messaging while operating a department vehicle, or piece of equipment is prohibited. If an employee has to use a cell phone for a personal emergency or department business, the operator shall utilize hands-free technology, or bring the vehicle to a stop.
- The Town assumes no liability for loss or damage to cell phones or other electronic devices carried by employees, unless the damage occurs while the employee is utilizing said device for department-related business.
- Employees will be held personally and financially responsible for all damages and litigation in the event of an accident involving town-owned equipment resulting from an employees' un-authorized use of cellular phones and personal communication devices.
- Employees who operate vehicles requiring a CDL, will be subject to any applicable Federal Department of Transportation restrictions related to cellular phone use.

Employees in violation of this policy may be subject to applicable sections of the Personnel Code and/or Article XVIII of the collective bargaining agreement with the Teamsters Local #340.