

Attachment 2

Chapter 1
Section 22

ADMINISTRATIVE PROCEDURES MANUAL



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Section 22
Issue 6 Date 12/18/2016

SUBJECT: USE OF COUNTY COMPUTER AND COMMUNICATION RESOURCES

I. Purpose

The purpose of this procedure is to ensure that access to County Computer and Communication Resources within Lane County is used appropriately and the use is consistent with Oregon Public Records and Government Standards and Practices law, Federal, State and Local Regulatory Compliance Requirements and to establish rules governing such use of County Computer and Communication Resources. The primary objectives are to meet the County's performance goals; to maintain the organization's credibility with our clients, the public, and to protect the integrity of the County's Computer and Communication Resources. Lane County reserves the right to review any data, files, or communications created, sent, accessed, stored, or received on its Computer and Communication Resources.

II. Scope

This procedure is applicable to all County departments and is administered in accordance with the authority delegated to the County Administrator in Lane Code 2.110(4) (f) and Lane Manual 4.220. Where any section, subsection, sentence, clause or phrase of this procedure is found to conflict with both properly negotiated and ratified collective bargaining unit contracts or with any state or federal law or administrative rule, the terms of such contracts, laws, or rules prevail. Exceptions will take effect upon written approval of the County Administrator. Individual Department Directors may establish more strict procedures for their respective departments.

III. Amendment

This procedure may be amended by the County Administrator.

IV. Definitions

The following definitions apply throughout this procedure whether or not the terms are capitalized.

County Computer and Communication Resources ("Communication Resources"): All forms of information technology that are acquired, purchased, leased, or licensed by

Lane County; accessed on or from Lane County's premises; accessed using County computer or communication equipment, or County-paid access methods; or used in a manner that identifies the individual with Lane County. This includes, but is not limited to, e-mail, Internet, Intranet, County computer hardware and software, County wired and wireless Personal mobile devices such as, tablets computers, cellular telephones, and other wireless voice or data devices. This definition does not include personal use of a personal computer communication device when connected to the public wireless network or when used as a stand-alone device.

County Equipment: All computers, laptops, desk phones, cellular phones, tablets, iPads, radios, etc. owned by Lane County and is used by employees in the course of County work.

Data: Information in a form suitable for processing by a computer, such as the digital representation of text, numbers, graphic images, or sounds.

Download: To copy data (usually an entire file) from one location to another. The term is often used to describe the process of copying a file from the Internet to one's own computer.

E-Mail: The transmission of text messages, memos, and reports from one email address to another.

Internet: The Internet is a global system of interconnected computer networks that use the standard Internet Protocol. It is a network of networks that consists of millions of private, public, academic, business, and government networks, of local to global scope.

Intranet: An intranet is a computer network that use Internet Protocol technology to share information, operational systems, or computing services within an organization. The term is used in contrast to *internet*, a network between organizations, and instead refers to a network within an organization.

Jailbreaking: To gain access to the operating system of (a smartphone, tablet, etc., especially an Apple device), usually in order to run modified or unauthorized software.

User Account: A network access account established for general access purposes, such as file permissions, timecards and email.

Wired Telephones: Lane County's telephone system, currently a land-line based system.

Wireless Telephones: Cellular telephones.

Wi-Fi Enabled Devices: Wi-Fi is a popular technology that allows an electronic device to exchange data wirelessly (using radio waves) over a computer network, including high-speed Internet connections.

V. Ownership and Public Records. Communication Resources are provided and may be used only in the furtherance and conduct of County business.

