



ADMINISTRATIVE DIRECTIVE

Title: Mobile Communication Equipment
Issuing Department: Technology Services
Effective Date: August 14, 2019
Approved: Jamsheed Mehta, Town Manager
Type of Action: Revision

1.0 PURPOSE

The Town uses technology as a means to enhance the productivity of the work environment and as a communication link between and among employees. The purpose of this Administrative Directive is to provide a uniform, transparent and easily administered policy for providing technology equipment to Town employees. While the Town recognizes that issuing Town-owned equipment is sometimes necessary, the policy of the Town is to reduce reliance on Town-issued equipment, while applying the appropriate technology solutions to meet defined needs and maximize efficiencies.

This Administrative Directive establishes the Town's policies and procedures regarding assignment and issuance of Town-owned mobile communication devices, usage of Town-owned and personal mobile communication devices for Town business, and the payment of stipends for the use of personal mobile communication devices for Town business.

2.0 DEPARTMENTS AFFECTED

All Town of Marana departments and employees. This directive does not govern the assignment and use of police radio, video or mobile data terminal (MDT) equipment.

3.0 REFERENCES

- 3.1 A.R.S. §§ 39-121 et seq: Public records law
- 3.2 Town of Marana Personnel Policies and Procedures, Policy 5-4: Use of communications systems and equipment
- 3.3 Town of Marana Administrative Directive: Electronic Mail (E-mail) Retention & Storage
- 3.4 Town of Marana Administrative Directive: Network Access & Security

4.0 DEFINITIONS

- 4.1 Cellular phone: A cellular (cell) phone is an electronic device used for telecommunications over a cellular network of base stations known as cell sites. Some cell phones with minimal web interface have the technological ability to be connected to the Town's e-mail system.
- 4.2 Laptop: A portable microcomputer small enough to rest on the user's lap.
- 4.3 Mobile communication device: A mobile electronic device which can connect to the Town's technology network, including smart phones, laptops and tablets.
- 4.4 Mobile hotspot: A mobile hotspot, also referred to as an aircard, mifi, or jetpack, is an ad hoc wireless access point that is created by a dedicated hardware device or a smart phone feature that shares the phone's cellular data; the hardware devices used to create them, known as pocket or travel routers, are sometimes referred to as mobile hotspots as well.
- 4.5 Non-exempt employees: Employees who devote most of their hours to activities that are not managerial, administrative or professional. These employees are entitled to overtime pay under specific provisions of federal and state laws.
- 4.6 Smart phone: A device that combines a cell phone with a hand-held computer, typically offering internet access, data storage and e-mail capability, among other features. A smart phone has the technological ability to be connected to the Town's e-mail system.
- 4.7 Stipend: A fixed dollar amount paid to compensate an employee for costs of maintaining a personal mobile communication device, in lieu of issuing a Town-owned device. The stipend amount(s) is established as part of the annual budget process and may be set at a dollar amount that covers only a portion of the employee's total personal mobile communication device bill. The stipend amount may vary depending upon whether the employee is receiving the stipend for a personally-owned cell phone, smart phone, laptop, or tablet.
- 4.8 Tablet: A one-piece mobile computer, typically smaller than a laptop and larger than a smart phone. Tablets typically offer a touchscreen, with finger (or stylus) gestures acting as the primary means of control; an on-screen, hideable virtual keyboard is generally offered as the principal means of data input.
- 4.9 Town of Marana business network: Computing network owned and maintained by the Town of Marana for the purposes of conducting Town business including electronic correspondence and data storage, transfer and retrieval.
- 4.10 Town Manager: The Town Manager or the Town Manager's designee.
- 4.11 Virtual Private Network (VPN): A network that uses the internet to transfer information using secure methods.

5.0 POLICIES AND PROCEDURES

- 5.1 General. The limited, infrequent use of mobile communication devices for Town business does not warrant the assignment of a Town-owned mobile communication device or the payment of a stipend to an employee.

