

No. IT- 0122	Policy Name: Mobile Device Policy
Effective Date: 7-1-2011 Last Revised Date: 7-4-2014	Citywide Policy <u>X</u> IT Policy _ IT Procedure _
Approved By: IT Director	

**Mobile Device Policy**

**PURPOSE:** This purpose of this policy is to define the procedures, organizational and employee responsibilities, standards and acceptable use for wireless handheld devices for the City of Hampton. This policy applies to all related devices and includes primarily cell phones and Personal Digital Assistants (PDAs) that are either owned by the City or owned by employees who receive a stipend for the use of personal devices.

This policy applies to all City employees, elected officials, and appointees of the City Council who participate in the program.

**POLICY:** City-owned equipment is to be used for City business purposes in a responsible efficient, ethical, and legal manner in accordance with the mission of the City. City cellular and PDA equipment and stipends are provided to employees who have a routine and continuing business need for the use of wireless devices while conducting official City business. Service usage and stipends are to be set at the minimum level that fulfills the business need.

**Equipment Options:** The City offers two options for wireless device capabilities:

The City will own, operate and provide equipment, services and network connectivity for the service. This will be known as the **City Owned Option**.

Department Head responsibilities:

- The need for each wireless device is clearly justified for City business purposes.
- Alternative solutions for work production and communication have been considered.
- Employees provided with City equipment and stipends understand the purpose and limitations of usage.
- Detailed equipment usage billings are received and reviewed for conformance with this policy.
- Employees reimburse the City for non-business usage.
- Use of City equipment and related accounts are terminated when no longer justified by business requirements or when the employee has by actions demonstrated a disregard for the limitations of this policy.
- Participating employees are educated on the proper and safe use of wire-less devices.
- The City will provide a stipend to employees who use personal mobile de-vices and services. This will be known as the Employee Owned Option. If this option is chosen, the IT department must approve the specific device and connection type. However, the City’s IT department will not technically support third-party wireless hardware or software, or any other non- Department Head responsibilities:

- The need for the employee subsidized wireless device is clearly justified for City business purposes.
- Alternative solutions for work production and communication have been considered.
- Employees awarded stipends understand the purpose and limitations of usage.
- Stipends are terminated when no longer justified by business requirements or when the employee has by actions demonstrated a disregard for the limitations of this policy.
- Participating employees are educated on the proper and safe use of wireless devices.

**Freedom of Information Act (FOIA) Application:** Communications records and data stored, sent or received for the purpose of conducting City business are subject to the FOIA and apply to both the City owned and employee owned options.

### **Operating Motor Vehicles:**

Texting while driving - Texting while operating a motor vehicle will not be allowed at anytime. Except as specified in the Code of Virginia Chapter 661 section 46.2-1078.1. Exemptions for public safety are specified in this code section and will apply within the City of Hampton.

Talking while driving – Talking on mobile devices while driving is not recommended at any-time. Department heads should develop procedures for their department personnel to limit the risk of accidents and also ensure that city services continue. All drivers are encouraged to pull off the road and park in a legal location before dialing or talking on mobile devices. If emergency or other business requires an employee to talk on a mobile device while driving the following policy applies:

Drivers that need to talk while in motion shall use hands free features and devices.

Numbers and contacts should be preprogrammed or use voice commands to minimize numbers being dialed while in motion.

Users should be familiar with all the voice features on their mobile devices and use any quick dialing features like caller ID, last dialed number, etc. to minimize numbers being dialed while driving.

Exceptions:

Mobile and portable, two-way radio and push to talk features on devices

Emergency vehicles as defined in Code of Virginia Chapter 661 section 46.2-1078.1

**Equipment:** The IT department approves and procures the equipment that is owned by the City and connects to the City data network infrastructure. The IT department will provide a listing of approved equipment on the Intranet and update the list periodically. The IT department will also evaluate equipment and services not on the approved listing and make exceptions as appropriate.

The IT department will also provide an approved list of PDA devices for the employee owned options. Employee owned equipment may be limited in City application capabilities. Some current and future applications will not be available through personal PDA devices and employees and supervisors need to assess these requirements. Employees and Department Heads will be responsible for determining if the features and functionality of an employee owned option meets the business needs of the department. IT will be available to consult with departments on approved device capabilities. Although the IT department will provide configuration information to the employee, it is the employee's responsible for configuring and managing individual devices and connecting to the City's e-mail services. The IT department will not install, configure or test employee owned devices, provide training, research or references for non-City owned equipment or services. The IT department will not provide customized programs, processes, software or resources to enable full feature network and application capabilities to employee owned devices.

### **Acceptable Use and User Responsibilities:**

Reasonable physical security measures must be followed. All devices should be secure at all times so as not to subject the unit to theft, loss, or damage.

If a City owned wireless device is lost, the employee should immediately notify the IT department help desk who shall contact the vendor and other appropriate contacts, so that the device can be deactivated to prevent fraudulent use.

If an employee owned device is lost, the employee should immediately notify the vendor, supervisor and the IT department help desk. The employee will instruct the vendor to deactivate the number to prevent fraudulent use. The supervisor will stop stipend payments until the device is replaced.

