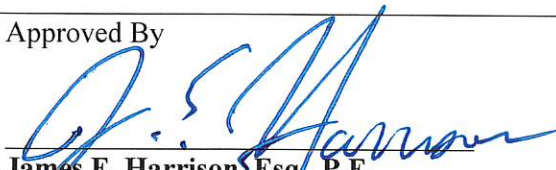




<b>HUMAN RESOURCES POLICY/PROCEDURE</b>	
<b>OFFICE OF PRIMARY RESPONSIBILITY:</b>  Human Resources	<b>EFFECTIVE DATE: 03/01/2022</b> <b>Revision Date: 03/01/2022</b> <b>Replaces: LYNX Wireless</b> <b>Communication Policy dated July 9,</b> <b>2013</b>
<b>SUBJECT: Wireless Communication Policy</b>	
Approved By  James E. Harrison, Esq., P.E. Chief Executive Officer, LYNX	

**SCOPE:**

This policy shall apply to all LYNX officers, managers, employees or agents of LYNX who are specifically assigned to utilize and maintain a wireless communication device(s) for business purposes. LYNX provides telecommunications equipment and services to designated employees to expedite the transaction of business and to ensure public safety in a cost-effective and effective manner. This policy establishes rules for wireless communication usage and defines the standard procedure and employee responsibility for acquiring, maintaining, and returning company wireless devices. Violations of this policy will subject the employee to disciplinary measures up to and including termination. Collectively Bargained employees must also refer to their applicable Work Rules for additional requirements pertaining to the use of cellular telephones and electronic devices.

This policy supersedes the following Policies/Memorandums:

- LYNX Wireless Communication Policy, dated July 9, 2013

The use of LYNX wireless communication systems, including all forms of wireless device Internet/Intranet access, is for company business and for authorized purposes only. Brief and occasional personal use of the wireless communication electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense or harm to the Agency or otherwise violate this policy.

Use is defined as “excessive” if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the Agency’s business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.



**POLICY:**

All LYNX employees required by the Authority to possess and maintain a wireless communications devices for business purposes will be issued a company wireless communications device and will be subject to company policies and procedures regarding company issued phones.

This policy covers all wireless infrastructure devices that connect to a LYNX network, a third party LYNX network, or reside on a LYNX site that provides wireless connectivity to endpoint devices including, but not limited to, laptops, desktops, cellular phones, and personal digital assistants (PDAs). This includes any form of wireless communication devices capable of transmitting data.

Using wireless communication devices to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material, defined as any visual, textual, or auditory entity, file, or data, is strictly prohibited. Such material violates the Agency's EEO/anti-harassment policies and is subject to disciplinary action. The Agency's wireless communication devices email system and Internet access must not be used to harm others or to violate the federal, state, and local laws and regulations in any way. Use of LYNX wireless resources for illegal activity can lead to disciplinary action, up to and including termination and criminal prosecution. LYNX will comply with reasonable request from law enforcement, public records, and regulatory agencies for logs, diaries, archives, or files on individual wireless Internet activities, email use, and/or phone use.

**PROCEDURES AND RESPONSIBILITIES:**

**1. Company Issued Wireless Communication Devices**

Cellular telephones and/or wireless telecommunications equipment will be issued to employees who work in areas or on assignments where telephones or others forms of electronic communication equipment are not readily available and where such use will benefit LYNX.

Individuals who have been issued wireless telecommunications equipment by the company are responsible for the proper use and care of that equipment. The cost of replacing wireless communications equipment as a result of damage from an individual's carelessness will be borne by the employee, as allowed by applicable law. The cost to repair or replace wireless communications equipment as a result of damage from normal usage will be billed to the appropriate individual department. Lost, stolen, or damaged equipment is to be reported to the IT division within one business day of the employee or agent's awareness of the occurrence or immediately upon return from travel if loss or damage occurred during that time.

**2. Authorized Use**

Wireless communication equipment is intended for conducting LYNX business such as purposes of safety or to assist in the completion of an assigned task or to increase materially the efficiency and effectiveness of the LYNX employee. Wireless communications equipment is not intended to be used for personal convenience. Any personal use of such equipment should be incidental and limited to avoid unnecessary interference with the employee's business responsibility and unnecessary burden on any of the LYNX electronic systems. If personal use is unavoidable, appropriate procedures shall be followed to ensure that LYNX is reimbursed for all personal calls in excess of ten (10) minutes. However, because of the lost productivity in processing collections, LYNX will waive reimbursement for local personal calls with a cumulative airtime of ten minutes per month.



- A. Use of wireless communication devices provided by LYNX is a privilege. These devices are issued to improve operations and service, as well as to provide timely communications in emergency or disaster recovery situations.
- B. LYNX provided wireless communication devices are to be used for business purposes only, and otherwise in accordance with this policy.
- C. Employee should use the least expensive means of communication available as time allows. Least expensive means of communication include: land-line telephones, two-way radios, and email.
- D. Employees must review their monthly cell phone statement and sign the statement/invoice to signify their acknowledgement of usage. Employees will reimburse LYNX for all charges resulting from personal calls in excess of ten (10) minutes.

*Safe Practices for Administrative Staff:*

Making or receiving phone calls is strongly discouraged while driving even with a hands-free device. LYNX prohibits texting, and/or the unnecessary use of cell phones while driving; however, when necessary, text or make mobile phone calls only when the vehicle is safely parked off the traveled portion of the roadway. When using a mobile communication device while in motion in a non-revenue service vehicle, employees must use a hard wired "hands-free" device installed in the vehicle. If the vehicle does not have an installed device, safely park the vehicle off the traveled portion of the roadway to engage in wireless communication. Employees must comply with Florida law which bans manual texting, emailing and instant messaging while driving.

