

CORTLAND COUNTY
CELLULAR TELEPHONE/TELEPHONE/WIRELESS NETWORK DEVICE POLICY
Last updated 11/16/2017

I. INTRODUCTION: This policy governs the purchase or lease, assignment, maintenance and use of County owned/paid for cellular telephones, other wireless network devices, land-line telephones, fax machines or any other devices intended for use with Cortland County's networked resources. In addition, it governs the use of personal cellular telephones on County property and/or while conducting County business.

II. Purchasing or Leasing of County Cellular Telephones/Wireless Devices

Whenever a department head wishes to obtain a new, or replace an existing, cellular telephone/device for a County employee, regardless of the cost of the device, a Cortland County Cell Phone Request Form must be completed and forwarded to the County Information Technology Director. A copy of this form is attached. Departments may not deal directly with cell phone vendors. Issues involving service, phones, etc. shall be addressed by the department head and the IT Director.

All new hardware, software and/or related components that provide wired and/or wireless connectivity and services to the Cortland County networked resources will be managed by Cortland County's Information Technology Department. The installation and/or use of hardware, software and/or related components not approved by Information Technology is not allowed.

This policy is complementary to any previously implemented policies dealing specifically with network access, wireless access and remote access to the Cortland County network and proper use thereof (i.e. Cortland County Information Security Policy).

III. Assignment of County Cellular Telephones

Eligibility for County Cellular Telephone: The determination of who shall be eligible for assignment of a County cellular telephone shall rest solely with the County. The assignment of a County cellular telephone to an employee shall not create any continuing obligation on the part of the County to provide a County cellular telephone in the future.

The following criteria shall determine whether such an assignment is appropriate:

- a. The staff member must spend a significant amount of time working away from an accessible land-line telephone; and
- b. There is a regular business need for the staff member to have the cellular telephone during these period of time in order to make or receive calls; and
- c. The value of having the cellular telephone/wireless network device must outweigh the costs, both monetary and administrative, of the telephone.
- d. For wireless network devices, justification of the device must address the off-duty use of the device by hourly staff and the overtime regulations concerning that use.

Assignments of County Cellular Telephone: Before a County cellular telephone is provided to an employee, the Department Head, or his/her designee, shall review this policy with the employee, provide a copy to him/her, and have the employee sign a Cellular Telephone Use Agreement. For those employees who already possess a County cellular telephone on the effective date of this policy, the Department Head shall take these actions within thirty days of implementation of this policy. Additionally, the original agreement will be placed in the employee's personnel file and a copy will be provided to the employee. A copy of this agreement is attached.

Return of County Cellular Telephone: Any employee who has been assigned a County cellular telephone shall return such promptly upon a request from his/her department head or the County Administrator or upon termination of employment. Return of County cellular telephone must be noted on the original cellular telephone use agreement that is in the employee's personnel file. In addition, such employees may be required to produce an assigned County cellular telephone for inspection at any time, upon request.

IV. Maintenance and Use of County Cellular Telephones/Wireless Devices with Cellular Functions

Maintenance of County Cellular Telephones/Wireless Devices: Any employee who is assigned a County cellular telephone shall exercise reasonable and prudent care to keep such telephone in good working order and protect it from damage and/or theft. If the employee has mismanaged the device and/or not used prudent judgment, he/she may be responsible for the replacement of such a device should it become damaged.

Use of County Cellular Telephone/Wireless Devices:

1. Generally – County cellular telephones/wireless devices are provided to employees as a tool to carry out the business of Cortland County when other communications options are not reasonably available. They are not provided for the personal benefit or use of employees.
2. Personal Use – County cellular telephones/wireless devices are not intended for the personal use of employees. Personal use of such telephones shall be limited to infrequent, incidental and emergency use only. Any employee who engages in personal use of a County cellular telephone shall report use to his/her Department Head or to the County Administrator within two business days of such use and shall be responsible for any charges to the County associated with the personal use.

V. Maintenance and Use of Wireless Network Devices

1. It is the responsibility of any Cortland County employee who is connecting to the County's network via a wireless network device or service to ensure that all components of his/her wireless connection remain as secure as his/her network access within the office. It is imperative that any wireless connection be utilized appropriately and ethically.
2. Employees using wireless network devices and services for remote wireless access will, without exception, use secure remote access procedures.
3. Prior to initial use or connecting to the County's network, all wireless network device hardware, software and related services must be registered with Information Technology. No County employees or contractors will make modifications or any kind to County-owned and installed wireless hardware or software without the express approval of Information Technology.
4. The wireless network device user agrees to immediately report to his/her supervisor and the County's Information Technology department any incident or suspected incidents of unauthorized access and/or disclosure of company resources, databases, networks, etc.
5. Software should not be downloaded or otherwise loaded and installed on to the wireless network device. The downloading of games and ringtones is strictly prohibited. Only authorized Information Technology technical staff may operate system upgrades or install software.
6. Failure of the wireless network device as a result of not conforming to this policy will result in the device being attempted to be reset to factory settings. This will usually mean a loss of all settings, addresses, uniquely stored emails and other data from the device.
7. Information Technology reserves the right to turn off without notices any wireless access to the network that puts the County's systems, data and users at risk.
8. Wireless devices are the property of Cortland County and may not be given, loaned or used by anyone other than the employee to whom it is assigned.
9. Report damaged or physically malfunctioning wireless devices to the supervisor.

