

Staff Report

for the Board of Directors Meeting of December 12, 2018

TO: Honorable Board of Directors

FROM: Jana Kolakowski, Human Resources Manager

DATE: December 5, 2018

**SUBJECT: Mobile Electronic Communication Devices and Use Policy
(Consent)**

HUMAN RESOURCES

RECOMMENDATION:

Adopt Resolution No. 2018-39 (Establishing Administrative Policy 2190 – Mobile Electronic Communication Devices and Use), as recommended by the Administrative Practices Committee on November 6, 2018.

BACKGROUND:

In order for District Staff to communicate in the most efficient way and increase safety in the field, District Staff has drafted a new Board Policy, Mobile Electronic Communication Devices and Use. Outside counsel also reviewed the Policy and AFSCME was provided the Policy during the meet and confer process and their feedback was considered in the final draft version.

The Policy will ensure the assignment, use and responsibilities are clear to all users of mobile electronic communication devices when using District-assigned devices and the District's corporate network. The Administrative Practices Committee approved the Policy to be forwarded to the Board's Consent Agenda.

BUDGETARY IMPACT:

None.

Attachments (2):

- Resolution 2018-39 (Establishing Mobile Electronic Communication Devices and Use Policy)
- Draft – Board Policy 2190 – Mobile Electronic Communication Devices and Use



RESOLUTION No. 2018-39

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ESTABLISHING ADMINISTRATIVE POLICIES –
Mobile Electronic Communication Devices and Use**

WHEREAS, the Nevada Irrigation District (the "District") intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, the District's insurance carrier provided sample guidelines for personnel and administrative policies for consideration by the District; and

WHEREAS, over the past few years, the District has adopted several administrative policies using the sample guidelines, in an effort to assemble a comprehensive policy manual; and

WHEREAS, certain District policies are outdated, and should be revised and formatted in the same manner as the sample guidelines; and

WHEREAS, such draft policies have been reviewed by the District's Legal Counsel and found to be in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policies as attached, and shall be incorporated herein:

#2190 – Mobile Electronic Communication Devices and Use

BE IT FURTHER RESOLVED, that the attached policies shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

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PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 12th day of December 2018, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Mobile Electronic Communication Devices and Use
POLICY NUMBER: 2190

2190.1 Purpose.

It is the District's wish to increase communication and enhance staff's ability to communicate and share information in the most advantageous way. The District understands that Mobile Electronic Communication Devices (MECDs) can contribute to effective communication, increased efficiencies, and reinforce the safety of its staff in the field. This policy establishes guidelines for the authorization, appropriate business use and monitoring of MECDs to District employees and officials.

2190.2 Scope.

This policy applies to all District employees and officials who are considered "users" of MECDs. Any user who conducts business on behalf of the District via a MECD (personal or District-owned) is bound by this policy.

2190.3 Definitions.

2190.3.1 Mobile Electronic Communication Devices (MECDs): include any mobile communication device that provides for voice and/or data communications between two or more parties including, but not limited to: a cellular telephone, text message devices, a personal digital assistant, a smartphone, an air card, a laptop computer or tablet that utilizes a cellular or network connection to a signal to provide Internet access.

2190.3.2 Corporate Network: the group of District computer systems and computing hardware devices that are linked together through communication channels. These communication channels include, but are not limited to: local area networks, wireless networks, Ethernet systems, Virtual Private Networks (VPN) supervisory control and data acquisition software systems (SCADA) and their network connections to outside agencies, utilities or other entities.

2190.4 Authorization.

The communication costs of MECDs can be significant. Therefore, issuance and use of these devices is limited to specific staff whose District job responsibilities require MECDs for effective job performance or execution of official duties on behalf of the District.

2190.5 Use.

District business should be conducted by employees on assigned MECDs if other means supplied by the District are unavailable.

The General Manager or his/her designee shall direct the District's Information Technology Department (IT) to modify, restrict or eliminate any MECD's connection to the corporate network at any time and for any reason that is deemed a security risk to its corporate network. The District also reserves the right to turn off, without notice, any access port to the network that puts the District's network, systems, data, users or customers at risk. This includes removal of a user's MECD connection to a District network.

2190.6 Privacy.

The District cannot and does not imply, extend, or guarantee any "right to privacy" for voice calls and/or electronic communications using District MECDs, including but not limited to: call records, logs, voicemail messages, data storage, text messages, email messages, photos or screen captures, data contained in applications downloaded onto a device, voice or video recordings, device internet browsing history and address books. In addition, all information in MECDs utilized for District business (whether personally owned or belonging to the District) are subject to disclosure pursuant to requests under the California Public Records Act unless otherwise exempted or prohibited by law.

2190.7 District Monitoring and Data Removal from MECDs.

The District reserves the right to review all transactional records and all information messages created, received, or sent on the District network, including all MECDs. Users of District networks understand that the District may use technical measures to retrieve messages without the sender's or recipient's prior knowledge. Additionally, the District may monitor, install or uninstall software and applications on District issued MECDs as deemed necessary by IT.

The District also reserves the right to delete District data from a MECD in the event that a user fails to comply with this policy or if the device is lost, stolen, replaced or changes ownership. This same right is reserved if an MECD user has separated employment, assignment or appointment from their position at the District.

An employee or official who connects to the District's networks on a personal MECD agrees that the District has the ability to erase all data on the device, if the District determines, in its sole discretion, that it is necessary to do so in order to preserve District's networks and devices security and integrity.

Adopted: December 12, 2018 via Resolution No. 2018-39