

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

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|----------------------|--|--|---------------------------------|
| AGENDA TITLE: | Adoption of Resolution No. 353 amending Section 8.12 of the Employee Handbook regarding mobile computing devices | | |
| DEPARTMENT: | Human Resources | | |
| PRESENTED BY: | Marci Wright, Human Resources Director | | |
| ACTION: | <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Motion |
| | <input type="checkbox"/> Discussion | <input type="checkbox"/> Public Hearing | |

PROBLEM/ISSUE STATEMENT:

Section 8.12 of the Employee Handbook, *Telephone, E-Mail, Voice Mail and Other Communication Systems on City Equipment and Personal Equipment*, did not include language covering applications on City mobile computing devices, such as tablets and smartphones. As the City has added more of this type of equipment, it became prudent to adopt a policy clarifying downloading and paying for applications on these devices.

RESOURCE/FINANCIAL IMPACT:

There is no resource or financial impact to adopting Resolution No. 353.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 353 amending Section 8.12 of the Employee Handbook regarding mobile computing devices.

Approved By: City Manager **DT** City Attorney **IS**

INTRODUCTION

In order to improve efficiency and provide excellent services to our customers, the City endeavors to keep current with appropriate technology and related equipment. Section 8.12 of the Employee Handbook, *Telephone, E-Mail, Voice Mail and Other Communication Systems on City Equipment and Personal Equipment*, provides important policy guidance to employees concerning appropriate use of this City equipment. As technological tools change and improve, the City periodically needs to update our policies concerning use of these tools.

BACKGROUND

Over the last year or so, the City has added mobile computing devices, such as tablets and smartphones, to our inventory of technology equipment. With the advent of these mobile computing devices comes the option for employees to add applications to these devices, regardless of whether the applications serve a business-related function. Our current policy covering employee use of City equipment, Section 8.12 of the Employee Handbook, does not provide a policy for the installation or use of applications on City equipment.

The proposed amendment to Section 8.12 would forbid staff from downloading applications on mobile computing devices that do not serve a business-related function and would require Department Director and Information Technology Division Manager approval prior to staff downloading applications that do serve a business-related function. To this end, staff is proposing to add the following new paragraph to Section 8.12A:

Employees shall not download applications that serve no official City function or purpose on City mobile computing devices. This includes, but is not limited to, games, documents, mobile services, entertainment/recreational applications, etc. If a mobile application is to be used in the course of official City business, the employee shall receive approval from their Department Director and the Information Technology (IT) Division Manager prior to downloading the application on a City device. If there is a cost for the application, the employee must also receive approval from their Department Director for the cost expenditure and the cost must be paid using funds from the employee's Department. All applications used in the course of official City business that are downloaded on City devices are the property of the City and must always be accessible.

In addition, staff is proposing to add the following clarifying language to Section 8.12B:

No City funds may be used to purchase City-approved applications on personal mobile computing devices.

RESOURCE/FINANCIAL IMPACT:

There is no resource or financial impact to adopting Resolution No. 353.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 353 amending Section 8.12 of the Employee Handbook regarding mobile computing devices.

ATTACHMENTS

Attachment A: Proposed Resolution No. 353

RESOLUTION NO. 353

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISIONS TO PERSONNEL POLICIES TO PROVIDE FOR ADDITIONAL POLICIES RELATED TO USE OF CITY EQUIPMENT

WHEREAS, the City Council has adopted benefits and working conditions in the Employee Handbook first adopted in 1999; and

WHEREAS, the Employee Handbook contains provisions governing City employees' use of City equipment; and

WHEREAS, the City is now providing a new type of technology equipment (mobile computing devices); and

WHEREAS, staff recommends adding provisions to cover the use of these mobile computing devices; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. Revision. Section 8.12 of the Employee Handbook is revised to read as follows:

8.12 Telephone, E-Mail, Voice Mail and Other Communication Systems on City Equipment and Personal Equipment

A. City Equipment

Computers, electronic mail, telephones, mobile computing devices (tablets/smartphones), voice mail, facsimile machines, copy machines and other information-related City equipment are provided to employees to be used for City business purposes and may be accessed by other City staff. Supervisors are responsible for regular monitoring of phone call identification logs to enforce this policy and message or file monitoring by the City may occur with prior permission of the City Manager or for purposes of public records production.

Employees are not to attempt to gain access to another employee's computer file, e-mail messages or voice mail messages without that employee's permission.

Employees shall not negligently or willfully damage City equipment nor engage in unauthorized use including use that is disruptive or offensive to others, supports any profit-making business or outside employment, solicits contributions for any cause or advocates for or against any ballot measure or candidate.

For the convenience of the employee, it is permissible to place or receive occasional personal calls or e-mail not excluded above, but such use should be minimized. Long distance calls and cellular calls must be accounted for on a regular basis, with reimbursement provided to the City for personal use outside the following exceptions:

- De minimus activity not to exceed \$2.00 per billing cycle
- Placing calls to notify family of emergencies or unexpected changes in a work schedule.

Employees shall not place or receive text messages on City cellular phones. This includes both City business-related text messages and personal text messages.

Employees shall not download applications that serve no official City function or purpose on City mobile computing devices. This includes, but is not limited to, games, documents, mobile services, entertainment/recreational applications, etc. If a mobile application is to be used in the course of official City business, the employee shall receive approval from their Department Director and the Information Technology (IT) Division Manager prior to downloading the application on a City device. If there is a cost for the application, the employee must also receive approval from their Department Director for the cost expenditure and the cost must be paid using funds from the employee's Department. All applications used in the course of official City business that are downloaded on City devices are the property of the City and must always be accessible.

B. Public Disclosure of Records Located on City Equipment/Accounts and Personal Equipment/Accounts

As a public agency, all City business records, even if located on personal equipment, are public records and can be protected from disclosure only if a specific exemption in the Public Records Act exempts the record from disclosure. As a result, e-mails and text messages, phone and text messaging logs, and all other documents related to City business located either on City equipment or on personal equipment or personal accounts are subject to public disclosure, if requested. Employees should not expect any right to privacy in the public records located on their City equipment or on their personal equipment.

Entirely personal records located on City equipment or on personal equipment are not considered public records and are not subject to disclosure.

No text messaging for City business is allowed. ~~No emailing on personal accounts for City business is allowed.~~ No City funds may be used to purchase City-approved applications on personal mobile computing devices. Personal phones and personal computers may only be used for City business under the following circumstances:

1. The phone call is made to a City phone; or
2. The document or email is saved on the City's server.

An employee may be approved by their Department Director to use a personal cell phone for City business under circumstances other than those designated above that will assure record retention and production in compliance with the Public Records Act including:

- The employee shall be responsible for retaining phone records associated with personal phones that reflect City business communications for a minimum of one year from the date the call is made or received.
- In the event of a public records request for City-related records located on an employee's personal equipment or personal account, employees must cooperate with the City and produce those records for disclosure.

Records that mix both City business and personal business are considered public records and are subject to disclosure in their entirety. The Public Records Act does not allow redaction of personal information within a public record.

No City business may be conducted on private social media (tweets, blogs, web posts). City business may be conducted on a City-sponsored social media.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 9, 2013.

Keith A. McGlashan, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk