

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 10.8

TELEPHONES, BOARD ISSUED CELLULAR TELEPHONES, AND WIRELESS COMMUNICATIONS DEVICES

Purpose:

This policy sets forth the requirement for the use of telephones, cellular telephones, and wireless communication devices. This policy also sets forth the requirements of Board employees who, based on their position, are identified as essential to carry a Board issued cellular telephone or other wireless communication device (WCD). A wireless communication device is defined as cellular telephones, personal digital assistants (PDAs), Blackberries/Smart phones, Wi-Fi-enabled or broadband access devices such as laptops or iPads, or other communication device that enables immediate contact, regardless of the person's location at the time.

Policy:

I. Facility Telephones:

Telephones are for business purposes and every effort should be made to minimize personal incoming and outgoing calls.

Incoming calls will be forwarded to the employee. In the event the employee is unavailable, a message will be taken, or the call will be forwarded to the employee's voicemail box. Emergency calls will be given directly to the employee's immediate supervisor, if the employee is unavailable.

Except for emergency situations, or with prior supervisory approval, personal long-distance calls using Board telephones are prohibited. In either exception, the employee must fully reimburse the Board for the cost of the use promptly. Unreported, and/or unreimbursed personal toll calls will lead to disciplinary action.

II. Board Provided Cellular Telephones and WCD's:

Cellular telephones and/or other wireless communication devices (WCD's) may be provided to employees by the Board for specific business purposes only. Consideration of the following criteria will be used to determine if an employee's position requires the provision of a cellular telephone or WCD:

- A. Their jobs require them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and have regular access to telephone and/or Internet connections while outside their office or assigned work area;
- B. Their jobs require them to be accessible outside of scheduled or normal working hours or to be contacted and respond in the event of an emergency; or
- C. Their jobs consistently require timely and business critical two (2) way communication for which there is no reasonable alternative technology.

(This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home).

or

- D. Safety requirements indicate having a Board provided cellular telephone or WCD is an integral part of meeting the requirements of the employee's job description;
or
- E. More than fifty percent (50%) of the employee's work is conducted outside the employee's assigned office or work area;
or
- F. The employee may be required to be on-call 24/7; or
- G. The employee's job requirements include critical Board-wide decision-making.

III. **Employee's Responsibilities**

Cellular telephones and WCD's are issued to Trumbull County Board of Developmental Disabilities (TCBDD) employees to support the effective and efficient performance of their jobs. These devices are intended for Board business purposes only. Each individual who receives a cellular device or WCD is responsible for safeguarding the equipment and controlling its use. Employees are required to be professional and conscientious at all times when using company telephones. Responsibilities of the employee when issued a WCD include, but are not limited to, the following:

- A. Personal use of board provided cellular telephones is prohibited except in the case of an emergency. Regardless of the reason for personal use, the employee may be required to reimburse the Board for all personal and non-business charges and/or fees;
- B. Employees are responsible for any damage, abuse, neglect, loss, or theft of the cell phone or WCD while it is in their care;
- C. That abbreviated calls home or to family members by employees when required to work beyond the normal working day shall be considered business calls. Employees are expected to keep personal use of company issued phones to a minimum.
- D. Employees using a Board issued cell phones are not permitted to withhold their cell phone number from other Board employees who need it to conduct Board business. Additionally, employees working remotely will need to provide their cell phone number to individuals, family members, and other stakeholders, as needed, in order to conduct business;
- E. Employees are required to modify their signature on all Board email to reflect their board provided cell phone number;

- F. The employee is required to return all Board issued equipment and accessories when they separate employment with the Board for any reason;

Employees found to be in violation of the Board's cell phone usage policy may result in the loss of access, disciplinary action, or other legal action.

Board owned cellular telephone logs will be reviewed on an ongoing basis to ensure the cellular telephones are only being used for their intended purpose. Unreported, and/or unreimbursed personal calls may lead to disciplinary action.

IV. Safe Use of Board provided Cellular Telephones or Wireless Communications Devices

Employee safety is a priority of the Board, and responsible use of Board provided cellular telephones or WCDs includes safe use. The Trumbull County Board of Developmental Disabilities has a zero-tolerance policy regarding using a cell phone while driving.

For their own safety, and the safety of others, employees must use hands free calling when available or pull over and stop at a safe location to dial, receive or converse on the cell phone in any way;

Employees should plan their work accordingly so that calls are placed, text messages/instant messages/e-mails read and/or sent, and/or the Internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.

If an employee receives a call on a Board provided cellular telephone while traveling in a Board vehicle, the employee must pull the vehicle over in a safe location out of traffic in order to answer the call.

V. Duty to Maintain Confidentiality of Personally Identifiable Information - Public and Board Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their wireless communication devices.

Wireless communications, including calls, text messages, instant messages, and e-mails sent from cellular telephones or WCDs, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to enrolled children and adults.

Additionally, wireless communications, including text messages, instant messages and e-mails sent and/or received or stored on an employee's Board provided Cellular telephone or WCD is considered a public record and subject to the Board's records retention and disclosure policy.

The Board has authorization, responsibility, and authority to monitor an employee's Board issued cell phone usage or WCD. Employees using Board issued cell phones or WCD should have no expectation of privacy.

Employees who store information on their Board provided cell phone, that includes personally identifiable information about a child or adult enrolled must ensure their phone is locked or password protected at all times. Should an employee's WCD become lost or stolen, the employee is obligated to notify their supervisor immediately. The Board may, at its sole discretion, erase any and all information contained on the board provided cell phone, in order to protect the privacy of eligible children, adults, or family members.

VI. Privacy Issues

Except in emergency situations or as needed to conduct official board business, employees are prohibited from using Board provided cell phones to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any enrolled child or adult, employee or other person on Board property, or while attending a board-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images.

Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by a leadership employee or Superintendent.

Cellular Telephones and/or WCD's, including but not limited to those with cameras, may not be utilized at any time in any situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, classrooms, and any other areas where children or adults may change clothes or be in any stage or degree of disrobing or changing clothes.

VII. Personal Use of Cellular Telephones and WCD's While at Work

During work hours personal communications made or received, regardless of whether on a cellular telephone, WCD, or a regular telephone or network computer can interfere with employee productivity and distract others.

Employees are expected to use discretion in using WCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board's policy in this regard.

At no time may any Board provided cellular telephone or other provided WCD be utilized by an employee in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

VIII. Potential Disciplinary Action

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a telephone, Board provided cellular phone, or

WCD in any manner contrary to local, State or Federal laws will constitute misuse, and will result in disciplinary action up to and including termination.

Employees receiving a board owned cellular telephone or other WCD must sign a form indicating they are in receipt of this policy and understand and will comply with its contents.

The Board reserves the right to update, modify, or amend this policy at anytime as needed to ensure compliance with applicable rules or laws.

Adopted: 10/22/2012
Revised: 6/26/2023

Applicability:
Board Policy Manual



Board President



Superintendent