

ENDWELL FIRE DISTRICT
Rules and Regulations

CELLULAR TELEPHONE USE POLICY	
Number: 2023-14	Adopted: January 04, 2023

Philosophy:

All Personnel acting as representatives of the Fire District (“District”) when using any cellular telephone communication resources provided by the District. Users of District-provided cellular telephone communication resources are held to the same standards whether the telephone is being used for business-related or personal use.

Policy:

Cellular telephone communications resources are intended primarily for business use. The District recognizes, and permits, occasional personal use of this District communication resources, provided that such use does not interfere with work responsibilities, other business needs, or violate the law or District policy, and provided such use does not expose the District to added expense beyond the basic coverage/ use plan purchased from the cellular telephone communications provider. The District acknowledges that all forms of communication resources are integral to our business and can be helpful tools in maintaining a balance between work and life.

All individuals are acting as representatives of the District when using any cellular telephone communication resource provided by the District. Users of District-provided cellular telephone communication resources are held to the same standards whether the use is business-related or personal.

Personnel-issued cellular telephones must use them in accordance with applicable laws. Any violation of a law in the use of a cellular phone issued by the District is a violation of this policy. Personnel must abide by laws and rules that relate to the use of cellular telephones and technology while operating a motor vehicle. While our personnel may be granted certain privileges under the law during emergencies; in non-emergency situations, they must follow the laws and regulations that apply to everyone.

Making cellular telephone calls or accepting calls while operating a vehicle without a hands-free device is illegal and unsafe. Engaging in text messaging or using email while operating a vehicle is illegal and unsafe. Using other cellular telephone smartphone applications while operating a vehicle would also be considered illegal and unsafe. All of these activities are violations of this policy unless a specific exemption is granted under the law.

Application of Internet Computer Use and Communications Policy:

Users must abide by the Internet Computer Use and Communications Policy as it relates to cellular telephone use. The standards of conduct discussed in that policy are considered a part of this policy as if restated herein except provisions herein that conflict, and in that case, the provisions of this policy shall govern with regard to cellular telephone use.

Policies and Costs Associated with Cellular Telephones Issued by the Board:

The Board of Fire Commissioners will retain discretion to determine the person to whom it will issue cellular telephone communication resources purchased at District expense and will select the plans entered into with cellular telephone providers. Personnel may refuse to accept the assignment of a District purchased cellular telephone, but if they accept the equipment, they agree to abide by

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District policies and the contracts set up with cellular telephone providers. Persons refusing a District issued cellular telephone communication resource will not be permitted to submit a bill for business expenses incurred on a person’s cellular telephone communication resource.

The Board of Fire Commissioners will set up the cellular telephone communication resource plan for each unit with the cellular telephone provider and will advise District personnel issued cellular telephones of the charges for which the District will be liable and the charges for which the District will seek reimbursement from the employee issued the equipment. Thereafter, the District Treasurer will send a bill to the employee for any charges that are his or her responsibility, and the employee shall pay such charges to the District Treasurer within two weeks. Failure to make payment promptly or the making of payment with a check that is dishonored will be a violation of this policy and an act of misconduct subjecting the member to disciplinary action. A refusal to pay a bill rendered in accordance with this policy shall be grounds for removal from office, dismissal from membership, and or removal from paid employment as an act of grievous misconduct. Failure to pay a bill within one month of submittal by the District Treasurer shall be deemed a refusal to make such payment for purposes of this paragraph.

The Board of Fire Commissioners shall adopt by resolution at regular meetings amendments to this policy that will govern the actual financial arrangements that govern the financial plan for the cellular telephone communication resource assigned to each employee or group of employees and such resolutions shall become a part of this policy.

The Board of Fire Commissioners/ Secretary will maintain separate files under this policy that will include a listing of every employee issued a cellular telephone communication resource and the financial terms and requirements for each such employee. One of the objectives of this policy is to limit the expenses of the Fire District in providing such phones and to make employees liable for personal telephone calls by making them liable for charges beyond the basic plan monthly fees.

Who is included under this policy:

All personnel is included in this policy. The Board of Fire Commissioners is responsible for determining which personnel have a District business need for the issuance of a cellular telephone. For purposes of this policy the term, “Personnel” and “Employee”, refers to all members and officers of the Fire Department and Fire Company and all employees, officers, and agents of the Fire District.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call, the vote was as follows:

Chairman Anderson	AYE
Commissioner Battaglini	NOT PRESENT
Commissioner Storm	AYE
Commissioner Hamzik	AYE
Commissioner Michael Lewis	AYE

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The resolution was thereupon duly adopted.

Dated: Endwell, New York
January 04, 2023

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Board of Fire Commissioners