

Administrative Order



Administrative Order No.: 5-5

Title: Acquisition, Assignment and Use of Telecommunication Devices and Network Resources

Ordered: 04/20/2009

Effective: 04/20/2009

AUTHORITY:

Section 5.02 of the Miami-Dade County Home Rule Amendment and Charter

SUPERSEDES:

This supersedes Administrative Order 5-1 ordered and effective March 16, 1982; Administrative Order 6-6 ordered May 9, 2006 and effective May 19, 2006; Administrative Order 6-7 ordered December 7, 1999 and effective December 17, 1999.

POLICY:

Miami-Dade County provides telecommunication devices and network resources to its employees to support the effective delivery of services to County residents. This Administrative Order addresses the assignment and use of both wired and wireless telecommunication and network resources used to conduct County business.

Telecommunication and network resources include, but are not limited to: computers, cellular telephones, pagers, and other wireless devices, telecommunication equipment, access points, switches, routers, data, data storage devices, network capable devices, Internet and e-mail services, phones, radios, wireless transmission equipment and devices, and any other related County owned or operated information technology hardware or software resource.

As communications technologies continue to evolve, it is the policy of Miami-Dade County to review and approve the use of new devices and to phase out old technologies where economical and practical. Assignment and use of telecommunications devices and associated contracts shall be reviewed at least annually to ensure currency, timely adoption of new technologies and to safeguard the integrity of the County's communications infrastructure. Any County department or agency eligible for, and desiring access to the County's telecommunication and network resources will be provided access under the terms and conditions of this policy. Violation of this policy may result in restriction or revocation of access to these resources and may be grounds for disciplinary action up to, and including termination of employment.

Given the importance of communications and related computing devices and the need to protect data, information privacy and to ensure network security, it shall be the policy and practice of Miami-Dade County to maintain an inventory of telecommunications assets by department, tracked through its lifecycle, irrespective of the monetary value of the device.

RESPONSIBILITY:

The Enterprise Technology Services Department (ETSD) shall have administrative responsibility for this Administrative Order. However, Information Technology advisory bodies with responsibilities for recommending policies and standards, as may be appointed by the County Manager, will serve as the forum to discuss and promote updates to the Administrative Order that may be required after its initial adoption.

ETSD is responsible for the coordination and implementation of the policies established through this Administrative Order, as well as related procedures under its scope. It is the explicit responsibility of the Department, working in close cooperation with the Information Technology advisory bodies, as determined by those bodies, to manage the County's telecommunication network and set technical and security standards. ETSD will also set device usage and access protocols, issue telecommunication devices as necessary, manage provider contracts and provide billing, reporting and usage analysis to County Departments.

Directors in the using departments are responsible for the day to day use, control and monitoring of telecommunications devices and to ensure the resources are utilized appropriately. Without exception, it is the responsibility of departments to monitor such usage and costs, and to generally manage the usage of telecommunications resources in full accordance with this policy, governing laws and regulations. Periodic reports will be provided by ETSD to the County Manager concerning departmental usage.

The County Manager may at his discretion delegate the management and administration of individual networks, services and associated communications contracts to individual departments or agencies and to revoke such delegated authority. Departments charged with such responsibility shall adhere to all the provisions of this Administrative Order.

Enterprise Technology Services Department (ETSD)

It is the responsibility of the Enterprise Technology Services Department (ETSD) to:

- Evaluate wireless equipment and service carriers, manage provider contracts and provide reports, billing and usage analysis to departments;
- Set telecommunications and security standards for computers, protection

of sensitive data, telephones, network access, radios, wireless devices, and all related equipment;

- Upon approval by the designated approving authority, and in accordance with approved technology standards, evaluate, acquire and install the equipment as necessary with the associated services, pursuant to established procedures;
- Establish and administer specific operating procedures addressing and relating to: maintenance, repair and equipment warranties; lost, stolen or surplus equipment; customer service requests; telephone records; billing and charge-back costs; user training; vendor coordination, appropriately restricting access to County telecommunication and network resources, protection against theft or loss of sensitive or confidential data, real time detection of unauthorized use of assets and attempts to bypass security controls, ability to respond efficiently to computer security incidents and limit damage to the County's assets arising from such incidents, threat and vulnerability management (including proactive remediation of security vulnerabilities), ability to attribute network access to individuals and to monitor and audit their actions, and other issues related to the management of the County's telecommunications resources;
- Administer the maintenance and back-up functions related to the County's telecommunication and network resources;
- Provide periodic reports as necessary, to departments/agencies and the County Manager on usage, costs, security compliance and management issues;
- Review and process requests by departments for telecommunications devices and network access in accordance with the County's telecommunications standards and procedures;
- Issue telecommunications devices to eligible employees as necessary and provide for secure and appropriate access to the County's network, ensuring that data cannot be easily manipulated or accessed by unauthorized parties;
- Review and approve/disapprove all new devices for use within the County's communications network with respect to network compatibility, security and overall network integrity;
- At least annually (or more frequently if needed) request a review the County-wide assignment and use of telecommunications devices and associated contracts to ensure currency, timely adoption of new technologies where appropriate and feasible;
- Manage the County's inventory of telecommunications devices; develop adequate procedures to maintain the inventory surplus, to remove devices from the inventory and to maximize investment recovery;
- Provide general oversight of the usage, cost, security and integrity of the

County's communications network;

- Utilize available County procurement vehicles, as established by the Department of Procurement Management, to acquire communications devices and associated services;

Department/Agency Director

It is the responsibility of the Director of the department or agency requesting, accessing or using the County's telecommunication and network resources to review, approve, monitor and manage the assignments and day-to-day use of the resources by departmental staff. The concerned Department Director is accountable and responsible to ensure that all County policies, state and local laws are adhered to and procedures followed. More specifically, the Department/Agency Director shall be accountable to:

- Review and approve applications for issuance and assignment of County telecommunications devices to individual employees for County business;
- Provide adequate operational justification for telecommunication requests to ETSD including estimated usage levels, detailed operational necessity and justification;
- Obtain all necessary approvals as needed prior to forwarding the request to ETSD for final review and action;
- Ensure the appropriate and proper use of the assigned resources consistent with this and other administrative orders, laws and guidelines governing the use of County resources;
- Review and track costs, verify invoice amounts against planned costs and service levels, monitor the use of County equipment and ensure compliance with contractual terms;
- Take appropriate actions as necessary to remove surplus telecommunication equipment and services based on, but not limited to, technology obsolescence, costs, inappropriate use etc;
- Take appropriate disciplinary actions as necessary including but not limited to revocation of employee privileges up to and including dismissal as a result of violations, inappropriate use of the technology, abuse and other undesirable use of the technology;
- Take physical inventory of telecommunications devices as stipulated by ETSD and submit timely inventory listings to ETSD to update the County's inventory, to ensure continued compliance with approval criteria and for final reporting to the County Manager;
- Ensure that unwanted services are promptly disconnected, services terminated and billings discontinued; and
- Immediately terminate services and disable employee, contractor and

other interim accounts as soon as they separate from the County or as needed when employee responsibilities change. Services for employees transferring to another County department shall be reviewed and transferred to the extent necessary as approved by the department to which the employee is being transferred

County Employees:

Employees assigned County telecommunications devices and resources are responsible for their proper use, consistent with legal requirements, this and other administrative orders, and guidelines governing the use of County resources. This policy and associated regulations also apply to employees who access the County's network using personal devices whether or not the County subsidizes (wholly or in part) such devices and associated communications plans. Employees using and accessing the County's network and associated devices shall not transfer such privileges and/or equipment to any other person without expressed written authorization by their Department Director. The Department Director will promptly request ETSD to transfer the assignment of such assets as needed. Employees shall use the equipment in accordance with the provisions outlined in the section labeled: Authorized Use of Telecommunications Devices. Violations, inappropriate use of the technology, abuse or other undesirable use may result in the revocation of the employee's privileges and the administration of disciplinary action as necessary, up to and including dismissal.