LYNX authorized safe practices:

1. Do not reach for something that would cause the body and hands to move from proper driving positions or would cause a lack of sight of the road ahead of the vehicle.
2. Pre-select radio stations.
3. When conversing with a passenger or co-driver, stay focused on the road ahead. Do not look at passengers when speaking with them. Avoid any discussion, or conversation, that is contentious or causes a lack of focus on driving responsibilities.
4. Pre-program all GPS devices with origin and destination points before moving the vehicle.
5. If it becomes necessary to use a wireless communication device while operating a LYNX owned vehicle, the employee must first safely pull over to side of the road and place the transmission in a "Park" position and secure the vehicle before making or accepting a call.
6. Employee are authorized to safely utilize the LYNX provided hands-free device in LYNX vehicles.
7. All conversations should be suspended during severe weather or any other condition which may compromise safety.

**3. Unauthorized Use**

Wireless communication equipment is not intended to be used for personal convenience. No company issued wireless communication device shall be used inappropriately.

Excessive non-work usage of LYNX provided wireless communications equipment will be



examined by the employee's supervisor to determine the need/requirement. Abuse of wireless communications equipment will be handled in a disciplinary manner.

In October of 2009, LYNX has established a "no tolerance" cellular telephone and electronics device policy while operating a revenue service vehicle. LYNX recognizes that distracted driving affects a person's ability to drive safely, and it contributes to vehicle accidents.

1. Employees are NOT authorized to "stream" information to and from websites, phone numbers, social media websites, or email addresses.
2. Employees are NOT authorized to download applications or ringtones that are deemed inappropriate for the workplace.
3. Employees are NOT authorized to take questionable or inappropriate photographs and transmit over the internet, the phone service or post on social media websites.
4. Employees are NOT authorized to make any call for the purpose of entertainment, such as Pay-Per-Call (900) numbers, movie links, etc.
5. Employees are NOT authorized to engage in private or personal business activities, including use of instant message and chat rooms.
6. Employees must never attempt to take notes, flip through address books, text, tweet, operate a laptop, or otherwise divert their attention from driving while in a LYNX vehicle or equipment.
7. Employees are NOT authorized to utilize a laptop while vehicle is in motion.
8. Employees are NOT authorized to use ANY wireless communication equipment in revenue service vehicles while in the traveled portion of a roadway or while in motion.
9. Employee are NOT authorized to use an unauthorized LYNX hands-free wireless communication device while operating LYNX owned vehicles or equipment. Authorized LYNX hands-free device is a hard wired device installed in the vehicle.
10. Employee are NOT authorized to use ANY wireless communication device while engaged in driving, radio dispatching, maintenance and repair of vehicles, or facilities maintenance tasks. It is especially important that employees avoid use of wireless communication devices while operating power equipment, hand tools, working on ladders, or performing safety-sensitive tasks.
11. The use of wireless communication equipment to access, create, view, transmit or receive racist, sexist, threatening, or otherwise objectionable or illegal material, defined as any visual, textual, or auditory entity, file or data, or any other inappropriate communication is strictly prohibited. Inappropriate communication includes, but is not limited to, discriminatory, hostile, suggestive, obscene, harassing, annoying, or otherwise unsuitable



language and content, transmitted or received.

#### **4. Wireless Communication Devices and Usage**

All purchases and issuance of cellular telephones will be approved in advance by the department director and acquired through the Information Technology Department. The requesting department will issue a purchase order for account charges. In no instance will LYNX be committed for wireless communication equipment without prior approval.

All invoices for LYNX issued equipment will be sent to LYNX Finance Department and not to a home or other business address.

1. Excessive use of personally-owned wireless communication devices during business hours including “Blue-tooth” devices is considered outside an employee’s scope of employment.
2. Except in emergency situation, use of personally-owned wireless communication devices should be limited to break periods and the employee’s lunch period. Use of cell phones for personal calls during times other than those designated above wastes time for which the employee is being paid by the Agency. This is subject to disciplinary action.
3. Employees are not expected to use a personally-owned wireless communication device for official business. Employees will not be reimbursed for the cost of using a personal wireless communication device for official business unless they are covered under the LYNX Executive Team Member Cellular Telephone/SmartPhone Use and Allowance Policy.

#### **5. Privacy Expectations**

Employees are hereby notified that their conversations via LYNX issued and reimbursed wireless communication equipment are not private. Conversations, texts, tweets, emails, and photographs are all subject to the Florida Public Records Law. Nothing that is transmitted via LYNX authorized devices is confidential or private despite any such designation either by the sender or the recipient. Security passwords are used for the purpose of protecting the security of the authority, not for any individual’s interests in privacy. The Authority reserves the right to monitor all transactions using wireless communication devices at any time at its sole discretion in accordance with applicable law.

#### **6. Security**

All communication sent through LYNX wireless communication devices should be treated as non-confidential. Anything sent through the internet passes through a number of different computer systems, all with different levels of security. The confidentiality of message may be compromised at any point along the way, even if the message are encrypted. Under no circumstances shall information of a confidential, sensitive, or otherwise proprietary in nature be transmitted through the LYNX wireless communication devices.

It is a violation of LYNX policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others, unless such access is directly related to that employee’s job duties. Employees found to have engaged in such activities will be subject to disciplinary action up to and including termination.



**7. Enforcement**

Excessive non-work usage of a LYNX provided wireless communication devices will be examined by the employee's supervisor to determine whether disciplinary measures need to be taken. The actions may include loss of wireless communications privileges and/or relative discipline, up to and including termination.

**8. Reporting Problems**

All LYNX employees authorized to use a Wireless Communications Device shall use the LYNX IT HelpDesk to report trouble with the synchronization of LYNX email and PIM data. LYNX IT shall determine it is a service provide issue and resolve or respond to the LYNX employee.