

**RESOLUTION #** 18-11-12

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma desires to put in place a resolution to compensate authorized County employees for use of their personally owned cell phones and related service(s) in the conduct of County Business.

**IT IS HEREBY RESOLVED** as follows:

A qualified County employee may be authorized to receive a once-monthly stipend, as an addition to the employee's regular pay, to provide the sole additional compensation to the employee to use his or her personally owned cell phone and related service(s) for purposes of County business. Stipend rates and the authorization for any employee to receive such a stipend will be subject to the approval of the Board of County Commissioners based upon the recommendations of the elected officers of each county office choosing to authorize the use of personal cell phones of employees for County business. Authorization for such use and approval of a monthly stipend to County employees shall be subject to change or cancellation at any time, with or without notice to any employee, by the elected officer for whom the employee is working, and/or by action of the County Commissioners.

Each elected county officer shall be responsible for adopting and implementing specific policies and guidelines for the permitted use of personal cell phones by its employees, and may, in addition to the limitations on the use of such cell phones as set forth in this Resolution, may restrict and limit the usage of such cell phones as deemed appropriate for the employees being authorized to use the same.

The authorized stipend is subject to taxation, tax withholding and tax reporting. The employee will have the sole responsibility for paying any tax due for the stipend.

The employee must be a current full-time (regular or provisional) employee of Texas County, and continue as an employee authorized for the stipend plan and must remain a current full-time employee of the authorizing department. Further, if the employee takes unpaid leave, the payment of the stipend may be suspended for the period of such leave.

The employee will be required to maintain the personal cell phone and service(s) in an effectively usable condition; to inform the supervisor (and/or others as needed for work purposes) of up-to-date personal cell phone contact information; and to respond appropriately to any incoming communication transmitted via cell phone for a County business purpose.

Texas County shall have no responsibility for procuring, repairing or replacing cell phone equipment or services for cell phone stipend recipients, nor will Texas County make any direct

payment to the employee's personal cell phone provider for any charge or obligation associated with the employee's personal account.


Employees using cellular telephones in the workplace shall exercise appropriate attention to safety. Use of cell phones while driving a vehicle or while operating equipment and use for personal business, except when on authorized breaks during the employees work period, is to be avoided.


Failure to comply with the terms of the agreement for County Business Use of Employee's Personal Cell Phone may result in disciplinary action against the employee, up to and potentially including discharge of employment. Each elected county officer shall provide each of its employees authorized to use their personal cell phones for County business and receive a monthly stipend from the County with a copy of this Resolution and a copy of its policies and procedures regarding the authorized uses and restrictions on use of personal cell phones.

This resolution shall be effective immediately upon approval hereof by the Commissioners of Texas County.

**BE IT RESOLVED**, that this resolution was passed and approved in regular session, this 25<sup>th</sup> day of July, 2011.

TEXAS COUNTY COMMISSIONERS:

  
\_\_\_\_\_  
Ted Keeling, Chairman

  
\_\_\_\_\_  
Gary Winters, Member

  
\_\_\_\_\_  
Jack Strain, Member



ATTEST:

  
\_\_\_\_\_  
County Clerk

EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF RESOLUTION AND POLICY  
FOR USE OF PERSONAL CELL PHONE

Now on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, I, \_\_\_\_\_,  
the undersigned employee of the Texas County \_\_\_\_\_ Office, hereby acknowledge that I  
have received, reviewed, and fully understand all provisions, including but not limited to all  
restrictions and limitations, relating to the usage of my personal cell phone for County business  
purposes.

I further acknowledge that I will be subject to disciplinary action for failure to comply  
with the Resolution of the County Commissioners and/or the policies adopted by my County  
Office in relation to the use of my personal cell phone for County business.

\_\_\_\_\_  
County Employee