



Policy: LYNX Wireless Communication Policy

Approved By: Human Resources

Issuing Dept: Human Resources

Effective Date: July 9, 2013



John M. Lewis, Jr.
Chief Executive Officer

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 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 efficient 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.

This policy supersedes the following Policies/Memorandums:

- Administrative Policy/Procedure, Number PRO-004; Dated 08/09/2000; Office of Primary Responsibility: Acquisition and Legal Affairs; Subject: Cellular Telephone Usage and Payment
- Administrative Policy/Procedure, Number ADM-007; Dated 04/01/01; Office of Primary Responsibility: Administrative Support and Legal Affairs; Subject: Cellular Telephone Usage and Payment
- Interoffice Memorandum: To: Distribution, From: Douglas K. Tyson, Subject: Interim Policy on Cellular Telephone Use, Date: 7/26/2000

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 device 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 device 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 anti-harassment policies and is subject to disciplinary action. The Agency's wireless communication device 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 requests from law enforcement, public records, and regulatory agencies for logs, diaries, archives, or files on individual wireless Internet activities, e-mail use, and/or phone use.

PROCEDURES AND RESPONSIBILITIES

A. 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 other 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. 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.

B. Authorized Use

Wireless communications 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.

- 1) 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.
- 2) LYNX provided wireless communication devices are to be used for business purposes only.
- 3) Employees 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.
- 4) 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:

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.

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 the side of the road and place the transmission in a "Park" position and secure the vehicle before making or accepting a call.
- 6) Employees 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.



C. Unauthorized Use

Wireless communications 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.

As of October 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 e-mail addresses.
- 2) Employees are NOT authorized to downloading applications or ringtones that are deemed inappropriate for the work place.
- 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 messaging 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) Employees 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) Employees 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.

D. Wireless Communication Devices and Use

Executive Team members may request approval from the CEO to forego being issued a company wireless communication device and instead use their personal device for business use. In these cases a cell phone allowance will be paid to those members approved to use their personal devices for business use. A Cell Phone Allowance Request Form must be completed and approved. These allowances will be taxable income to the member per IRS substantiation requirements for a non-accountable plan.

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 situations, 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.

E. 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 Sunshine 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.

F. 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 messages may be compromised at any point along the way, even if the messages 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.

G. Billing

Employees authorized under the Cellular Telephone/Smart Phone Use and Allowance policy will be reimbursed at a flat monthly supplemental amount of fifty-dollars (\$50), for service charges related to personal cell phones having both cellular and internet capabilities synchronized with LYNX e-mail systems. The established amount is the entire amount payable by the authority. The supplement is provided to the employee for as long as the authorizer determines that the employee qualifies. In the event the employee's plan cost rises above the established reimbursable supplemental amount the overage will be paid by the employee.

LYNX provided cellular telephones should be limited to LYNX business use only. If personal use is unavoidable, appropriate procedures shall be followed to ensure that LYNX is reimbursed for all local personal calls in excess of cumulative airtime of ten (10) minutes per month. For purpose of this policy, local personal calls shall be deemed any call that is not related directly to LYNX business including calls to one's residence.

- A. Each month, a copy of the communication bill will be forwarded to the responsible LYNX employee.
- B. Upon receipt of the bill, the employee will be responsible for reviewing all calls charged to him/her, and for highlighting all calls determined to be personal in nature.
- C. The LYNX employee shall review the bill with his/her division manager or department director. The employee will forward the highlighted bill annotating the correct account number, signed by the employee and division manager or department director, along with any money owed to cover the cost of personal calls to the Finance Department of Accounts Payable within 10 days of receipt of the bill.



The employee shall be responsible for reimbursing LYNX for personal activity airtime on a monthly basis. Employees shall reimburse LYNX at the stated invoice billing rate per minute for personal call airtime. Long distance personal calls shall be reimbursed at the amount shown on the invoice. Employees shall submit their check and invoice with the correct account number to accounts payable either in person, by mail, or interoffice mail with a check payable to the Central Florida Regional Transportation Authority.

H. Enforcement

Excessive non-work usage of a LYNX provided wireless communication device 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.

I. Reporting Problems

All LYNX employees authorized to use a Wireless Communication 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 provider issue and resolve or respond to the LYNX employee.

Related Sources:

Policy: Information Security, Issued by: Information Technology, Effective Date: 11-17-2009

Policy: LYNX Executive Team Member Cellular Telephone/Smart Phone Use and Allowance, Issued by: Human Resources, Effective Date: 1/1/2010

Policy: Distracted Driving, Issued by: Risk Management, Effective Date: To Be Determined