APPROVAL OF WIRELESS TELECOMMUNICATION DEVICES:

All wireless telecommunications devices to be used by County departments must be approved by the respective Department Director. All departmental requests must be submitted with the necessary approvals to ETSD via a service request application form as established by ETSD. Each application for service/network access shall be accompanied by an appropriate service and operational justification. Justifications should include one or more of the following criteria;

- The services being requested are for executives, including Assistant Directors and executives of higher classification who require the device to conduct business for and on behalf of the County.
- The services are required for use by Miami-Dade County public safety officials including the Police, Fire, Correctional officers, or other public safety officials who require such a device in performing their duties for the protection of life and property.
- Regarding wireless devices, the services being requested are for County staff whose job requires the employee to:
 - Make and receive phone calls and/or messages crucial to the immediate safety and/or protection of life and/or property while in transit.

- The user's job requires making and receiving phone calls and/or messages while in transit, and delayed communication would cause a significant interruption in delivery of important services or a major negative economic impact to the County.
- Expeditiously and frequently communicate with others in providing County services in the absence of other telecommunications methods such as fixed telephones, pagers, two-way radio, voice mail, electronic mail, or fax machines to provide cost effective, satisfactory communications.
- The user's communications needs cannot be met through use of shared or pooled departmental resources including wireless devices.

EMERGENCY SERVICE REQUESTS:

Emergency requests for telecommunication services are allowed under special circumstances only, and shall not be used as substitute method of obtaining services. Emergency requests require, at a minimum, an e-mail request from the Department Director to ETSD for the immediate term and a formal application for the services if service is to be continued beyond 30 days.

BILLING AND ACCOUNT MANAGEMENT:

The County may choose to provide telecommunications devices (through various means) to qualified employees as it meets the best interest of the County with respect to service levels, costs controls, system integrity and acceptable usage. Consequently, the County will adhere to the following methods in managing the telecommunication equipment issued to eligible employees.

1. Issue a County-owned device where the County always owns the device and the account. The County may also choose other methods of assigning devices and allowing network access where such methods are in the best interest of the County
2. For cellular and PDA devices, each device will include a service package (including minute limits where applicable) that best suits the work the employee is expected to perform within the standards established by ETSD.
3. Department directors are accountable for reviewing service billing, accessing usage, and taking appropriate action to reduce plan costs where appropriate if the equipment is underutilized or appropriate corrective action where standard service plan costs are being exceeded.
4. Employees are prohibited from exceeding service plan limits (where the County pays for such minutes) unless such increase in usage is justified for conducting County business. Accounts of employees who exceed their assigned service plan charges must be revised and appropriate corrective action taken to upgrade service plans where justified, or to take

disciplinary actions as appropriate if they exceeded their service plan as a result of use prohibited by this Administrative Order.

5. Employees are prohibited from making personal long distance calls that attract a toll charged to the County, whether domestic or international, using the County's land lines or other communications devices.
6. Employees who need upgraded service plans to conduct County business must justify the need using proof from monthly billing and other supporting data.

The County reserves the rights to terminate or modify these business practices as technologies change, propagate and become universally accepted and more commoditized, costs of services and ownership change, or as needed to maintain data security and network systems integrity. ETSD will establish and periodically review procedures to be adopted for specific technologies.

AUTHORIZED USE OF TELECOMMUNICATIONS DEVICES:

Generally, County issued telecommunications equipment or equipment paid for by the County is to be used for County business. It is the responsibility of each County employee who is granted access to these resources to adhere to these guidelines policies when using or accessing the County's technology and network resources. Users working on County premises and those connecting from remote locations will be held to an equal standard of conduct for the appropriate use of the technology and network resources.

