

Rule 3-37

Mobile Devices

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§ 3-37-010 Purpose

The purpose of this Mobile Devices policy is to provide guidelines for usage of County and personally owned mobile devices for County related work.

§ 3-37-015 Definitions

- **County-owned Mobile Device:** A mobile device and the associated monthly services that are acquired by and paid for by Multnomah County and issued to or the responsibility of County employees to conduct County business.
- **Mobile Device:** A mobile device is a small, handheld computer that is designed to be portable. Some examples of mobile devices include: Smartphones, Tablets, or E-readers. Mobile devices are used for a wide variety of purposes, including:
 - Communication: phone calls, text messages, email, social media
 - Productivity: checking work email, creating and editing documents, managing schedules, accessing services online via the County website, or third party applications.
 - Imaging: using the built-in camera, and other sensors, to capture images and record videos.
 - Navigation: use of built-in GPS, and other sensors, to find directions, obtain traffic updates etc.
 - Cellular hotspots used to provide an employee with Wi-Fi access are not considered a mobile device.

- **Personal Mobile Device:** A mobile device and the associated monthly or prepaid services that are acquired by and paid for by the employee.

§ 3-37-020 Policy

- A. The County provides a range of mobile devices for the approved use of staff. Employees shall use the prescribed processes for requesting such devices.
 - 1. Employees shall not contract, unless authorized, on behalf of the County, or represent themselves as having authority to contract on behalf of the County or any department or program, with any vendor directly for the supply of any mobile device (including, but not limited to, cellular telephones, PC Tablets, or any other device which connects to any cellular network).
 - 2. Employees shall not contract, on behalf of the County, or represent themselves as having authority to contract on behalf of the County or any department or program, with any vendor directly for the supply of ANY mobile cellular service or any cellular network.
- B. The County may authorize certain employees to use County-owned mobile devices when such usage is required by the employees' job duties.
- C. A manager may authorize an employee to use a County-owned mobile device, based on one or more of the following criteria:
 - 1. Departmental requirements indicate utilizing a mobile device is an integral part of performing duties of the job description;
 - 2. More than 50% of the employee's job duties are performed in the field (note: this does not include remote work at home);
 - 3. The employee is required to be contacted for business reasons on a regular basis;
 - 4. The employee is required to be on-call outside of normal work hours as a job requirement;
 - 5. The employee is a critical decision maker.
- D. Any and all usage of mobile devices for work purposes must comply with all federal, state, and County laws, rules including MCPR § 3-35-050, regulations and procedures established by County departments and work units. Decisions by managers about mobile device usage should reflect considerations of cost effectiveness.
- E. County-owned mobile devices may be taken home or to other locations for work purposes by employees with prior approval of their manager. All equipment shall be returned upon separation from employment with the County.

- F. Employees who engage in improper use of mobile devices and electronic communications under this rule are subject to disciplinary action, up to and including dismissal. The County reserves the right to recover costs related to County-owned mobile devices. This could include legal action.

§ 3-37-025 Applicability

This rule applies to employees' use of mobile devices for work purposes. This rule covers both County-owned mobile devices and personal mobile devices used for work purposes.

§ 3-37-030 Mobile Device Guidelines

To reliably archive County records and safeguard County data and networks, the County will not authorize use of personal mobile devices for regular work purposes. The following are the scenarios by which a County employee may, if approved, use personal mobile devices for incidental work purposes.

A. County-issued mobile devices.

1. An employee's manager may authorize an employee to use a County-owned mobile device for business purposes under these rules.
2. County-issued mobile devices can be shared by and rotated among multiple employees for essential service coverage such as, but not limited to, Emergency Management Duty Officer or Call Center employees. Exceptions require Department Director approval.
3. The employee and their manager are both responsible for notifying the Department Director, in writing, within ten (10) working days if the employee is no longer required to use a County-issued mobile device for job-related tasks.

B. Business use of personal mobile devices: Managers may not authorize their employees to use personal mobile devices for regular work purposes.

