

**STOCKBRIDGE-MUNSEE COMMUNITY
Tribal Council Policy**

Subject: **TRIBAL Mobile Device/Cellular Phone**
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I. Purpose

To create a standard of use that promotes operational efficiency in use of cellular phones/mobile devices.

II. Policy

The Stockbridge-Munsee Community Cellular phone use policy applies to any device owned by the tribe that makes or receives phone calls, leaves messages, sends or receives text messages, accesses the Internet, or downloads and allows for the reading of and responding to email or is used for video conferencing.

Stockbridge-Munsee Community phones are intended to be used by employees for tribal business. Excessive personal use of a tribal owned cell phone that goes beyond the plan limits will be charged to the employee at the standard rate except for emergency assistance. Even if such excessive use does not result in an increased charge to the Tribe, such excessive use is still actionable by the Employer.

III. Requesting a cellular phone

Any department may request a cellular phone for use by their staff if it is determined necessary for the requested employee to complete his or her job duties. The following is a list of factors that will be used to determine an employee's need for a cellular phone. Any employee requesting a cellular phone must meet at least one of the following criteria.

A. Emergency Situation/Safety and Security Considerations. Where it is necessary to provide for, maintain, or enhance the personal safety of a Stockbridge-Munsee Community employee in the performance of their duties and responsibilities, or to maintain public safety within the community.

B. Essential Communication. Where it is essential that an employee have the ability to communicate quickly with department personnel, other departments, or outside individuals or organizations on a regular basis, in order to receive direction, provide instruction, or obtain necessary and essential information to perform their job functions.

C. Frequent Field Work/Travel. Where an employee is frequently in the field or is traveling to various work assignments and they are required to have regular contact with other individuals.

D. On-call. Where employees are working in an on-call capacity and must be able to be reached and are required to return a call addressing a request for service anytime while on-call.

IV. Procedures to Obtain A Cellular Phone:

- A. **Employees:** Must be approved by direct supervisor and the Tribal Council direct report in the chain of command in consultation with HR.
- B. **Directors:** Must be approved by immediate supervisor/Tribal Council Liaison in consultation with HR.
- C. **Tribal Council:** Must be approved by any Council Officer.
- D. Once approval is obtained on the authorized cellular device request form, the signed request must be sent to the MIS department attention Chief Information Officer for processing.
- E. MIS Department will place the order.
- F. When the device arrives the Chief Information Officer/designee will notify the requestor and schedule an appointment for pick up.
- G. MIS will send the cost of the phone to the appropriate department requestor for payment.

V. Security:

- A. A security PIN will be put on cellular phones and employees are to maintain the PIN if they have Stockbridge-Munsee Community information including email on the device. This requirement applies to personal devices that access Stockbridge-Munsee Community information as well.

VI. Shared Tribal Phone.

- A. Departments can obtain a tribal owned cellular phone and have it shared among employees. This would be the most economical option. A tribal issued Cellular Phone will be issued if the phone is to be used exclusively for tribal business. In this case the Stockbridge-Munsee Community will pay the entire cellular phone bill, including the monthly flat fee. The phone is considered Tribal property.

VII. Cellular Phone Responsibilities

- A. Employees that refuse the Tribal owned device will still be required to provide an emergency/after hours contact number to staff and their supervisor.
- B. Supervisors are responsible to report any changes in employment to Human Resources and to collect Tribal property.
- C. Human Resources will be responsible for reporting any changes in employment to MIS to assist, if needed, in coordinating the return of any cellular phone and or related equipment.
- D. Termination of Employment: Upon resignation or termination of employment, the mobile device will be returned to MIS and reset to factory defaults using the remote wipe software. Stockbridge-Munsee Community will not be responsible for loss or damage of personal applications or data resulting from the remote wipe.

VIII. Cell Phone Replacement Schedule:

- A. Cellular Phones will be replaced as needed due to technology advancements and/or normal wear. Recommended life cycle replacement is every two years.
- B. In the event of a lost, damaged, or stolen phone, the tribe will pay for the first

incident. Employees will be responsible for replacement costs after the first incident. Enforced every two years.

IX. Cellular Phones and Driving

- A. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their mobile devices while driving. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or texting. The only exception to this stipulation is if the call can be placed or accepted entirely hands-free or for legitimate law enforcement situations that require an exception. Special care should be taken in situations where there is traffic, inclement weather, or in unfamiliar areas.
- B. Employees who are charged with traffic violations resulting from the use of mobile devices while driving will be solely responsible for all liabilities that result from such actions and may be subject to corrective action by their employer.
- C. Employees who work in hazardous areas must refrain from using mobile devices as doing so can potentially be a major safety hazard.

X. Cell Phones at Work

- A. The Stockbridge-Munsee Community is aware that employees utilize their tribal supplied cellular phones for business purposes. During meetings and related activities these devices can become disruptive. To ensure the effectiveness of meetings and related activities, employees are asked to switch their cellular phones to vibrate.

XI. Use of Cellular Phone Cameras

- A. The use of cellular phone cameras is acceptable as a work tool when and where applicable and appropriate.

XII. Prohibited Uses

- A. Employees shall not use the cellular phone in a way that violates tribal policies, including policies on harassment, or that causes a disruption in the workplace.

XIII. Cell Phone Use Exempt and Non-Exempt Employees.

- A. **Non-Exempt employees** may only use tribal owned cell phones within the parameters of their approved work hours. Tribal owned cell phones may be used outside the normal work hours only when approved by their supervisor.
Supervisors who require nonexempt employees to respond to messages outside normal working schedules must be aware that the employee's time spent responding to such communications are required to be documented and be compensated.
- B. **Exempt employees** may use their cell phones as required by their supervisor with no limitation to their working hours.

XIV. Security:

- A. Employees must put a PIN, password or other security measures in place on every device that is used to access SMC information

XV. Privacy:

A. No employee should expect any privacy except that which is governed by law. SMC has the right, at any time, to monitor and preserve any communications that utilize SMC's networks in any way, including data, voicemail, telephone logs, Internet use, network traffic, etc., to determine proper utilization, regardless of the ownership status of the device used to access the company's networks. Tribal Council reserves the right to review, retain, or release personal and company-related data on mobile devices to government agencies or third parties during an investigation or litigation. Tribal Council may review the activity and analyze usage patterns and may choose to publicize this data to assure that SMC's resources in these areas are being utilized according to this policy. Furthermore, no employee shall knowingly disable any network software or system identified as a monitoring tool.

XVI. Lost, Stolen, Hacked, or Damaged Equipment:

- A. Employees are expected to protect mobile devices used for work-related purposes from loss, damage, or theft. In an effort to secure sensitive Stockbridge-Munsee Community data, employees are required to have remote wipe software (MDM) installed on their mobile devices by the IT department prior to using the devices for work purposes. This software allows all data to be erased remotely in the event the device is lost or stolen. The remote wipe process will remove all programs and data from the phone and reset it to factory defaults. Stockbridge-Munsee Community will not be responsible for loss or damage of personal applications or data resulting from the use of Stockbridge-Munsee Community applications or remote wiping. Employees must notify management immediately in the event their mobile device is lost or stolen.
- B. Employees may receive disciplinary action up to and including termination for damage to Stockbridge-Munsee Community owned mobile devices caused willfully by the employee.