Notwithstanding the above restrictions, this Administrative Order provides employees with limited privileges for incidental personal use of telecommunications resources. Employees may utilize, on a limited basis, their assigned information technology tools for personal use during breaks, or at other times with the permission of their management. Examples of permissible usage include web searches for personal research, self-study and application for County jobs, which shall be performed in a safe and responsible manner that does not interfere with job responsibilities or violate any of the provisions of this Administrative Order. Given that telecommunication equipment is provided to support County business, the employee's incidental use of such equipment for personal reasons is not entitled to any rights of privacy.

All County employees implicitly recognize and accept the published standards for appropriate use and will confine their activities to those not excluded by policy and guidelines including but not limited to the following prohibited uses:

1. Use of the technology and network resources that may be in violation of Federal, State or local laws, regulations, administrative orders or departmental rules;
2. Use of cellular phones while operating a County owned vehicle, unless the device is operating in a hands-free mode, consistent with Section 30-421 of the County code;

3. Activities which could subject the County to civil or criminal liability, such as:
 - a. Illegal discrimination based upon race, nationality, ethnic origin, religion, sex or other protected classes
 - b. Copyright violations and violations of software licenses
 - c. False advertising
4. Attempting to, or bypassing security measures (“hacking”), or exploiting vulnerabilities that may be present in the County’s network;
5. Representing oneself as a spokesperson and/or making commitments on behalf of the County or a department without authorization or representing oneself as another person;
6. For personal or commercial financial gain, mass production of information, mailings, etc;
7. Exposing sensitive County information such as security specifics, copyrighted software products, or information deemed sensitive or confidential under the Public Records Act, Chapter 119, Florida Statutes or information that the sender is not authorized to release;
8. Violation of personnel or departmental rules, or for partisan political or religious activities;
9. Distribution of messages that are, abusive, threatening, pornographic, or sexually explicit, or to convey hate messages or images;
10. Transmitting messages, images or sounds to others that are offensive to a reasonable person because they contain lewd images, language or comments of an inappropriate personal nature, or are intended to harass or annoy;
11. For illegal, fraudulent, or malicious activities;
12. Disclosing a personal password or using any means to obtain and/or utilize the passwords of others without authorization;
13. Maliciously damage or delete another user’s files;
14. Originating or intentionally propagating computer viruses, spam and/or chain letters.
15. Playing recreational games, except as part of an instructional tutorial;
16. Attempting to circumvent security restrictions, except when sanctioned by management in order to test security;
17. Installing hardware or software onto the County’s network or computers without the appropriate approvals;
18. Storing of data files for unacceptable use as defined by this Administrative Order or other Federal, State and County laws;

19. Broadcasting messages to all users, except when approval is obtained from the County Manager or designee.

PUBLIC RECORDS:

Chapter 119 of the Florida Statutes, commonly referred to as the Public Records Law, makes every government record public unless there is a specific exemption approved by the State Legislature. Under this law, computerized public records are treated in the same way as documents written/printed on paper. Electronic and other records are subject to retention schedules established by the State of Florida. Inquiries regarding the retention schedules should be forwarded to the Clerk of Courts, Office of Records Management.

Official Miami-Dade County electronic files, documents or electronic transmissions (as defined by law) in an employee's account are considered to be public record, and may be subject to inspection, as permitted by law. Miami-Dade County reserves the right to review employees' files, documents, e-mail, or use any data created or stored on County technology and network resources as it deems appropriate. The County also reserves the right to monitor, log and review all electronic communications originating from, or received by, County equipment. All applicable United States, State of Florida and Miami-Dade County laws and policies will govern the inspection of electronic files, as well as, any action resulting from such inspection.

County Mayor

Approved by the County Attorney as
To form and legal sufficiency _____