

## Mobile Device Policy M-682-25

Effective Date:

### Part 1 Purpose

The nature of local government services is such that certain personnel need to be accessible while away from their workstation, during or after normal office hours, where a mobile device can be a useful and effective tool. The purpose of this policy is to provide guidelines for the assignment and proper use of mobile devices issued and owned by the Municipality, as well as personal devices approved for use in the conduct of municipal business.

This policy applies to Elected Officials, municipal employees, and any other person issued or using a device in the conduct of municipal business or who receive reimbursement for the use of personal devices.

### Part 2 Definitions

- 2.1 **“Elected Official”** means an elected official of the Municipality of the District of Yarmouth.
- 2.2 **“Employee”** means any person employed by the Municipality of the District of Yarmouth.
- 2.3 **“Mobile device”** means any portable device which provides access to mobile phone service, municipal email, municipal calendar, and/or internet which is paid for, in part or in whole, by the Municipality of the District of Yarmouth.
- 2.4 **“Municipality”** means the Municipality of the District of Yarmouth.
- 2.5 **“User”** means any employee, elected official, citizen representative, or contractor authorized to use a mobile device to conduct municipal business.

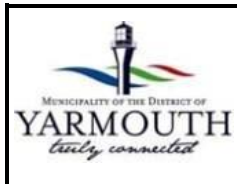
### Part 3 Need

- 3.1 The Municipality may issue mobile phones to employees if it is deemed necessary to support municipal business. All municipally issued cell phones are to be used specifically or primarily for business purposes. Elected Officials shall have the prerogative to be issued a municipally owned mobile phone.

### Part 4 Personal Device

- 4.1 Employees and elected officials may choose to use personal devices for municipal business instead of being issued a municipally owned device. Those using personal devices for municipal business will only be compensated in an amount equal to the cost

## MUNICIPALITY OF THE DISTRICT OF YARMOUTH



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of having a municipally issued device. A copy of the mobile device monthly statement is not required to be submitted but the employee or Elected Official must complete and sign a municipal expense claim form. To be compensated, expense claim forms, showing the claimants original signature, must be submitted. No claims for prior fiscal years will be approved.

- 4.2 Employees and elected official choosing to use personal devices should also be aware that the reimbursed amount is a taxable benefit under Canadian law.

#### Part 5 Personal Use of Municipally Owned Devices

- 5.1 Limited personal use of municipally owned mobile devices is permitted, provided:
- 5.1.1 it does not interfere with Municipality of Yarmouth business;
  - 5.1.2 incur additional costs to the Municipality; and
  - 5.1.3 does not contravene any Federal, Provincial or Municipal Laws, By-laws and Policies.
- 5.2 Users should be aware that there is no expectation of privacy of such personal use, and that detailed phone records exist for all calls, texts and emails placed to and from Municipality of Yarmouth mobile devices. In the event that personal use incurs additional expense to the Municipality, users will be expected to reimburse the Municipality for such usage. Usage which contravenes Federal, Provincial, Municipal laws, policies or regulations is subject to, in the case of Elected Officials, the Code of Conduct; in the case of employees, progressive discipline up to and including dismissal.

#### Part 6 Damage or stolen

- 6.1 Users shall promptly notify their Director and the IT Department if any municipally owned mobile device is damaged, lost, or stolen. Authorized mobile phone users are responsible for reimbursing the Municipality for the full costs of damaged, lost, or stolen cell phones and related accessories if they were damaged, lost, or stolen due to user negligence or neglect.

#### Part 7 Driving

- 7.1 Users shall exercise extreme caution when driving and talking on a mobile device. Unless utilizing a speakerphone or handsfree option, users shall stop their vehicle as soon as safely possible, before using mobile devices. Users shall comply with Section



**Mobile Device Policy  
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100D of the Motor Vehicle Act: “It is an offence for a person to use a hand-held cellular telephone or engage in text messaging on any communications device while operating a vehicle on a highway”. Users in violation of that section shall be held personally responsible for any charges or damage that may occur.

**Part 8 Return**

- 8.1 When a user no longer has a demonstrated need for the mobile device, or when employment with the Municipality is terminated, that user shall return any municipally owned mobile device and accessories to the IT department.

**Part 9 Unacceptable Use**

- 9.1 Neither municipal nor personally owned mobile devices intended for business use may be used to conduct illegal transactions, harassment, or any other unacceptable behavior. Inappropriate use may result in; in the case of employees, disciplinary action and loss of privileges; in the case of Elected Officials, the Code of Conduct enforcement.

**Part 10 Security**

- 10.1 Users are cautioned that cellular transmissions are not secure and discretion should be exercised in relaying confidential information in this manner.
- 10.2 Mobile devices (both municipally owned and personal devices being used for municipal business) should be protected with strong passwords or biometric authentication, and users shall not share their access credentials with unauthorized individuals.
- 10.3 The Municipality’s IT department has sole discretion over the distribution, configuration, and security measures of municipally issued mobile devices and related technology. If any non-approved devices, installation, or usage of such technology is discovered, the IT department reserves the right to remove and/or deactivate them immediately.

**Part 11 Personal Information International Disclosure Protection Act (PIIPDA)**

- 11.1 Complying with the legislative requirements of the PIIPDA, as well as the cost of international roaming charges, dictates that Users will not be authorized to travel outside of Canada with their municipally owned mobile device unless authorized.



**Mobile Device Policy  
M-682-25**

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**Part 12 Freedom of Information and Protection of Privacy (FOIPOP)**

- 12.1 Elected Officials and Employees are advised that records related to calls and texts made on devices are municipal information. As such, information related to telephone numbers, length of call, time and date of call or text, as well as any downloadable data recorded on the mobile device, such as digital images (pictures), text messages or phone book entries, are subject to, and may be obtained under the provisions of FOIPOP legislation.
- 12.2 Elected Officials and Employees using personal devices for municipal business are advised that this business is still subject to FOIPOP legislation, and as such may be obtained under the provisions of FOIPOP legislation.

<b>Chief Administrative Officer's Annotation for Official Policy Book</b>	
Date of Notice to Council members of Intent to Consider (7 days Min)	
Date of Passage of current Policy	
I certify that this Mobile Device Policy M-682-25 was adopted by Council as indicated above.	
_____	_____
Chief Administrative Officer	Date

**Date last reviewed by Council:**  
**Date last amended:**



**Mobile Device Policy  
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**Amendment Log**

Date	Amendment Description

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