1. Permissible Use of a Personal Mobile Device for Incidental Work Purposes

Permissible use of personal mobile devices for incidental work purposes is limited to brief and infrequent use of:

- a) Google apps: Gmail, Calendar, Docs, Sheets, Forms, Tasks, Chat, etc.
- b) Workday
- c) Phone calls
- d) Web searches

- e) Text messaging for emergency purposes, including: an employee notifying a manager about attendance, schedules, or their status during an emergency
 - f) Two-factor Authentication or Multi-Factor Authentication, e.g. DUO
 - g) Other applications with prior approval by the Chief Information Officer or designee
2. Prohibited Use of a Personal Mobile Device for Work Purposes
- a) Text messaging for work purposes other than the permissible uses
 - b) Creating or storing work-related data, including images and video
3. Loss. If an employee loses their personal mobile device that has been used for work, and the device contains County information, the employee is responsible for immediately notifying their manager and the IT Help Desk (503-988-4357).
4. Privacy in Personal Devices. An employee's use of a personal device for any permissible work purpose does not result in the employee's loss of any expectation of privacy in non-work related information, data, and materials of any kind on personal devices and third party websites.

§ 3-37-035 Oversight and Authorization of Mobile Device Usage

- A. Oversight: Managers shall be responsible for oversight and approval of their employees' request for a County-owned mobile device. Requests must be made on the basis of a genuine business need, not by the requestor's job classification alone. The employee's manager shall review mobile device eligibility annually, or on a more suitable frequency as may be requested by IT or Central Human Resources, to ensure that the use is appropriate and that prudent fiscal management guidelines are followed. This periodic review shall include an assessment of each authorized employee's need to use a mobile device for a business purpose.
- B. Authorization
- 1. The County must authorize the employee to use a County-owned mobile device for County business. An employee shall complete and submit the web-based Mobile Device Request Form, available on Multco Commons, to their manager for approval. The criteria a manager must use to determine an employee's eligibility to receive a County-issued mobile device can be found in 3-37-20, Section C. § 3-37-040 Limiting or Revoking Access

The County may revoke or limit permission for use of mobile devices for work purposes at any time without cause or explanation. Department Directors may issue department specific limitations on use of mobile devices that are more restrictive than this rule.

§ 3-37-045 No Responsibility to Repair or Replace Mobile Devices

- A. Under no circumstances will an employee be authorized to personally seek to repair a County-owned mobile device on their own. For employees who continue to utilize County-owned mobile devices, the County will continue to provide support and repair services for those devices.
- B. The County has no responsibility for repair or replacement of personal mobile devices used for work purposes.

§ 3-37-050 Permissible and Prohibited Uses of County-Owned Mobile Devices

- A. Usage of County-owned mobile devices is restricted to County business, except as allowed in these guidelines.
- B. Limited personal use of County-owned mobile devices is permissible, and must always be on the employee's own time, at virtually no cost to the County, and be brief and infrequent. In addition to uses which may have a direct cost, such as making toll calls, personal uses which have an indirect cost are also prohibited. Personal use of County-owned mobile devices, consistent with these rules, is considered an incidental benefit under MCPR § 4-20-110 (C).
- C. Permissible personal uses of County-owned mobile devices include:
 - 1. A brief email;
 - 2. A brief text message;
 - 3. A brief and infrequent telephone call;
 - 4. Brief and infrequent internet access or web searches for personal research, or self-study;
 - 5. Brief and infrequent postings using social media if the content or purpose is personal;
 - 6. Data streaming provided the mobile device is using a Wi-Fi connection and not the County's mobile data plan, and there is no interference with County business; and
 - 7. If the employee is not assigned a County desk phone, the employee may use a County-owned mobile device in the same manner as a desk phone so long as it amounts to virtually no cost to the County, or if it results in additional cost for the County, the employee will reimburse the County for the added cost.
- D. Prohibited personal uses of County-owned mobile devices, except as provided above in MCPR § 3-37-050 (C), include but are not limited to:

1. Making calls that are charged to the County;
 2. Making international calls that are charged to the County;
 3. Installing applications that are not approved by the County and offered through the County's Self Service portal;
 4. Sending or knowingly receiving personal emails or texts with large file attachments (more than 500 megabytes) e.g., graphics, photos or sound files;
 5. Storage of personal electronic files, e.g., photographs, documents, and digital music;
 6. Uses which require significant data storage or data transmission (bandwidth) capacity;
 7. Data streaming while using the County's mobile data plan.
- E. The following additional guidelines apply to employees' usage of County-owned mobile devices:
1. Employees shall not use the devices outside the contiguous United States, unless prior permission is granted by a Department Director with approval of the Department of County Assets Director and the County's Chief Human Resources Officer or their designee.
 2. If the employee has a HotSpot feature approved and enabled on their County mobile device, this may not be used for home internet except in case of an internet outage. HotSpots may be used when outside of the office on County business.

§ 3-37-055 Confidentiality of Systems and Information

- A. Various County, state and federal laws, rules, regulations and policies restrict access to and disclosure of confidential and sensitive data and information, such as Personally Identifiable Information (PII). Employees will not disclose or allow access to such sensitive and confidential information or data, except in accordance with County or departmental rules, practices or procedures. Employees with such access are responsible for the safekeeping and handling of their mobile devices to prevent unauthorized disclosure of financial, medical, and other personal client or employee information, or any confidential information contained in a system or on their personal mobile devices. The storing of PII (including but not limited to Personal Health Information (PHI)) on personal mobile devices is not allowed. Employees must immediately notify their manager and the IT Help Desk of any potential

breach/unauthorized access to their mobile devices used for work purposes in accordance with Multnomah County Administrative Procedure PR 3-10-020 (Q).

- B. Electronic data should be transported or stored on mobile devices only as necessary to conduct County business. Employees are required to ensure that mobile devices are properly secured via password protection.

§ 3-37-060 Employee Privacy Expectations

- A. Privacy expectations for use of County systems and work records on mobile devices used for work purposes are stated at MCPR § 3-35-045.
- B. Department Human Resources Units, Central Human Resources, the County Auditor's Office, and the County Attorney's Office may request reports detailing employee mobile device usage for County-owned mobile devices. These reports include information that specifies internet sites employees accessed or attempted to access, how long employees spent on internet sites, copies of emails or similar messages sent and received, and phone numbers called or from which the employee received calls. Managers who believe they need access to usage reports shall contact their Department Human Resources Unit for approval to access such reports.
- C. Upon request, employees will provide to the County any records of work performed in the conduct of County business on personal mobile devices and third party websites, including but not limited to emails, electronic documents, texts, chats, voice mails, and social media posts, to the extent required by public records laws and other legal requirements. The County may use this information in disciplinary or other legal proceedings.

§ 3-37-065 Electronic Records Retention and Access

Work-related electronic records existing on mobile devices used for work purposes, including personal mobile devices, are public records. As such, they are subject to the same laws and rules for public inspection and retention that apply to all other County records, including but not limited to the state public records laws and rules, County Executive Rules 300 and 301 and Multnomah County Administrative Procedure REC-1. Employees should refer to the retention schedules for their Department to determine what must be retained and what can be destroyed. Retention schedules are at <http://web.multco.us/records/retention-schedules>.

The County may require, and the employee shall comply, with the production of County work records on the employee's personal devices. The employee may comply with this requirement by providing such records to the County, without otherwise subjecting their personal device to any County search. The production of County work records from personal devices and third-party websites does not otherwise infringe on an employee's expectation of privacy in non-work related information, data, and materials of any kind on personal devices and third party websites.

Work-related electronic records created on a personal mobile device should be exported from the mobile device and stored with related records in the records repository designated by their Department, Division and/or Program. If you have questions about Records, please contact records@multco.us for assistance.

REFERENCES

Administrative Procedure REC-1

Executive Rules 300 and 301

MCPR 3-35 Use of Information Technology

MCPR 4-20 Benefits