



**Non-Exempt Employee-
Owned Mobile Device
Usage Policy and Waiver**

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The City permits non-exempt employees to use their personally owned and funded mobile phone (IOS or Android) to access their City provided e-mail under the following terms and conditions:

- Employee must follow all City rules and procedures concerning mobile devices, e-mail and other information technology at all times. This includes, but is not limited to:
 - The City requires the use of multi-factor authentication and a passcode be setup by the employee on their mobile device.
 - Employee will hold the City harmless for any monetary costs or any mobile device issues including loss of usage of the device.
 - If Employee loses or misplaces their mobile device, Employee will immediately contact helpdesk@cityofmarion.org and notify them that their device is lost, misplaced, and/or stolen.
- This policy applies only to the use of personal cell phones for work or compensable activities and does not apply to employees who use their personally owned phones for personal or non-compensable activities such as retrieving benefits information or schedules.
- Non-exempt employees (employees who are paid on an hourly basis) are not expected or permitted to check their e-mail outside of working hours without prior permission from a supervisor. This includes before or after work or during any unpaid break periods. If an employee violates this policy, the employee will be subject to discipline. Doing so would result in unauthorized overtime for the employee, which violates City Policy in the Employee Handbook.
- Non-exempt employees who receive permission to check e-mails outside of working hours from a supervisor must record all time worked for payroll purposes.
- Employee further consents to the City setting and administering email policies on their personal mobile device. This includes any and all safety and security policies.
- Employee acknowledges that all City policies apply to employee use of e-mail on their personal phone, including, but not limited to policies related to discrimination, harassment, retaliation, and workplace violence. These policies can be found in the City's Employee Handbook.
- Non-Exempt employees may also add their City purchasing card to their mobile wallet on their personal device. Non-Exempt employees agree that all relevant provisions of the City's Purchasing Card Program as set forth in the City's Purchasing Policy and Procedures Manual shall apply to any City purchasing card added to a mobile wallet.
- Employee acknowledges that they have no expectation of privacy in the work-related content on their personal mobile phone.
- Employee acknowledges that the content on their mobile phone may be subject to an open record request pursuant to Iowa Code Chapter 22.
- Any violation of this policy may result in discipline up to and including termination of employment.
- Employee acknowledges that there may be circumstances in which the City must use safety or security protocols that could result in a loss of data or other personal information or files stored on their personal device. Employee will hold the City harmless for any such loss or any resulting injuries or costs associated with any loss of data or other information.
- Nothing in this policy is intended to interfere with an employee's right to organize, form, or join any employee organization, negotiate collectively through representatives of their own choosing, or engage in other concerted activities, including but not limited to, discussing the terms and conditions of their employment.

Non-Exempt Employee-Owned Mobile Device Usage Waiver

By signing below, I acknowledge that I have been made aware of the policies contained in this waiver and all other City rules and procedures concerning mobile devices, e-mail and other information technology. I acknowledge that I have had the opportunity to ask questions concerning these policies and procedures and I understand and acknowledge that I can contact the Human Resources Director and/or IT Director with questions about this policy at any time.

By signing below, I specifically authorize the City to review and monitor work-related data on the employee's phone.

Employee Signature

Date

Employee Printed Name