VI. Use of Personal Cellular Telephones for County Business

1. Permissive Use – Employees may use personal cellular telephones for County business unless they are prohibited from doing so by their Department Head or the County Administrator. Employees shall not be required to utilize a personal cellular telephone for County business.
2. Reimbursement for Use - Employees shall not be reimbursed for the use of their personal cellular telephone for County business unless otherwise authorized by the Department Head or County Administrator.

VII. Use of All Cellular Telephones

This section of the policy applies to the usage of County owned, leased cellular telephones and personal cellular telephones in the possession of an employee at any time the employee is on County property, in a County owned or leased vehicle, on County work time or engaged in County business.

- A. **Compliance with Laws:** Employees shall comply with all Federal, State and/or Local laws, rules and regulations governing the use of cellular telephones. An employee who is charged with a violation of any such law, rule or regulation will be solely responsible for any liability associated with the violation.
- B. **Safe Usage of Cellular Telephones:** Employees shall at all times exercise reasonable care in the use of cellular telephones in order to insure the safety of the employee and others. All employees shall refrain from using cellular telephones while driving a motor vehicle or operating motorized equipment.
- C. **Privacy and Confidentiality:**
Privacy - Employees are not permitted to record and/or video tape co-workers, supervisors or clients without disclosure and consent.
Confidentiality – Employees are advised that cellular telephone communications are not confidential and may be overheard by third parties. Employees must exercise reasonable care to insure that confidential matters are not improperly disclosed through the use of cellular telephones. Additionally, in no instance shall employees text confidential work-related information on cellular telephones.
- D. **Personal Calls on Work Time:** Personal telephone calls, both cellular (including social networking, texting, email, etc.) and via land line, on paid work time, excluding paid breaks/paid lunch which are allowed if authorized by the department head, should be limited to infrequent, incidental and emergency calls only. Department heads and supervisors may limit calls as deemed appropriate.

VIII. County email Accounts on Smartphones:

This section describes the prerequisites for having a County owned or personally owned cell phone set up to receive County emails.

- A. **Compliance with Security protocols:** All devices must meet and the users, if Personal device, must agree to the following conditions to be allowed access to the County email servers:
 - a. A Password is required for the device. This does not include the swipe pattern but must be a regular password of UPPER and lower case characters and numbers.
 - b. Password needs to be changed at least every 90 days.
 - c. Password cannot be re-used.
 - d. Device must be encrypted.
 - e. Device may be remotely wiped if there are significant sign-in failures indicating someone trying to gain unauthorized access to the device.
- B. **Checking, sending County emails off hours:**
 - a. Hourly employees are not required to check and/or respond to emails off hours unless directed to do so by the Department Head and/or designee. Hourly employees who are not directed to check and/or respond to emails are not entitled to compensation without prior approval.

IX. Department Head Responsibilities

In addition to the Department Head obligations discussed in this policy, Department Heads have the following responsibilities under this policy:

- A. **Policy Distribution:** Each Department Head shall post a copy of this policy in one or more prominent location(s) within the department. In addition, each department head shall provide a copy of this policy to all departmental employees.
- B. **Compliance:** Take action to enforce this policy, as needed, which may include providing training regarding the terms of this policy, and counseling and/or disciplining employees who are not complying with the policy. Monitor all County cellular telephone bills relating to departmental usage to insure that usage is appropriate and compliant with this policy. An individual or a division may be exempt from the

cell phone policy due to work activities with an agreement between the department head and County Administrator.

- C. **Cell-Free Zones:** Each Department Head may establish areas within the department in which cellular telephones will not be permitted. These areas may be limited to specified areas (i.e. desks, etc.) or encompass the entire physical area of the department. If such cell-free zones are established, the Department Head will communicate this fact to departmental employees and others as needed.

X. Definitions

“County cellular telephones” means those cellular telephones that are owned or leased by Cortland County.

“Other communication options” means options including, but not limited to, land-line telephones, two-way radios, call boxes, in-person communications, etc.

“Smartphone” a mobile phone that performs many of the functions of a computer, typically having a touchscreen interface, Internet access, and an operating system capable of running downloaded applications.

“Wireless network device” means any device that can connect to a wireless network and is capable of sending and/or receiving data over said network. Examples are: smart phones, tablets, laptops, etc.

XI. Policy Violations

Violations of this policy may result in disciplinary action, up to and including termination of employment, and/or civil or criminal action, if appropriate.