5.2 Assignment of Town-owned Cell Phones and Smart Phones

- 5.2.1 A Department Head may assign Town-owned cell or smart phones to Town employees in certain positions based on the duties and responsibilities of those positions and the business need for mobile communication. When making a determination under this directive, the Department Head shall consider the work assigned to the position and the need for employees in that position to respond to phone calls or e-mails.
- 5.2.2 Smart phones shall only be issued when the duties and responsibilities of a position require the employees in that position to have access to the capabilities of a smart phone on a regular basis. Whenever a smart phone is issued to an employee, the Department Head shall provide written notice to the Town Manager's Office prior to the issuance. This notice may be provided by e-mail.
- 5.2.3 All Town-owned smart phones shall be configured with a power on password and shall be configured to be located via GPS coordinates.
- 5.2.4 The Town Manager or Department Head may revoke the assignment of a Town-issued cell or smart phone to an employee at any time.

5.3 Stipend for Use of Personal Cell Phones and Smart Phones

- 5.3.1 A Department Head may opt to provide a stipend for an employee's use of his or her personal cell or smart phone in lieu of issuing a Town-owned device. The amount of the stipend is established as part of the annual budget process and payment is subject to funds availability. The stipend amount may vary for different types of devices.
- 5.3.2 Payment of the stipend shall begin upon approval of the stipend and submission of the required documentation. The Town will not pay the stipend retroactively for past phone use.
- 5.3.3 The stipend shall be paid monthly in the employee's first paycheck of each month.
- 5.3.4 The stipend is considered compensation for income tax purposes. An employee receiving a stipend should contact his or her personal tax advisor for additional information or questions regarding the tax status of a stipend.
- 5.3.5 The stipend may be considered compensation for retirement calculations, in accordance with state laws and regulations. An employee receiving a stipend should contact the Finance Department or his or her retirement system administrator for additional information or questions regarding retirement compensation.
- 5.3.6 Any employee who accepts a stipend must provide his or her personal cellular or smart phone number to the employee's Department Head and is expected to respond to business calls while out of the office and to receive and respond to emergency calls.
- 5.3.7 Employees receiving a stipend are responsible for advising their Department Head of any changes in cellular or smart phone telephone numbers or changes in data service plans within ten business days of the change.
- 5.3.8 The Town may publish the personal cellular or smart phone numbers of those employees receiving a stipend in a directory for internal use only. Personal cell or

smart phone numbers will be maintained by the Town as confidential to the maximum extent permitted by law.

5.3.9 If a personal smartphone will be used to access email, protection by a password or PIN will be required to be configured on the phone.

5.3.10 The Town Manager or Department Head may direct that the payment of a stipend to an employee be revoked at any time.

5.4 Assignment of Town-owned Laptops and Tablets

5.4.1 A Department Head may assign Town-owned laptops or tablets with VPN or related equipment to Town employees in certain positions based on the duties and responsibilities of those positions and the business need for mobile communication. When making a determination under this directive, the Department Head shall consider the work assigned to the position and the needs of the organization.

5.4.2 If a Town-owned laptop or tablet is assigned to an employee, then the following conditions shall apply:

5.4.2.1 The device must be protected with a boot password at all times.

5.4.2.2 The device must have installed antivirus software and it must be kept current by automatically checking with the software manufacturer for updates to the virus signature file. The Technology Services Department will provide this software and configure the device for this purpose.

5.4.2.3 The device operating system must be kept current with all patches and updates as they are released by the manufacturer. Software must not be installed that will allow a user to bypass standard built-in security features and controls.

5.4.2.4 Passwords required to access Town systems must not be saved in applications or Web browsers. Passwords must be entered for each unique login to the Town network or its applications.

5.4.2.5 The Technology Services Department will provide any necessary software and configuration information to enable access to the Town network. No changes to the software or configuration shall be made without the approval of the Technology Services Department.

5.4.2.6 Town data shall not be downloaded or stored on laptops or tablets. All data must be stored and accessed directly from Town servers.

5.4.2.7 Only Technology Services staff may install software applications.

5.4.3 In the event of a suspected security breach caused by malicious code, virus, or other similar cause, the Technology Services Director may block access to the Town network.

5.4.4 The Town Manager or Department Head may revoke the assignment of a Town-issued laptop or tablet to an employee at any time.

5.5 Assignment of Town-owned Mobile Hotspot Equipment

5.5.1 A Department Head may approve employee use of mobile hotspot equipment for mobile computing, for emergency response purposes, when access to Town systems

is required while in the field, or when there is no alternative for urgent internet access.

5.5.2 Mobile hotspot equipment will not be routinely issued to employees who are traveling on Town business. If the employee is required by the Town to maintain internet connectivity while traveling, the employee shall include the charges for internet access in the Travel Request Authorization. Additionally, employees are encouraged to utilize a hotel's network capabilities to access the internet when available. If there is no alternative available for internet access while traveling on official Town business, the Department Head may authorize and issue mobile hotspot equipment.

5.5.3 The Town Manager or Department Head may revoke the assignment of Town-issued mobile hotspot equipment to an employee at any time.

5.6 Personal Use of Town-owned Mobile Communication Devices

5.6.1 The Town's communications systems and equipment shall be used primarily for Town business purposes associated with the performance of each employee's job. Any use of these systems for non-work related purposes beyond limited incidental use is prohibited.

5.6.2 Any employee who is found to have used a Town-owned mobile communication device for unauthorized personal use shall be responsible for any charges incurred as a result of the unauthorized personal use and may be subject to disciplinary action in accordance with the Town's Personnel Policies and Procedures.

5.6.3 Non-exempt employees who are issued Town-owned mobile communication devices and equipment shall not take the devices or equipment home after work hours unless they are required for on-call response. Departments are responsible for providing secure storage for these devices after hours.

5.6.4 Unauthorized use of a Town-issued mobile communication device by anyone other than the assigned employee is prohibited.

5.7 Fair Labor Standards Act

5.7.1 Time spent by employees remotely accessing the Town network for work purposes, including monitoring, reading and responding to e-mail, is considered compensable time under the federal Fair Labor Standards Act (FLSA) and non-exempt employees must record time spent in these activities as time worked on their time sheet for the pay period in question.

5.7.2 Non-exempt employees are prohibited from remotely accessing the Town's network, including their e-mail accounts, by any means during non-working hours, unless the employee is directed to do so by his or her supervisor or any other person authorized to approve overtime work by the employee.

5.7.3 Non-exempt employees who remotely access the Town's network, including their e-mail accounts, by any means during non-working hours without being directed to do so by their supervisor or another authorized person will be subject to disciplinary action pursuant to the Town's Personnel Policies and Procedures.

6.0 RESPONSIBILITIES

- 6.1 The Technology Services and Finance Departments are responsible for conducting a review and inventory on at least an annual basis of Town-issued mobile communication devices and stipends to ensure that devices and stipends are issued in compliance with the provisions of this directive.
- 6.2 Department Heads are responsible for requesting and allocating sufficient budget resources to cover the cost of Town-issued devices, necessary accessories, monthly service charges, stipends, and any related expenses. Department Heads must have access to appropriate funds in the Department budget before issuing any devices or stipends.
- 6.3 Department Heads are responsible for justifying and approving the use of mobile communication equipment or the payment of stipends within their departments.
- 6.4 The Department Head shall make the determination regarding whether an employee is issued a stipend in lieu of issuance of a Town-owned phone.
- 6.5 Employees who are assigned Town-owned mobile communication devices or stipends must sign the Technology Services Inventory & Acknowledgment Form (Attachment A) signifying understanding of this directive in order to receive the designated device/equipment or stipend.
- 6.6 The Technology Services Department shall obtain, manage and keep inventory of all Town-owned mobile communication equipment in accordance with Town procurement policies and practices.
- 6.7 Each department is responsible for ordering new service, cancelling service, ordering new cell phone equipment and replacing cell phones and accessories from contracted vendors.
- 6.8 Each department is responsible for auditing the monthly bills for Town-owned equipment to ensure proper use of equipment. This audit shall include an audit of data usage for each Town-owned device. The Technology Services and Finance Departments are responsible for conducting their own review and audit of the monthly bills on a periodic basis.
- 6.9 The Technology Services Department shall maintain a copy of the Technology Services Inventory & Acknowledgment Form submitted pursuant to this directive. The Payroll Administrator shall maintain a copy of the form whenever an employee is granted a stipend.
- 6.10 Department Heads are responsible for ensuring that all users of Town-issued mobile communication devices understand safe usage practices.
- 6.11 Employees who are issued Town-owned mobile communication devices or stipends for use of personally owned equipment are responsible for immediately reporting any loss of the device to the Technology Services Department.
- 6.12 Employees who are issued stipends shall be responsible for the maintenance of the mobile equipment and replacement of faulty equipment.

