

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: June 18, 2021	PREPARED BY: Liz Cupples
Meeting Date Requested: June 29, 2021	PRESENTED BY: Keith Johnson
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda	<input type="checkbox"/> Brought Before the Board Time needed:
SUBJECT: Franklin County Wireless Communication Device Policy Revision 2021	
FISCAL IMPACT: \$50 monthly per approved device	
BACKGROUND: Resolution 2009-392 Wireless Communication Device Policy is outdated. Information Services has revised this policy with the following necessary changes or additions: 1) removed restriction on specific Brand/Make/Model...i.e. removed reference to Blackberry's; 2) mobile device requests are submitted at the department level, then approval is by the County Administrator, instead of by the Commissioners; 3) departments process payment on their sub account, as opposed to Information Services paying then rebilling; 4) language was added to address device usage while operating a vehicle; 5) new section added in regards to accessing and using the County's Mobile Wireless Network (County WiFi); 6) security and confidentiality language added in regards to HIPAA and Criminal Justice Information System (CJIS) data; 7) language added in regards to mobile device enrollment into the County's Mobile Archiving service and 8) language inserted to change compensation for personal devices be defined as a flat rate stipend instead of multiple reimbursements based on individual plans. The flat rate stipend will be a non-taxable payment from the Franklin County Auditor's office through payroll processes. A flat rate will bring a single consistent rate for accounting simplicity and reduce time spent by departments in managing the reimbursements. \$50 has been set in the revised "Franklin County Wireless Communication Device Stipend Request Form".	
RECOMMENDATION: Request approval and adoption of Franklin County Wireless Communication Device Policy Revision 2021 and rescinding Franklin County Wireless Communications Device Policy, Resolution 2009-392 and approval and adoption of the revised Franklin County Wireless Communication Device Stipend Request Form.	
COORDINATION: Revised policy has been reviewed by Liz Cupples, Director of Information Services, Carlee Nave, Director of Human Resources, Keith Johnson, County Administrator and Jen Johnson, Chief Civil DPA	
ATTACHMENTS: Resolution Franklin County Wireless Communication Device Policy Franklin County Wireless Communication Device Stipend Request Form	
HANDLING / ROUTING: Commissioners – Original Information Services – Copy	

I certify the above information is accurate and complete.



Liz Cupples, Information Services Director

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

RE: ADOPTION AND APPROVAL OF THE “REVISED” FRANKLIN COUNTY WIRELESS COMMUNICATION DEVICE POLICY; RESCIND RESOLUTION 2009-392 FRANKLIN COUNTY WIRELESS COMMUNICATION DEVICE POLICY

WHEREAS, Information Services recommends modifying the outdated Franklin County Wireless Communication Device Policy with current standard requirements; and

WHEREAS, Information Services request approval and adoption of the revised policy, entitled “Franklin County Wireless Communication Device Policy, Revision 2021; and

WHEREAS, Information Services request approval to discontinue cell phone reimbursement and to implement a stipend be established in its place for compensation for individuals required to conduct County business on their personal wireless communication device (cell phone); and

WHEREAS, all previous Cell Phone Reimbursement Resolutions and Schedules will be rescinded with the adoption of the revised “Franklin County Wireless Communication Device Policy, Revision 2021” and Franklin County Wireless Communication Device Stipend Request Form; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of the County;

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners hereby rescinds Resolution 2009-392

BE IT FURTHER RESOLVED the Franklin County Board of Commissioners hereby adopts the attached Franklin County Wireless Communication Device Policy, Revision 2021 and Stipend Request Form.