A. Public Records

1. Except as provided by the Oregon Public Records Law exemptions, and unless otherwise specified, all software programs, documents, and data generated by or residing on the Communication Resources or generated by County employees or others at the direction of the County, and all Communication Resources are County property and public records.
2. Employees should not expect personal privacy with respect to any of their activities using Communication Resources. Under Oregon's Public Records law, there is no absolute right to privacy for any public record, which includes e-mail and other data; in fact, all County records are public records subject to limited confidentiality and disclosure exceptions.
3. Subject to certain state or federal confidentiality laws, the County reserves the right to access and disclose without prior notice any data stored on Communication Resources, including but not limited to removable flash or external storage devices, or created storage media.
4. Within limited exceptions under certain state or federal confidentiality laws, any data or telephone records may be accessed and reviewed at any time without prior notice by the Department Director, the County Administrator, the Information Services Director, County Counsel, or County Human Resources Manager. Data or records may also be accessed and reviewed by Information Services or other assigned support staff in their role of providing support services.
5. Retention of data. Since County data is public record, it is subject to the same retention requirements as hard copy documents. Data must be retained even if it is confidential, privileged, or otherwise exempt from disclosure under the Public Records Law unless state or federal law specifies otherwise. http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_300.htmlhttp://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_300.html. The retention and disposition of public records is authorized by retention schedules issued by the Secretary of State Archives Division. http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_300.html Records may be retained either in hard copy or electronic format. If a hard copy of the electronic data is printed, then the electronic version may be deleted. One version must be kept according to the applicable retention schedule. Questions about retention of electronic data (or other public records) should be directed first to the Department Director, then, if necessary to County Counsel.

B. Exceptions to records requests

1. The County may exercise any applicable privileges and objections to a public records or discovery request made for any County data contained in the Communication Resources or otherwise created or utilized in the furtherance of County business.
2. An employee who wants the County to assert a privilege or objection under the Public Records law with respect to County data must notify the Department Director who will consult with County Counsel about the request.

VI. Guidelines. The following guidelines are designed to assist employees in their use of Communication Resources.

- A. Communication Resources should be used as a tool for County business purposes. They are not to be used for personal pursuits while at work, unless permitted under Section VII.
- B. Users should not expect privacy; they should observe courtesy and good security practices. There are a variety of ways data can be disclosed to people other than the intended recipient, including as a result of unauthorized access. The intended recipient of data or voice communication can forward information to a third party without the creator's knowledge; data communications sometimes are misdirected or disclosed to third parties due to human or system error. Data can be disclosed in the course of maintaining the Communication Resources.
- C. E-mail may only be used in the conduct of county business except as allowed for personal use as defined in section VII. C. below. If an employee receives an inappropriate e-mail, he or she should take appropriate steps to inform the sender to not send such e-mail, delete the message (subject to Oregon Public Record Act limitations) and not forward it. The employee can contact the Information Services Department if assistance is needed.
- D. Employees should represent Lane County's best interests, with a prudent exercise of judgment in the use of Communication Resources. This includes avoiding visiting improper Internet sites or taking part in non-business related discussion sites, such as chat rooms, blogs, newsgroups, and instant messaging. When logged in from a site that is identifiable with Lane County, employees should avoid any communications or activities that could be construed as improper or that otherwise could harm Lane County's reputation.
- E. Employees should respect the rights of others. Employees must comply with all copyright laws when copying or distributing any copyrighted material. It is

always wise to treat all material as copyright protected, unless the author has given his or her permission for the material to be redistributed.

VII. Acceptable Use:

A. County Business. Communications Resources are provided for and may be used only in the furtherance and conduct of County business except as specified in section VII. C. below. Acceptable uses of Communications Resources include communication, data creation, and Internet activity that are in support of County-budgeted programs and activities. Examples of acceptable use in support of County activities include:

1. Communication for County purposes with private sector, federal, state, or local government agencies, their committees, boards or commissions.
2. The use of Internet search engines to research work-related topics.
3. Any other administrative communications or activities that are in support of normal and accepted County programs.
4. Communication for current position-related professional development, or other professional development approved by the Department Director, to increase knowledge of issues in a field or subfield of knowledge.