- 6.13 The Town of Marana is not responsible for any illegal, objectionable or improper use of the Town's business network or of a Town-owned and issued mobile communication device.
- 6.14 All Town employees who are issued a Town-owned mobile communication device are responsible for ensuring that the device is adequately maintained and in good working order.
- 6.15 Employees are responsible for the replacement cost of Town-owned mobile communication devices that have been negligently damaged or lost, as determined in the discretion of the Department Head in consultation with the employee's direct supervisor.
- 6.16 All management and supervisory personnel are responsible for ensuring that staff adheres to the policies and procedures described in this directive and for taking appropriate action when this directive is not followed.

7.0 ATTACHMENTS

- 7.1 Attachment A - Technology Services Inventory & Acknowledgment Form

Attachment A

Technology Services Inventory & Acknowledgment Form

Employee/Contractor Name: _____ Employee ID: _____

Department: _____ Employee/Contractor Position: _____

Date/Update Date/Comments: _____

Reason for Request: New Hire New Assignment Transfer Lost/Stolen Device Remote Network Access
 Remote E-mail Access

Personal Phone Number (if requesting Stipend): _____

Item	Employee Date Issued/Initials	Manager Date Issued/Initials	Employee Date Return/Initials	Manager Date Return/Initials
Electronic Access ID Card				
Smart or Cell Phone (indicate which)				
Laptop PC				
Tablet				
Stipend (indicate for Smart or Cell Phone)				
Remote Network Access				
Remote E-Mail Access				
Other				

I acknowledge that I have read and understand the Town of Marana Personnel Policies, Procedures and Administrative Directives located on the Town Intranet to include: Policy 5-4: Use of communications systems and equipment; Mobile Communication Equipment AD; Network Access & Security AD; Electronic Mail (Email) Retention & Storage AD; and Facility Access/Keys AD.

I further acknowledge that I have received the above-noted access devices/equipment and that the information contained in the box above is a complete and accurate list of all access devices/equipment currently in my possession.

I further acknowledge that I must return all Town-owned devices/equipment in my possession to my supervisor upon termination of my employment with the Town. I understand that I will be required to replace any missing devices/equipment at my own expense. I understand that if I fail to replace any missing device/equipment, the Town may deduct the value of the unreturned items from my pay. **I authorize the Town of Marana to withhold the value of the unreturned devices/equipment from my final paycheck.** I understand that if the amount from my final paycheck is not sufficient to cover the cost of repayment to the Town, I will be required to reimburse the Town for the amount due at the time of termination.

If I have been granted remote network or e-mail access, I understand that I am not entitled to payment of the stipend established by the Mobile Communication Equipment AD merely because I am granted remote access through my personal mobile device. I understand that the Town will only pay the stipend pursuant to the policies and procedures described in the Mobile Communication Equipment AD. If I am a non-exempt (overtime eligible) employee, I understand that I am not permitted to access the Town network or e-mail systems for work purposes at any time other than their regularly scheduled hours of work without prior approval of my supervisor.

Employee/Contractor Acknowledgment:

Employee/Contractor Signature: _____ Date: _____

If stipend applicable, copy to Finance – Payroll Administrator, Attach the TS Request /Access Form (seamlessdoc)

REVISION HISTORY

	<i>DESCRIPTION OF CHANGE</i>	<i>DATE</i>
OR	Original Release	3/18/2011
REV	Entire AD Revised; combined with former AD - Remote Access to Town's Technology System	7/1/2013
REV	Revision	8/17/2018
REV	Revision	8/14/2019

Caution: A copy of this Administrative Directive is an uncontrolled document. It is your responsibility to ensure you are using the current version. The electronic version is the only acceptable and controlled Administrative Directive.