

**Town of Canandaigua**  
**CELL PHONE STIPEND POLICY**

Effective: April 15, 2019 via Resolution No. 2019-104

Eligible employees may receive a cell phone stipend from the Town of Canandaigua for business-related costs incurred when using their personal cell phones. Except for a limited number of positions, the Town will not own cell phones for the use of individual employees.

**I. ELIGIBILITY**

- a. An employee may be eligible for the stipend if at least one of the following criteria is met:
  - i. The job function of the employee requires considerable time outside of his/her assigned office, work area, or at irregular hours and the employee must be accessible during those times;
  - ii. The job function of the employee requires him/her to have wireless data and internet access while away from the Town Hall campus;

**II. STIPEND PLAN:**

- a. Eligible employees may receive a stipend of \$35 a month upon the approval of the employee's supervisor and Town Manager.
- b. Once approved, the employee will be eligible to receive the stipend automatically each month.

**III. OVERSIGHT, APPROVAL & FUNDING**

- a. Department Heads are responsible for identifying eligible employees. Each department is strongly encouraged to review whether a cellular device is necessary, and to select alternative means of communication.
- b. Each Department Head is responsible for determining employee cell phone needs and assessing each employee's continued eligibility for a cell phone stipend. This includes an annual review to determine continued eligibility of their employees.
- c. Stipends are funded by the eligible employee's department.

**IV. EMPLOYEES RIGHTS & RESPONSIBILITIES**

- a. The eligible employee is responsible for purchasing a cell phone and establishing and

maintaining service with the cell phone service provider of his/her choice. The cell phone contract is in the name of the eligible employee, who is solely responsible for all payments to the service provider.

- b. To the extent allowed by law, the stipend provided is not considered taxable income.
- c. The eligible employee can use the phone for both business and personal purposes, as needed.
- d. If the employee terminates their cell phone service plan at any point, s/he must notify his/her supervisor within 5 business days to terminate the stipend.
- e. The Town does not accept any liability for claims, charges or disputes between the cell phone service provider and the eligible employee.

## V. CANCELLATION OR REDUCTION

- a. Any stipend will immediately cease or be reduced if:
  - i. An employee's employment with the Town terminates;
  - ii. An employee's Department Head determines he/she is no longer eligible for the stipend;
  - iii. The eligible employee no longer has a cell phone or cell phone service plan; or
  - iv. The Town Board decides to eliminate or reduce the stipend.
  - v. The eligible employee uses the cell phone in any manner contrary to local, state, or federal laws or Town policy.
  - vi. The eligible employee is provided a Town issued cell phone.

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First Adopted:	April 15, 2019	Resolution No. 2019-104
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Subsequent Adoptions and Amendments:		
	January 10, 2022	Resolution No. 2022-018
	January 9, 2023	Resolution No. 2023-019
	January 8, 2024	Resolution No. 2024-019
	January 13, 2025	Resolution No. 2025-008