B. Wireless Devices. The use of County-provided Wireless Telephones and Wi-Fi Enabled Devices is limited to work-related duties. Employees may not use any such device for personal use, except when a personal call is related to official duties such as a meeting, which runs later than expected or a last minute change of schedule. Incoming calls regarding family emergencies are also permitted. The Oregon Government Standards and Practices Commission Advisory Opinion No. 98A-1003 prohibits all other personal usage of County-provided cellular telephones; the same logic applies to Wi-Fi Enabled Devices that utilize network communications. Only County owned devices or those with a County Stipend will have access to County systems and these devices will have Mobile Device Management (MDM) installed on them by Lane County Information Services.

1. The County may require that certain employees carry a Wireless Telephone or Wi-Fi Enabled Device for job related purposes. If so required, the County may assign a County-owned device and calling plan for the employee's work-related use.
2. Alternatively, at the sole discretion of the Department Director and upon request of the employee, a monthly stipend as established by the County in LM 4.220 may be paid to the employee in lieu of being assigned the Wireless Telephone.

- a. An employee requesting the stipend must sign an authorization form (Appendix A) and submit the form to the Department Director for approval. Department Directors have full discretion to approve or deny such a request, but any approval must be consistent with budgeted resources.
- b. After the Department Director has approved the request, the form must be submitted to Financial Services.
- c. **Personally-owned cell phones and Wi-Fi Enabled Devices used with a data stipend are subject to the following conditions:** [LC1][LC2]
 - i. The Wireless Telephone or Wi-Fi Enabled Device must be password protected with a minimum password length of 4 characters. This password must not be disabled so as to prevent unauthorized entry to the County email system.
 - ii. The password must be changed at least every 90 days.
 - iii. The device must require entry of this password after 10 minutes of inactivity.
 - iv. It is mandatory the device should contain anti-virus software and you enable the firewall and encryption on these devices.
 - v. County data placed on or created in the performance of duties for Lane County retained on these devices is discoverable in legal proceedings and are subject to public records requests. This may require that you surrender your device long enough for others to obtain the information requested.[LC3].
 - vi. Employees shall not use these devices to house sensitive or confidential information. If an exception is granted to this rule due to business need for storage or transmission of this type of information, you must use appropriate encryption technologies[LC4].
 - vii. If your device is lost or stolen, report the incident to the IS Department within 24 hours; IS can perform a *remote wipe* of all County data contained on the device if it still active and communicating on the network.
 - viii. The Wireless Telephone or Wi-Fi Enabled Device will not be allowed to have direct network access to the County Intranet network. Access to County Intranet will be through approved remote network access methods.

- ix. The wireless device shall not be 'rooted' or 'jailbroken' at any time. This will result in immediate revocation of stipend privileges and the employee will be required to utilize a County owned device^[LC5]^[LC6].

C. Personal Use of^[LC7] County Equipment. Personal use of Communication Resources that otherwise complies with this APM and that does not interfere with County business is permitted subject to the conditions stated below. The Information Services Director, Department Director or the employee's supervisor may cancel this personal use privilege.

1. For the limited purpose of compliance with the state ethics rules (Government Standards and Practices Law and administrative rules); this personal use is considered part of an employee's compensation package.
2. Personal use may not involve any prohibited activity under Section VIII described below.
3. Personal use of the Internet on non-paid time (lunch break during regular work shift) is limited to a maximum of one (1) hour per week.

Personal use of the County email program (i.e., Outlook) during County-paid work time is permitted up to one (1) hour per week.

Personal use of other Communication Resources is not time limited, but must comply with all other aspects of this APM.

4. Examples of acceptable personal use:
 - a. Communication with family.
 - b. Review of County sponsored benefit account information, such as life insurance, retirement accounts, flexible spending (Section 125 program), and health insurance.
 - c. Use of Communication Resources, including County fax systems for submitting benefit forms or information.
 - d. Access of educational resources for career development.
 - e. Communications in support of community volunteer activities, such as school boards, and other non-profit organizations.
 - f. Tracking personal appointments and contacts is permitted during paid time and is not subject to the hour limitation or lunch hour restriction.

