

CELL PHONE POLICY  
BRAZOS COUNTY, TEXAS

**PURPOSE:**

The purpose of this policy is to provide guidelines for the assignment, use and control of cell phones and to ensure such equipment is used in the most efficient and ethical manner. The acquisition and use of cell phones by Brazos County departments and employees shall be in accordance with Penal Code 39.02(2) and SB944. The previous Cellular Telephone/Pager Policy is rescinded and this Policy put in its place. The Cell Phone Allowance system is hereby abolished.

**ELIGIBILITY & ACQUISITION:**

The assignment of a cell phone shall be based on an employee's need for immediate communication as deemed necessary by the Department Head or Elected Official. The assignment of cell phones should not be considered a benefit to County employees, but a necessary tool. The Department Head or Elected Official should not assign cell phones when a less costly alternative is safe and effective (i.e. two-way radio, landline phone, etc.).

The Purchasing Department shall maintain a master list of all employees who have acquired a Brazos County issued cellular telephone/pager. In addition, all cellular telephones/pagers will be acquired through the County's contract provider. All changes in service must be processed through Purchasing to keep records accurate. It shall be the responsibility of the Department Head or Elected Official to ensure that sufficient funds are budgeted for the monthly operational costs associated with cellular telephones/pagers prior to assigning a cellular telephone/pager to an employee. Please note that cell phone expenditures should be charged to line item 61750000 "Telephone - Cellular".

**USE OF CELL PHONES:**

1. County cell phones are to be used for the conduct of County business and should not be generally used for personal communication. Occasional, minimal use of the County cell phone for personal reasons is not prohibited.
2. County employees are prohibited from linking to or adding personal accounts to County issued cell phones. Such accounts include, but are not limited to, email, chat, and/or other cloud services.
3. Using a County cell phone while operating any vehicle is prohibited and may result in employment consequences up to and including termination of employment.
4. Using a personal cell phone while operating a non-County vehicle to conduct County or employment related business in violation of State law is prohibited and may result in employment consequences up to and including termination. Handsfree communications in compliance with State law is permitted.
5. Cell transmissions are not secure; therefore, employees should use discretion in relaying confidential information. Reasonable precautions should also be made to prevent equipment theft and vandalism.
6. Cell phones shall not be issued to an Employee or official who refuses to sign below.

**USE OF PERSONAL CELL PHONES TO CONDUCT COUNTY BUSINESS:**

1. All County officials and employees are obligated by State law to archive each and every piece of public information they receive on their personal device pursuant to SB944. It is the obligation of the officials and employees to comply with that statute.
2. All County officials and employees shall either transfer said personal information to

the proper County authority OR archive said information for a minimum of four (4) years from the receipt of the public information. IF EMPLOYMENT IS TERMINATED, THE OBLIGATION TO ARCHIVE PUBLIC INFORMATION CONTINUES, BY STATUTE, FOR THE REMAINDER OF THE FOUR (4) YEARS.

3. Compliance with the above section occurs if the public information is forwarded from the personal cell phone to a County issued cell phone.

#### CELL PHONE DAMAGE:

Each Employee shall be held responsible for damage to a County cell phone caused by the negligence of the Employee.

#### ADMINISTRATION:

The Department Head or Elected Official shall be responsible for the administration and adherence of the Cell Phone Policy for their department. This Policy can be more restrictive if the Department Head or Elected Official deems necessary, but shall never be less restrictive.

#### CELLULAR TELEPHONE AGREEMENT

As an employee of Brazos County, I, the undersigned official or employee, recognize and understand that cell phones are provided for use in support of the business operations of Brazos County and are to be used for legitimate business purposes. I further understand that the equipment belongs to Brazos County and is to be used in an effective, efficient, ethical and lawful manner.

I am aware that Brazos County reserves the right to review, audit and inspect cell phone records at any time, with or without notice.

I understand that I am responsible for good care and maintenance of my assigned cell phone and will be required to pay for any damage done to this equipment due to my negligence. I also acknowledge that I become fully liable to Brazos County for the full replacement cost of any lost cell phone equipment.

I am aware that my assigned cell phone may be reassigned or withdrawn at any time, with or without notice, at the discretion of the Department Head or Elected Official.

I understand that I will surrender my cell phone upon termination of employment (voluntary or involuntary termination, including retirement). At that point, I am aware that no further use of my cell phone is authorized.

I certify and acknowledge that I have read and understand Brazos County's Cell Phone Policy, including the attached SB944 and will comply with the terms and conditions stated therein.

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Employee Signature

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Date

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Cell Phone Number Assigned