Employees should use the devices in a manner that promotes positive public opinion.

The following are unauthorized uses of city owned wireless equipment:

Any call, e-mail message, data transaction, or Internet query that could reasonably be made from a standard desktop or other electronic communication that would not impact customer service and is available at a lesser cost.

Any use of the device made in relation to an employee's personal business enterprise.

Any use for the purpose of personal entertainment such as 900 numbers or movie links,

Bay, iTunes, personal social networking, pictures, shopping internet surfing, etc.

Any excessive use, abuse of service, or use of unreasonable duration.

Use at any time by anyone other than the employee.

The IT department may refuse to connect employee owned PDA devices to City and City-connected infrastructure if it feels such equipment is being used in a way that puts the City's systems, data, users, and/or citizens at risk.

Prior to initial use on the City network or related infrastructure, PDA devices must be registered with the IT department and the employee's department.

Employees using PDA devices and related software for City e-mail, network and data access will use secure data management procedures. All PDA devices creating, saving, accessing or transmitting sensitive data must be protected by a password. Sensitive data includes health information, citizen personal data, employee personal data, personnel matters, contract or negotiation information and/or anything that could be deemed confidential City information and/or communications. Employees will never disclose passwords to anyone.

The IT department will manage security policies, network, application, and data access centrally using whatever technology solutions it deems suitable. Any attempt to contravene or bypass this security implementation will be deemed an intrusion attempt and will be dealt with in accordance with City's overarching security policy.

Employees using personal PDA devices will permanently erase City-specific data from such devices once it is no longer required or the employee leaves City employment. City specific data includes all sensitive data defined above as well as data that is deemed critical to the operation and management of the City's services and that having the data outside of the control of the city will compromise security, city operations and/or the privacy of employees and citizens.

Employees that store City records on their PDAs that have retention requirements identified in the City's records manual will ensure that these records are copied and stored on the appropriate City network storage systems for retention purposes.

All data, e-mail, contacts, pictures, videos or other electronic data created, received or stored on mobile devices as a result of conducting official city business will be the property of the City of Hampton. Employees will not transmit city data to non-city entities without prior approval by their supervisor. This applies to the employees personal or city issued device.

Department Heads will notify IT of employees departing the City who have wireless devices as soon as possible so the IT department can coordinate device transitions effectively.

**PROCEDURE:** The City Owned Option requires payment for the wireless devices, employee reimbursement for personal use and an annual review of business needs for the wireless equipment. The Employee Owned Option requires determining the stipend amount, notification to the IT and Finance departments and employee responsibilities for purchase, service and contracts with the wireless service provider.

## City Owned Option

Payment for City wireless devices covered by the City's master contract is made by the IT department and charged back to City departments. All non-master contract acquired equipment must be paid directly by the department through normal acquisition and payment processes.

Reimbursement by employee for personal use (in the event of special circumstances or emergencies):

The Department Head will calculate the amount of reimbursement required and will notify the employee in writing. The written notification will clearly show the calculation and will be accompanied by a copy of the monthly bill.

The employee will deliver to the Department Head the required reimbursement in the form of a personal check payable to —City of Hampton within one week from the date of notification.

The Department Head will deliver the reimbursement and a request for expenditure refund to the Treasurer.

The employee's manager or supervisor will review actual usage annually with the employee to determine if a different equipment usage account more nearly matches the employee's recurring business needs.

## Employee Owned Option

If the Department Head determines that a stipend is a cost effective alternative to providing City owned service and identifies a funding source, a monthly stipend for employees to cover business related use of a personal wireless device(s) can be awarded. Stipend amounts are as follows:

Voice Only Stipend Rates:

\$66/month, based on 1800 minutes of projected usage

\$50/month, based on 1350 minutes of projected usage

33/month, based on 900 minutes of projected usage

Voice and Data Stipend Rates:

\$106/month, based on 1800 minutes of projected usage

\$90/month, based on 1350 minutes of projected usage

\$73/month, based on 900 minutes of projected usage

Department Heads may also choose to reimburse employees for calls made on their personal devices to conduct city business. This is appropriate for incidental and infrequent use of personal devices. The rate for reimbursement is \$.25 per minute. The Finance Department will provide procedures on the processes and documentation required of departments and employees for reimbursing employees using the per call reimbursement option.

Responsibilities:

Department

The Department Head will notify the Finance and IT departments when an employee discontinues participation in the program for any reason.

The department will maintain a listing of all wireless devices and notify the IT Department as changes are made.

Finance Department – The Finance Department will provide procedures on the processes and documentation required of departments and employees for reimbursing employees using the stipend option.

Employee

The employee must provide the department with the current cellular telephone number.

The employee shall bear all expenses associated with the purchase, maintenance and replacement of all equipment.

The employee is responsible for any agreements or contracts established with the wireless service provider.

**Employee acknowledgement:**

I have read and understand all the provisions in this policy. I understand that any conduct that violates this policy may result in disciplinary action up to and including dismissal depending on the nature of the infraction.

I am using my personal mobile device for business use \_\_\_\_\_

I am using a city issued mobile device for business use \_\_\_\_\_

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_