

NEVADA DEPARTMENT OF AGRICULTURE
TELEPHONE USE POLICY
POLICY #AG-2-ADM-2

PURPOSE:

The purpose of this policy to provide uniform guidance on the purchase and use of telephones and wireless communications devices used to carry out Department business.

The Department recognizes that providing telephones and wireless communications devices furthers the Department's mission and is a necessary part of carrying out every day business. The Department also recognizes the need to ensure that the purchase or reimbursement of these devices is cost-effective and these devices are used appropriately. This policy details responsibilities of employees with regard to use of telephones and wireless communications devices.

POLICY:

The Department provides telephone and wireless communications services for staff in support of mission-related activities and promotes the cost-effective, appropriate and secure use of those devices.

SCOPE:

This policy applies to all employees of the Department of Agriculture.

REFERENCES:

NRS 281.121, NRS 289.800, NRS 608.165, SAM 1614, SAM 1616 and in accordance with State Budget Procedures,

PROCEDURES:

1. Overview

The primary use of the State telecommunication equipment and services is to be for official business and to support the Department's mission.

Telecommunication systems are state resources and must be used and managed in the most responsible and cost effective manner and always in the best interest of the State.

All employees are responsible for the proper and professional use of State telecommunications systems and to adhering to all policies, standards, and guidelines for their use.

Employees should always use telephone directories or Internet directory web sites to determine business-related telephone numbers rather than calling fee-based directory assistance operators.

2. Office or Landline Telephone Set Up, Updates, or Service

Employees should contact the Department of Agriculture's Technology Administration office for landline telephone setup, updates or service requests. This office will be the single point of contact for these requests, and will be responsible for combining and coordinating with Enterprise Information Technology Services (EITS) for the requests to minimize the number of service calls.

3. Cellular Telephones and Mobile Devices

State owned cellular telephone and services and other mobile devices are Department resources and will be made available when there is a justified business need. Employees who desire to request a cellular phone or mobile device need to go to www.verizonless.com and find the mobile device they think would be sufficient to perform the functions of their job.

Requesting a Cellular Telephone or Mobile Devices

To request a cellular telephone, a wireless mobile device, an upgrade, a replacement or make a request for any accessories, Department employees need to fill out and sign the Department's **Verizon Mobile Device Purchase Request Form**. This form is available on the Department's Intranet site. All fields of this form need to be filled out and a copy of the pricing and specifications from the Verizon wireless website need to be attached to the form.

Verbal or email requests for mobile devices are not an acceptable form of request by any Department employee and all employees will be directed to fill out the **Verizon Mobile Device Purchase Request Form**.

The completed form needs to be submitted to the Division Administrator for signature approval. This form needs to include a justification for the device that identifies the position, a brief summary of the position's duties that require the use of a mobile device, and should include the percentage of time out this position is out in the field or in travel status.

Approval Process

If the Division Administrator approves the mobile device request, then the Division Administrator will submit the completed form to the Management Analyst I (PCN 0200). The Management Analyst I will forward this to the Budget Analyst with fiscal oversight of the requestor's budget. The Budget Analyst will determine if the purchase of the mobile device was budgeted for and if not will make a determination if the purchase of the mobile device can be supported in the current budget year and future budget years as well. The Budget Analyst will also determine if the justification is supported by the existing job description.

If there is no budget authority to support the purchase of the mobile device and the associated plan, then the Budget Analyst will reject the request and note the reason for the denied request, and will return the form to the Management Analyst I. The Management Analyst I will keep the original request form for their files and will make a copy and return the copy of the denied request form to the Division Administrator.

The Director, Deputy Director, Executive Assistant and Division Administrators are pre-justified for cellular telephones and service and mobile devices. All requests from this group for new or replacement mobile devices, upgrades, or accessories not budgeted for need to be done by filling out the Department's **Verizon Mobile Device Purchase Request Form**. This completed form needs to be submitted to the Management Analyst I who will forward this request to the Fiscal Administrator (PCN 0003) for approval. The Fiscal Administrator will consult with the Budget Analyst to verify that budget authority exist for the request.