However, employees should be aware that contacts and appointments could be subject to disclosure under a public records request.

5. Department Directors may authorize individual exceptions to the timing of the personal use privilege under Section VII, C-3 above.

VIII. Unacceptable Use

- A. Prohibited Activities on County Equipment^[LC8]. Employees are strictly prohibited from using Communication Resources in connection with any activities listed below. While personal use is permitted by Subsection VII (C), it does not include or permit any of the prohibited activities listed below:

Note: the list below is illustrative of prohibited activities; however, if a prohibition exists in any applicable law, administrative rule, other administrative procedure or directive established within the employee's department, it is likewise applicable.

1. Using Communication Resources to conduct personal business for private financial gain or avoidance of private financial loss at any time.
2. Except for the purchase or sale of goods or services for County use when authorized by the Department Director, using Communication Resources to engage in any commerce, including the purchase or sale of any goods or services.
3. Accessing personal Internet accounts, financial, trading, and personal travel accounts to perform a financial transaction.

NOTE: the prohibited uses described in Sections VIII (A) (1), (2) and (3) likely constitute a violation of the Oregon Code of Ethics and may result in civil liability for the employee. See ORS Chapter 244.

4. Accessing other personal Internet accounts, such as social media, unless this access is needed to manage or participate in approved Lane County social media sites for business purposes.
5. Attempting to or circumventing, reducing, or defeating security or auditing systems of Communication Resources or those of any other organization without prior written authorization from the Information Services Director.
6. Taking any action that attempts to or renders the user's computer equipment unusable or that interferes with another's use of Communication Resources.

7. Obtaining unauthorized access to any computer system.
8. Using another individual's password.
9. Using another individual's account or identity without explicit documented authorization, unless approved by the Information Services Director, Department Director, County Counsel, or the County Administrator. (Use of Outlook's capability for granting and assigning delegates is allowed and provides necessary documentation.)
10. Giving non-Lane County employees or other users not authorized by the Department and Information Services Director access to Communication Resources.
11. Monitoring or intercepting the files or electronic communications of employees or third parties, unless this is approved by the Information Services Director, and one of the following: Department Director, County Counsel, or the County Administrator. This prohibition does not apply to an authorized use of a particular software program (for instance, calendar management).
12. Engaging in illegal, fraudulent, or malicious conduct, or conduct that causes someone else to suffer loss or harm.
13. Downloading and installing software off the Internet without previous authorization from the Information Services Director. [LC9].
 - i. Except as allowed under any software license any commercial software residing on the Communication Resources must have been purchased through an authorized vendor or otherwise lawfully obtained. Except as otherwise allowed under the software license, and except for backup/archival purposes, software owned by Lane County or installed on the Communication Resources is covered under the copyright laws and may not be copied, duplicated, or installed on any other computer resource.
 - ii. Copying or downloading any software from or onto the Communication Resources having the potential for bypassing or damaging the Communication Resources or the County systems' security is prohibited.
14. Soliciting, supporting, opposing, or promoting political or religious causes or beliefs.
15. Using the Communication Resources in a manner that would constitute or might be construed by a reasonable person to constitute an endorsement of a specific commercial entity by Lane County.

