

RESOLUTION NO. 102-16

AMENDING PERSONNEL POLICY RESOLUTION 56-16 BY ADOPTING A MASON COUNTY CELLULAR TELEPHONE POLICY, AND ADDING CHAPTER 16 TO THE MASON COUNTY PERSONNEL POLICIES

WHEREAS, Mason County recognizes the need to address the use of cellular phones and text messaging to conduct the County's business and its obligations under the Public Records Act;

WHEREAS, Information Services drafted and circulated proposed policy to Elected Officials and Department Heads for review, comments and suggestions; and

WHEREAS, the Information Services Manager recommended the Mason County Cellular Telephone policy dated 12-20-2016 be adopted.

NOW, THEREFORE, BE IT RESOLVED, the Board of County Commissioners hereby adds to Chapter 16 of the Mason County Personnel Policies adopting the Mason County Cellular Telephone Policy (Chpt. 16) as attached.

ADOPTED THIS 20 day of December, 2016.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


ATTEST:


Melissa Drewry, Clerk of the Board


Terri Jeffreys, Chair


Randy Neatherlin, Commissioner

APPROVED AS TO FORM


Timothy Whitehead,
Deputy Prosecuting Attorney


Tim Sheldon, Commissioner

C: Elected Officials & Department Heads

MASON COUNTY CELLULAR TELEPHONE POLICY

(Wireless Communications Device Policy)

16.1 POLICY

This policy applies to all employees of Mason County, unless otherwise addressed by a current collective bargaining agreement. Mason County Sheriff's Office cellular telephone contracts will remain under their administration and public safety cellular use policy.

16.2 DEFINITIONS

"Cellular Telephones" - This includes, but is not limited to: Mobile devices that can be used for phone calls and/or texting messages, internet and network features.

"Electronic Files" - Information stored electronically residing on storage media containing data, images, programs or other information. This includes all files produced or copied onto County-owned or operated hardware, or files produced or copied either to or from other information systems on behalf of the County.

"Text Messages" - is the act of composing and sending brief, electronic messages between two or more mobile phones, or fixed or portable devices over a phone network.

"Internet" - Refers to connectivity with other agencies, networks and/or services outside local area networks established and maintained by Mason County.

16.3 POLICY FOR COUNTY OWNED CELLULAR PHONES

It is the policy of Mason County to provide employees with efficient, cost effective telephone communication equipment and services. The purchase and utilization of cellular telephones shall be limited to the requirement and specification contained in this policy.

The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public, or in situations in which necessary communications cannot be provided by any other means. The purchase of cellular telephones shall be subject to approval by the department head and completed by Mason County Information Services with the exception of the Mason County Sheriff's Office who will remain on their individual

contract for services due to the existing contract's efficiencies and cost savings as of this policy date.

County Information Services Department shall install, service and support cellular telephones software connected to the County's network system. All equipment purchases, including hardware (phones) or software (applications), shall be approved, in writing, by the department head prior to purchase or installation on to cellular phone or communications equipment by Information Services. County issued cellular telephones will be programmed to automatically connect to county internet service when available.

Additionally, electronic communication equipment purchased and owned by employees with the intent of using it for County purposes will not be eligible for County reimbursement or to be placed on the County's network system.

16.4 USE OF CELLULAR PHONES

Discretion is to be used in discussing confidential information using cellular communication. Cellular transmissions can be overheard by others. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment. In an event an employee fails to use reasonable precautions, the county may require the employee responsible for such cellular telephone to reimburse the county for the reasonable cost to replace such telephone.

16.5 PERSONAL USE

The County recognizes that occasions arise in which personal calls or text messages need to be made or received on a cellular telephone. However, it is intended that cellular telephones be used for County business-related purposes. Personal calls and text messages are to be minimized. Calls or text messages home or to the family, etc., by County staff when required to work extended hours shall be considered business calls or texts.

Making and receiving personal calls or text messages should be limited. Use of personal cellular telephones and/or County telephone equipment and services should not result in additional costs to the County and should not interfere with performance of official duties or normal business operations. Employees are trusted to exercise good judgment in both the duration and frequency of such calls and text messages. The County reserves the right to monitor the billing and use of all County owned cellular telephones. The County normally does not reimburse employees for calls made on personal cellular phones.

16.6 TERMINATION OF USE OF COUNTY OWNED CELLULAR PHONES

If the conditions of this policy are violated by the employee, the department head may restrict or terminate the use of County owned cellular phone and may result in disciplinary action up to and including termination.

16.7 RECORDS RETENTION

The County Auditor's Office will retain copies of the County cellular telephone billing records. These billing records must include call history (all numbers called and text messages) in accordance with the laws set forth by the State of Washington. Billing records sent to the Auditor's Office without the call history will not be paid and sent back to the department due to lack of information. Text message contents will be retained in the same fashion as the County's e-mails for both County owned and Mason County Sheriff's Office cellular telephones.

Cellular phone calls, text messages, e-mails, electronic files and internet usage made on County owned phones are subject to the Public Records Act (RCW 42.56), and the Washington Court Rules and specifically General Rules (GR) 22, 31 and 31.1 for courts. Therefore, there is an extremely narrow scope of expectation of privacy. All calls and text messages are open to public records requests. Information Services will provide text message management; install the application for and storage of text messages.

16.8 SERVICE BILLING

Information Services will manage and administer all County cellular phone contracts (excluding Sheriff's Office) to include consolidation into one contract for the County, service plans, maintenance agreements and upgrades. The retention software will be purchased and funded by Information Services.

The cellular company will provide Information Services with individual department statements of monthly services. Information Services will provide individual department a copy of their monthly statements. Each County department / office will be responsible for yearly budgeting and Support Services will voucher payment from the individual departmental budgets.

The consolidated contract's services will be shared by all County owned cellular telephones and will be subject to review by Information Services of individual's usage. If individual's usage exceeds the County's average usage and an overages fee is charged, those individual's departments will be responsible for the payment of the overage fee.

16.9 RELATED POLICIES

This Cellular Telephone policy coincides with the following County Personnel policies:

Chapter 8 – Employee Responsibilities and Conduct Policy

Chapter 12 – Non-Discrimination & Harassment Policy

Chapter 14 – Mason County Electronic Information Acceptable Use Policy

Chapter 15 – Social Media Policy