Ordering and Receiving

If the Budget Analyst approves the form, this form will be returned to the Management Analyst I who will place the order. Once the order is received the accounting staff, excluding Management Analyst I, will verify that the phone was received according to specification, model, and quantity. If the mobile device(s) are received as ordered, then the accounting staff will sign off the receipt and forward it to the Management Analyst I who will keep the receipt with the order and request form as back-up documentation for invoices.

Monitoring of Phone Usage

Employees should refrain making personal phone calls on their state-owned cellular phones and will not be reimbursed if a frequent pattern of placing personal phone calls using their state-owned cell phones is identified. If an employee exceeds the monthly cost of the wireless service plan and it is deemed that the costs were due to personal phone calls, the employee may be required to reimburse the Department for the charges.

4. Reimbursement for Use of Personal Device for State Purposes

The Department will reimburse employees who use their personal devices to conduct State business, if they currently have been assigned the same type of state-owned device, or if they have been approved by their Division Administrator and Budget Analyst for reimbursement using the **Department's Mobile Device Reimbursement Form**. The reimbursement will be based on the current amount paid for a base plan for state owned mobile device. The reimbursement amount will be established by the Director.

On July 1st of each fiscal year, the fiscal staff will review current prices for state owned plans and will submit it for review by the Fiscal Administrator to determine if the amount established needs to be decreased or increased. The Fiscal

Administrator will then make a recommendation to the Director for the annual reimbursement rate. The reimbursement amount will remain the same regardless of the amount of State business conducted on the personal device.

In cases, when a state employee's use their personal phone for state business and request a reimbursement, they are responsible for contracting with a service provider, paying for any initial plan charges, the cost of the device, and paying the monthly bills. The State is not responsible for any penalties should the employee terminate the contract with the service provider.

Use of the device in any manner contrary to local, state or federal laws will constitute misuse and will result in immediate termination of the stipend. The stipend will be taxable income to the employee and will be reported on their W-2, Wage and Tax Statement. Employees should be aware that it is possible the record of use for any device used for State business could be considered a public record.

Requesting Reimbursement for Use of Personal Device for State Purposes

Employees who want to request a monthly reimbursement for use of their personal devices need to fill out the ***Department's Mobile Device Reimbursement Form***, which is located on the Department's intranet site. This form needs to be completed and signed by the employee requesting to use their personal device to conduct State business and they will need to include justification for this request with the completed form. This justification will need to identify the position, a brief summary of the position's duties that require the use of a mobile device, and should include the percentage of time this position is out in the field or traveling.

The completed-form shall be submitted to appropriate Administrator for signature. A Management Analyst I will verify that the employee currently has been assigned a state-owned mobile device. Once this has been determined they will note it on the form and submit the form to the Budget Analyst for approval.

If the request is for an employee who already has a state-owned mobile device that has been budgeted then the Budget Analyst should sign off on the form. If the request is for reimbursement cost for mobile device costs that are not budgeted, then the Budget Analyst will make a determination if the reimbursement request can be supported in the current budget year and future budget years as well.

If there is no budget authority to support the purchase of the mobile device and the associated plan, then the Budget Analyst will reject the request and note the reason for the denied request, and will return the form to the Management Analyst I. The Management Analyst I will keep the original request form for their files and will make a copy and return the copy of the denied request form to the Division Administrator.

If the Budget Analyst approves the form, this form will be returned Management Analyst I who will notify that the reimbursement request has been approved contingent upon the return of any state-owned mobile device being replaced by the employee's personal devices to conduct State business.

Return of State Phone before Reimbursements

Employees cannot receive any reimbursement for personal device used to conduct state business until the assigned state-owned device has been returned. Once the state-owned device has been returned, the Management Analyst I will add this employee to the Personal Device Monthly Reimbursement Tracking report. This report will include the employee's name, approval date, months reimbursed and amount reimbursed and will be used by the accounting staff to track monthly reimbursements to ensure that duplicate monthly reimbursements are not made and no more than 12 payments are made in a year's time frame.