16. Working on behalf of organizations or businesses without any professional or business affiliation with Lane County, or working on behalf of organizations or businesses with such affiliation but outside of the specific County business with them.
17. Except as expressly authorized by the Department Director or the County Administrator as a matter of County concern, and except for communications in support of community volunteer activities as listed in Section VII, C, using the Communication Resources on behalf of non-profit or charitable activity. (Note: the annual Charitable Giving campaign is so authorized.)
18. Sending, receiving, or storing offensive, obscene, or defamatory data.
19. Sending uninvited e-mail of a personal nature.
20. Visiting or viewing pornographic Internet sites, downloading pornographic data from the Internet, sending or retrieving sexually explicit or offensive messages, cartoons or jokes, ethnic slurs, racial epithets or any other statement or image that might be construed as harassment, disparagement, libel, or discriminatory based on sex, race, sexual orientation, national origin, disability, or religious or political beliefs.
21. Annoying or harassing other individuals, including any prohibited form of harassment.
22. Distributing or storing chain letters, jokes, solicitations, junk mail, spam, offers to buy or sell goods, or other non-business material of a trivial or frivolous nature.
23. Using Communication Resources to play games.
24. Using Communication Resources in a manner that interferes with the productivity of another employee, co-workers, or the County Communication Resources.
25. Use of any large bandwidth Communication Resource for personal use (i.e. streaming video) unless authorized by the Department Director.
26. Connection of personally-owned devices to the County computer and Communication Resources, other than e-mail and calendaring through the cellular network or wireless devices through the public wireless connection, without authorization from the Information Services Department Director. Personally-owned devices are not allowed to be

directly connected to the Lane County internal network through either a cable connection, a docking station, or through the County private wireless network.

- B. Departmental Authorization. A Department Director may authorize a specific prohibited activity for a specific individual for legitimate County business purposes, except for activities that require the Information Services Director's approval. Such authorization must be in writing.
- C. Violation. ***Employees violating the Lane Manual policy or this APM are subject to discipline, up to and including termination of employment.*** Furthermore, employees using Communication Resources for defamatory, illegal, or fraudulent purposes also may be subject to civil liability and criminal prosecution.

IX. County Telephone System

- A. Overview. Within the current structure, Lane Council of Governments (LCOG) manages the telephone system and Lane County maintains policy control and approval authority. Approval of changes is required both at the department level and County Administration level. Departments will appoint telephone contact persons who are authorized to request telephone service and changes. The named telephone coordinator will call the Help line to initiate service requests or changes.
- B. Unused Equipment. Departments no longer requiring the use of specific telephones should request their removal. The removal of unused telephones results in the following benefits to the departments:
1. Station count and billing will be reduced appropriately.
 2. Cost of unused financed telephones will be allocated to all users.
- C. Moves, Changes, and Equipment Cost.
1. Phones coming from unused stock used to fill an order will be billed to the new user at the financed cost of the equipment.
 2. If a department has an order for phones that cannot be taken from stock, the station equipment required will need to be charged to an operating budget. This will reduce on-going costs for that department as the cost of the station equipment will not be billed after purchase.
- D. Software Changes. If a change is software only, LCOG will provide the requested service without seeking further approval. These changes are paid for out of the Phone Management budget, not on a fee-for-service basis.
- E. Work Order Approval and Processing. Work orders requiring technician time or additional equipment will be originated by LCOG after consultations with the department. An estimate of cost will be applied and routed to the originating department for approval. After department approval, County Administration will review, and if approved, the work will be performed and billed accordingly. Generally, time-frames for software moves and changes are 1 to 5 days; hardware changes 1 to 12 days; and line changes that involve the telephone company service 10 to 15 days.
- F. Unauthorized Changes. In order to preserve the integrity of the warranties on the telephone equipment and to avoid costly service and/or repair work, telephones, data adapters, and jacks must not be moved, removed, altered, installed or otherwise modified except by authorized telephone personnel.