APPROVED this ____ day of _____ 2021.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro Tem

Member

Attest:

Clerk to the Board



FRANKLIN COUNTY WIRELESS COMMUNICATION DEVICE POLICY

Revision 2021

1.0 PURPOSE

- 1.1 It is Franklin County's policy to provide efficient, cost-effective communication equipment and services to further its business goals. The acquisition and use of a mobile (wireless communication) device shall be limited to the requirements and specifications contained in this guideline.
- 1.2 There is a recognized advantage to be able to communicate with some Franklin County employees during their hours away from the workplace. The value of this advantage is directly related to the level of responsibility within the county. To facilitate this communication, Franklin County may provide a County owned mobile device or provide a stipend to specific employees to offset the cost of that employee's use of their personal mobile device for county business.
- 1.3 The objective of this policy is to provide guidelines to employees who may need to have access to a mobile device to conduct County business or needs access to Franklin County's Wireless (WiFi) Network.

2.0 SCOPE

- 2.1 The assignment of a mobile device or an issuance of a stipend for mobile devices and services shall be limited to those instances where there are demonstrated needs for such equipment or services. Examples of those needs are: increased productivity, improved safety, emergency response or situations where communications cannot be provided by any other means.
- 2.2 Users with a mobile device used to conduct County business, whether personal or County owned, must exhibit reasonable physical security measures. Users are expected to secure devices used for this activity whether in use or not.
- 2.3 Authorizing an employee to use a mobile device after hours is not an approval for overtime or work from home. All overtime and work from home must be approved by the elected official or department head and in accordance with any applicable state and federal law, labor agreement, and the policies of the office or department for which the employee works.
- 2.4 Because mobile devices are essentially network devices that transport data similar to a desktop computer, the adherence to standards must be maintained, and because network security falls under the purview of Information Services, all County owned mobile devices must be acquired and managed by Information Services. As with other network devices such as desktop computers, there should be no expectation that an employee can install applications of their choosing to a mobile device just as they cannot install software of their choosing onto County computers.

- 2.5 Personally owned mobile devices WILL NOT have access to Franklin County network resources unless such access is preauthorized by the employee's Elected Official or Department Head and Information Services.

3.0 PROHIBITED ACTIVITIES

- 3.1 Because the data functionality of a County owned mobile device is provided to conduct County business, employees are strictly prohibited from sending information or otherwise using the data functionality of a mobile device, in connection with any of the following activities:
- Engaging in illegal, fraudulent, or malicious activities;
 - Sending or storing any materials which violate any County policies, including but not limited to, the Anti-Bullying, Discrimination, and Harassment Policy.
 - Annoying or harassing other individuals;
- 3.2 Per RCW 46.61.667(1)(a) A person operating a moving motor vehicle while holding a mobile device to their ear, sending, reading, or writing a text message, is guilty of a traffic infraction, with the exception of a County employee operating:
- A moving motor vehicle using a mobile device in "hands-free" mode.
 - A moving motor vehicle using a hand-held mobile device to report illegal activity, summon medical or other emergency help.

4.0 COUNTY OWNED DEVICES

Franklin County has chosen to provide, in some specific situations, mobile devices for use by County employees. This must first be authorized by the appropriate Elected Official or Department Head, and then acquired through the Information Services Department.

- 4.1 The determination of which device and plan is appropriate for each employee shall be made jointly by the Information Services department and the elected official or department head and when necessary, the employee. The Information Services department is responsible for procuring the most cost effective cell phone and plan option based on the user's demonstrated needs. State contracts, pooling of minutes, and free phone offers are examples of the methods that will be used to establish the most cost effective option for mobile devices and service plans.
- 4.2 In addition to the provisions noted above, all mobile devices are subject to the following:
- Funding for the device and the associated service shall come from the office or departmental budget for which the employee works. Funding shall be established during the regular budget approval process.
 - All County-owned mobile devices must be acquired and managed by the Information Services department.
 - The departments using the devices and/or services are responsible for keeping track of their employees' usage of mobile devices.
- 4.3 It is understood that any mobile device and/or related service, provided for use by County employees, is County property and all uses of these devices are a matter of public record. Therefore, the device and/or information stored on the device are subject to audit by management, public disclosure, a legal discovery process and will be enrolled in the County's Mobile Archiving Service.