An employee will be eligible to submit their first reimbursement 30 days after they were approved by their Budget Analyst for reimbursement. Reimbursement will be submitted to accounting using the **Department's Personal Device Reimbursement** form located on the Department Intranet site.

5. Return State Cellular Phones or other Mobile Devices upon Leaving Department

If an employee with a cell phone or other mobile device leaves the Department or transfers within the Department to another division, the employee is required to turn the cellular telephone over to the supervisor. The supervisor must advise the Accounting Assistant III in the Administration Division that an employee has terminated or changed positions so the account can be discontinued. The cellular telephone does not automatically transfer with an employee or to a new incoming employee, but rather the supervisor must evaluate if the employee needs a cellular telephone for use in the course of the employee's duties.

6. Security and Conduct

Employees have an obligation to use their wireless communications services in a responsible, informed and safe manner; conforming to network etiquette, customs, courtesies, safety practices and any applicable laws or regulations. Employees using wireless communications devices are responsible for securing them at all times. All losses shall be reported immediately to the designated departmental representative.

7. Personal Calls

Employees may make and receive a limited number of personal calls during work hours from their state land line phones and from State owned cellular phones. When personal phone calls are placed that result in additional cost to the State, the employee will reimburse the State within five (5) working days of receipt of bill from the Division for all costs associated with the personal phone calls.

Personal calls are those determined not to be necessary in the interest of the Department. In making personal calls, employees shall ensure that:

The calls do not adversely affect the performance of official duties or the employee's work performance.

The calls do not adversely affect the working environment of co-workers. In shared space or cubicle space employees should make an effort to take personal phone calls in an area that does not affect other's working environment.

The calls are of reasonable duration and of limited frequency. Supervisors and managers shall determine whether brief personal telephone calls are of reasonable length based on the employee's work schedule, co-worker needs, office work demands, length of work day, etc.

All long-distance personal calls are made at their own expense (i.e., charged to personal calling or credit cards, home telephones, or other non-State telephone numbers).

Employees may not make purely personal long-distance calls expecting to reimburse the Department later.

Collect calls to a Department telephone will not be accepted.

Employees are not to place 900-service calls from State telephones at the State's expense.

Employees must use cost-effective telecommunications services to contact locations outside the contiguous United States and overseas. Access to international telephone services should be restricted to only those employees who require such services as part of their official duties.

8. Motor Vehicle Laws

In accordance with NRS 484B.165 using a handheld wireless communications device to type or enter text, send or read data, engage in non-voice communication or engage in voice communications without use of a hands free device is unlawful.

A person shall not drive a state motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication.

As used in this section "write, send, or read a text-based communication" means using an electronic wireless communications device to manually communicate with any person using a text-based communication, including, but not limited to, communications referred to as a text message, instant message, or electronic mail.

For purposes of this section, a person shall not be deemed to be writing, reading, or sending a text-based communication if the person reads, selects, or enters a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call.

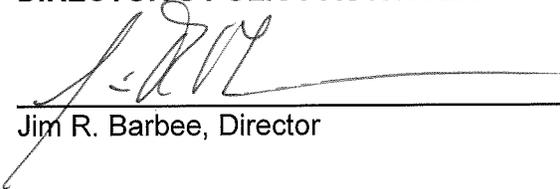
This does not apply to a driver who is

- Receiving messages related to the operation or navigation of a motor vehicle; safety-related information including emergency, traffic, or weather alerts; data used primarily by the motor vehicle; or radio.
- Using a device or system for navigation purposes.
- Conducting hands-free wireless interpersonal voice only communication that does not require manual entry, except to activate, deactivate, or initiate a feature or function.

POLICY COMMUNICATION:

This policy will be made available to all employees within the Department of Agriculture and to the public.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

1/15/15

Date

APPROVED BY THE BOARD OF AGRICULTURE ON 12/3/14

Effective Date