X. Password Procedure

- A. Overview. Passwords are an important facet of computer security. They are the first line of defense for all Lane County user accounts. Lane County employees are responsible for taking the correct steps, as outlined below, to select and secure their passwords.
- B. Purpose. The purpose of this procedure is to establish a County Wide password policy for employees accessing the Lane County Communications Resources that require passwords.
- C. Password Requirements and Limitations
1. Employees must not use the same password for Lane County accounts as for other Non-Lane County access (e.g., personal ISP account, option trading, benefits, etc.).
 2. Employees must not write down passwords, or store passwords on-line without Information Services approved encryption software.
 3. Employees must not share passwords with anyone, including administrative assistants or co-workers. All passwords are to be treated as sensitive, confidential Lane County information.
 - a. Do not reveal a password over the phone to anyone.
 - b. Do not reveal a password in an email message.
 - c. Do not reveal a password to your supervisor.
 - d. Do not talk about a password in front of others.
 - e. Do not hint at the form of a password (e.g., my dogs name, street address, etc.).
 - f. Do not reveal a password on security forms or polls.
 - g. Do not share a password with family members.
 - h. Do not reveal a password to a co-worker while on vacation.
 - i. If someone demands a password, refer them to this document or have them call the LCIS Help Desk.
 - j. Do not use the “Remember Password” feature of applications (e.g., Outlook, Internet Explorer).

4. Passwords should not have any of the following characteristics:
 - a. The words “Lane County” or any derivation.
 - b. Birthdays and other personal information such as addresses, and phone numbers.
 - c. Word or number patterns like aaaccc, qwerty, zyxwvuts, 123321, etc.
 - d. Contain spaces in the password.
5. With the exception of Wi-Fi-enabled devices, passwords must have the following characteristics:
 - a. Be a minimum of 14 characters.
 - b. Be required to be changed at least every 90 days.
 - c. Not be similar to or the same as any of the past ten (10) passwords.
 - d. Not be changed more frequently than every one (1) day.
6. Security Incident reporting.

If an account or password is suspected to have been compromised, report the incident to the LCIS Help Desk.

X. Interpretation and Implementation

Any questions relative to the intent or application of this procedure should be directed to the Information Services Director, who is delegated the responsibility to interpret and implement this procedure.

Approved: 

County Administrator

12/18/2016
Effective Date

APPENDIX A - Use of Employee-Owned Wireless Telephone for County Business

As a Lane County employee, I have been authorized to carry a county-provided wireless telephone for job related purposes. I make this request to receive a monthly stipend for use of my personal wireless phone in lieu of being assigned a county-owned wireless phone.

In accordance with APM Chapter 1, Section 22, I agree to use my own wireless phone for County business according to the job requirements assigned by my supervisor or director and I agree to the following:

- The County may publish my personal wireless number and/or e-mail address as needed.
- I am responsible for acquiring a cellular telephone and calling plan and maintaining active service at all times while receiving the stipend. I am also responsible for any service and maintenance cost for my own phone. The County is not responsible for replacement cost of lost, stolen, or damaged phones.
- My supervisor or director may establish call availability requirements. Job related calls should be responded to in a timely manner and personal calls during assigned duty periods should be kept to a minimum.
- The stipend will be paid monthly through the payroll system and is considered taxable income and as such will be subject to standard payroll taxes. The initial stipend rates are: basic cell service \$35.00 per month; basic Internet service \$35.00 per month; cell and Internet service combination \$70.00 per month. The rates are subject to change based on a review of costs of services.
- Records of calls made or received on my wireless phone for which the stipend is received may be subject to public records laws.
- Managers may review call logs and Internet logs for verification of valid County business use.
- Approval of the stipend and/or assignment of a wireless telephone are at the sole discretion of the County, and the County reserves the right to modify or discontinue such practice at any time for any reason.
- I understand that I must notify the Department Director and Financial Services if, at any time while receiving the stipend, service is disconnected for any reason, in which case the stipend will also cease.
- I understand that this stipend may be revoked or modified at any time for any reason.
- I further understand that a new request and approval must be submitted each July 1. Failure to submit a request and approval to Financial Services will result in no payment of a stipend.

ACCEPTANCE: Date: _____

Action (Check One): Start: _____ Stop: _____ Continue: _____

Choose Service: Cell: _____ Internet: _____ Cell & Internet: _____

Print Name Employee ID Phone Number Signature

Supervisor/Manager Department Director (Required) HR Labor Code