- 4.4 If the employee is issued a mobile device, the Information Services department must be notified immediately in the case of a lost or stolen device. In such a case, the Information Services department can remotely issue commands to shut down the device to prevent unauthorized access via our Mobile Device Management service.
- 4.5 Use of a County owned mobile device for other than County business, personal incidental use, defined as "casual, infrequent, and insignificant", or any of the prohibited activities as defined above, may result in disciplinary actions, up to and including termination.
- 4.6 It is the responsibility of the employee using a mobile device to maintain the appropriate security and confidentiality of the county equipment. This includes taking steps to prevent unauthorized persons from using equipment belonging to the county and/or accessing systems and information maintained by the county. It also includes maintaining the privacy of any information that may be governed by Washington State laws and/or federal regulations regarding information privacy. This includes but is not limited to "Health Insurance Portability and Accountability Act (HIPAA)" (*Corrections*), Criminal Justice Information System data (CJIS) (*law enforcement*) and other confidential data sources.
- 4.7 Acquisition for a new mobile device service must first be approved by the County Administrator.

5.0 PERSONALLY OWNED DEVICES

- 5.1 It is understood that any personally owned mobile device and/or related service, used to conduct County business, may subject the equipment and/or information stored on that equipment to audit by management, public disclosure, and/or a legal discovery process. All County business conducted on a personally owned device, is considered County property. Most documents originate elsewhere and are only viewed on the mobile device. If a document, photo, text message, etc. originates on the mobile device, and is relevant to County business, it could be subject to public disclosure rules, and therefore devices must be enrolled in the County's Mobile Archiving Service which allows the employee a means to conduct business on their personal device via a mobile phone application.
- 5.2 It is also understood for employees working in a criminal justice department or office, that no "Criminal Justice Information" (CJI) or law enforcement system will be accessed on a personally owned device under any circumstances.
- 5.3 Employees receiving a stipend for county use of their personal mobile devices must provide Franklin County with the number of their service and carry the phone when normal communication links are not available. Franklin County will not replace or service any employee owned equipment, nor shall they have any involvement in administering the cellular account. Franklin County will not provide technical support for personal mobile devices, except for limited support for data communication with the County's network for those employees who have been authorized to access the network. The allocated stipend is set to reimburse employees for business use of their personal mobile device. Each employee will be responsible for their total wireless bill.

Employees requesting consideration for a stipend, should forward their request through their elected official or department head. No personally owned device, whether existing or newly purchased will be added to the stipend program without department head or elected official approval. The non-taxable stipend will be paid by the Franklin County Auditor's office through the employee's normal payroll check.

6.0 MOBILE WIRELESS NETWORK VIA FRANKLIN COUNTY WiFi NETWORK

- 6.1 The County has implemented a mobile or wireless “WiFi” network that is to be used primarily for County business, but some “incidental” personal use may be allowed as long as it is casual, infrequent, and insignificant. If a user desires access to the WiFi network they must first seek authorization from their immediate department head or Elected Official. Sharing of access codes and/or passwords may be grounds for revoking access privileges and could result in further disciplinary action, up to and including termination.
- The wireless network is provided on a “best effort” basis and there are no guarantees with regard to availability and/or reliability.
 - This policy does not attempt to address every possible situation that may arise. Professional judgment, etiquette, and common sense should be exercised while using this service.
- 6.2 It is the user’s responsibility to ensure the device used to access this service has an appropriate level of security and protection against malware. Anti-virus provision is the responsibility of the user.
- 6.3 It is not acceptable to use the “Franklin County WiFi Network” or “mobile connection” for any of *(but not limited to)* the following:
- Audio “streaming” of multimedia sources such as Internet Radio, music streaming services, audio books, audio files such as mp3, m4a, wma, etc. *(Radio or music services such as Pandora, Spotify, iHeart Radio, Apple Music, etc, or sites with similar characteristics, are strictly prohibited).*
 - Video streaming of multimedia sources such as mp4, wmv, avi, mov, etc. *(Video streaming services such as Netflix, Amazon, Youtube, Vimeo, etc or sites with similar characteristics, are strictly prohibited), unless a business case can be made for needing such access.*
 - The creation, transmission, downloading or printing of any offensive, obscene, pornographic or indecent images, data or other material, or any data capable of being resolved into pornographic or indecent images or material;
 - The creation, display or transmission of material which is designed or likely to cause annoyance, inconvenience, unnecessary anxiety, threats or the promotion of violence;
 - The creation, display, downloading or transmission of defamatory or discriminatory material;
 - The transmission or downloading of anything other than pre-authorized or copyright free material;
 - The transmission of unsolicited commercial or advertising material;
 - Deliberate unauthorized access (i.e. “hacking”) or attempts thereof, to any facilities or services accessible on the network;
 - Deliberate activities with any of the following characteristics:
 - (i) attempting to introduce a computer virus
 - (ii) attempting to corrupt or destroy data
 - (iii) disrupting the work of other users
 - (iv) wasting staff time e.g. unauthorized tampering with hardware or software
- 6.4 Your access to the Franklin County WiFi Network is at the discretion of the County and it may be blocked, suspended, or terminated at any time for any reason including, but not limited to, violation of this or any Franklin County policy, actions that may lead to liability for

Franklin County, disruption of access to other users or networks, and violation of applicable laws or regulations. Franklin County reserves the right to take appropriate measures to monitor your use of this service.

- 6.5 In no event shall Franklin County be liable for any direct, indirect, incidental, consequential, special and exemplary damages, or any damages whatsoever, arising from the use or performance of this WiFi service or from any information, services or products provided through this WiFi services, even if Franklin County has been advised of the possibility of such damages.

FRANKLIN COUNTY WIRELESS COMMUNICATION DEVICE POLICY

Acceptance Form

I agree to immediately report to my supervisor and the Information Services department, any incident or suspected incidents of unauthorized access and/or disclosure of County resources, databases, networks, etc.

I also agree to immediately notify my supervisor and the Information Services department if the device assigned to me, whether it is County owned or personally owned, is lost or stolen.

I have read and understand the "Franklin County Wireless Communication Device Policy" and agree with the guidelines for the issuance and usage of wireless communications (mobile devices) and I agree to the conditions set forth.

Employee Name *(Please Print)*

Employee Signature

Date

Department Head/Elected Official

Date

FRANKLIN COUNTY WIRELESS COMMUNICATION DEVICE POLICY

Implementation of Policy

All employees who are granted authorization for a mobile device will be given a copy of this policy and notified of any policy changes.

Authorization to use a mobile device is to be evidenced by the attached form signed by the Elected Official or Department Head or their authorized representative, and by the employee to whom the use of a mobile device is being granted.

The original form "Franklin County Wireless Communication Device Policy Acceptance Form", reflecting authorization is to be placed in the employee's personnel file with a copy given to the employee and a copy sent to Information Services.

The County reserves the right to change this policy and any forms associated with this policy at any time, at its sole discretion.

Individual Elected Officials may also adopt policies for their departments that do not conflict with the County Policy.



FRANKLIN COUNTY
Wireless Communication Device
Stipend Request Form

Employee Name _____

Department _____

Job Title _____

Justification for Stipend

If an employee meets one or more of the following eligibility criteria, a department head/elected official may request a stipend for business use of personal wireless communication device plans. The policy is not intended for occasional, incidental use, or for voluntary/convenient access.

- The employee's job **requires** them to spend a considerable amount of time outside of their assigned office or work area during assigned working hours, **requiring** regular access to communication technologies.

- The employee's job **requires** them to be reached either as a responder to emergencies or to carry out their assigned responsibilities outside of normal working hours

TOTAL MONTHLY STIPEND: \$50

Signature of Employee

Date

Signature of Department Head or Elected Official

Date

<input type="checkbox"/> Acceptance Form Signed and Authorized			
<input type="checkbox"/> Approved by Resolution # _____ - _____	OR	<input type="checkbox"/> Denied	Date _____