

**POLICY OF THE CITY OF WHITING, INDIANA  
REGARDING CELL PHONES FOR EMPLOYMENT PURPOSES**

The City of Whiting has made a determination that it is more cost effective to reimburse employees for a portion of his/her personal cell phone bill rather than providing cell phones to the employees.

As a result, any and all current policies regarding cell phones are hereby rescinded and replaced with the following:

**PURPOSE:** The purpose of this policy is to provide for a reimbursement to specific city employees who are required to maintain a cell phone service as a condition of employment.

**CONDITION OF EMPLOYMENT:** Certain city employees shall be required to maintain an operative cell phone for the following purposes:

1. To communicate with other departments and employees during normal business hours.
2. To be on call for emergency and public safety purposes outside of the employees' normal business hours.
3. To be able to communicate with department heads and the Mayor outside of the employees' normal business hours.
4. To be able to respond to the emergency needs of citizens and business owners outside of the employees' normal business hours.

The Board finds that there exists substantial non-compensatory business reasons for requiring these employees to maintain personal cell phones.

**MINIMUM SERVICE REQUIREMENTS:** In order to be reimbursed, an employee must maintain a cell phone service which has both phone and data capacity so that the employee can receive text messages as well as phone messages.

**AMOUNT OF REIMBURSEMENT:** Employees required to maintain a personal cell phone as a condition of employment shall be entitled to a reimbursement in the amount of Fifty Dollars (\$50.00) per month or the actual cost of the cell phone plan to the employee, whichever is less. The City will not reimburse an employee for a portion of a plan attributable to international cell phone coverage or for unusual or excessive expenses.

**ELIGIBILITY FOR REIMBURSEMENT:** The positions initially required to maintain cell phone service are designated in attached Exhibit A. The Board of Works and Safety reserves the right to add or delete specific employment positions as the needs of the City change.

**CONDITION OF REIMBURSEMENT:** Any employee seeking reimbursement of a cell phone required as a condition of employment must provide the Clerk-Treasurer with the following:

1. Cell phone number
2. Copy of bill which shows plan contains data

CURRENT CITY PROVIDED CELL PHONE: Within sixty (60) days of expiration of the current cell phone plan for the phone provided to the employee by the City, the employee may purchase the used phone for the sum of One Dollar (\$1.00) in lieu of purchasing a new phone to meet the conditions of employment.

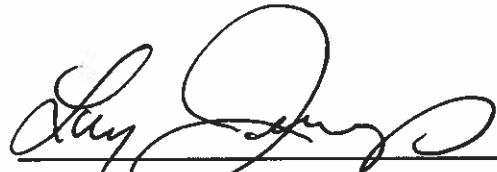
TAX ISSUES: Pursuant to IRS Memorandum for all field examination operations, dated 9/14/11, the reimbursement will not be reported as a taxable fringe or additional income so long as the reimbursement is reasonably related to the needs of the City's business, the reimbursement does not exceed the expenses the employee actually incurs in maintaining the cell phone, and the reimbursement is not replacing a portion of the employee's previous wages.

IMPLEMENTATION OF POLICY: This reimbursement policy shall become effective as follows:

1. On April 1, 2014 for any employee who currently has only a personal cell phone and will now be required to maintain a cell phone as a condition of employment.
2. On April 1, 2014 for any employee who currently has a cell phone provided by the city which is under contract to expire during February 2014 and will be required as a condition of employment to now maintain a personal cell phone account.
3. Upon the expiration date of the current contract for a city provided cell phone for an employee who will be required as a condition of employment to now maintain a personal cell phone account, if the contract is set to expire after February 28, 2014.

ALL OF WHICH IS APPROVED THIS 29<sup>th</sup> DAY OF December, 2020 BY THE CITY OF WHITING, INDIANA BOARD OF PUBLIC WORKS AND SAFETY.

  
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STEVE SPEBAR, PRESIDENT

  
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LARRY JENNINGS, MEMBER

  
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MARK HARBIN, MEMBER

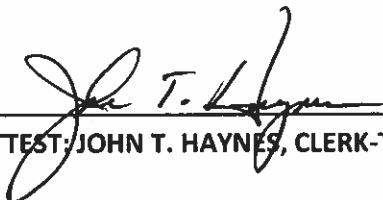
  
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ATTEST: JOHN T. HAYNES, CLERK-TREASURER

EXHIBIT A

EMPLOYMENT POSITIONS REQUIRING A PERSONAL CELL PHONE AS A  
CONTINUED CONDITION OF EMPLOYMENT

1. Mayor
2. Clerk-Treasurer
3. Fire Chief
4. Police Chief
5. Building Commissioner
6. Utilities Director
7. Street Commissioner
8. Park Superintendent
9. City Attorney
10. Economic Development Director
11. Community Development Director
12. Code Enforcement Officer
13. Recreation Director
14. Park Foreman
15. Sports Facilities Foreman
16. Police Detectives (4)
17. Police Captain(s)
18. Building Maintenance Lead Person
19. Operations Manager
20. Planning and Zoning Administrator
21. Special Events Director
22. Mascot Hall of Fame (MHOF) Executive Director
23. MHOF Director of Sales
24. MHOF Operations Manager
25. MHOF Special Events Coordinator
26. MHOF Office Manager
27. MHOF Graphics Designer
28. Public Safety Secretary

