7A. **Cellular Devices Policy**

This policy applies to employee use of cell phones, smartphones, tablets, and similar devices, all of which are referred to as "cellular devices" in the Cellular Devices Policy.

Cell Phones and Cellular Devices in General

Employees are allowed to bring personal cell phones and cellular devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or Morrow County-provided cell phones/cellular devices may not violate Morrow County's policies against harassment and discrimination. Thus, employees who use a personal or Morrow County-provided cell phone/cellular device to send a text or instant message to another employee (or to a citizen or someone not employed by Morrow County) that is harassing or otherwise in violation of Morrow County's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Nonexempt employees may not use their personal or Morrow County-provided cell phone/cellular device for work purposes outside of their normal work schedule without written authorization in advance from Human Resources. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination.

Employee Use of Morrow County – Provided Cell Phones/Cellular Devices

Cell phones/cellular devices are made available to Morrow County employees on a limited basis to conduct Morrow County's business. Determinations as to which employees receive Morrow County-provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device. In some cases, Morrow County may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of Morrow County away from the office.

Employees who receive a cell phone or cellular device from Morrow County must agree to not use the cell phone/cellular device for personal use except in emergency situations and must abide by all aspects of the Cellular Device Policy. Further, employees who receive a cell phone or cellular device from Morrow County must acknowledge and understand that because the cell phone/cellular device is paid for and provided by Morrow County, or subsidized by Morrow County, any communications (including text messages) received by or sent from the cell phone/cellular device may be subject to inspection and review if Morrow County has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cellular Device Policy or any other Morrow County policy. An employee who, after reasonable notice, refuses to provide Morrow County access to his/her personal cell phone/cellular device in connection with an investigation may be subject to discipline, up to and including termination.

Employees may not use Morrow County-provided cell phones or cellular devices to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's Morrow County-provided cell phone/cellular device.

Cell Phones/Cellular Devices and Public Records

Morrow County-related business conducted on Morrow County-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against Morrow County.

Cell Phone/Cellular Device Use While Driving

The use of a cell phone or cellular device while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of Morrow County vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by Morrow County.

Employees are prohibited from using handheld cell phones for any purpose while driving on Morrow County-authorized or Morrow County-related business. This policy also prohibits employees from using a cell phone or other cellular device to send or receive text or "instant" messages while driving on Morrow County business (other than those employees engaged in law enforcement work). Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hands-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination.