

# COMMONWEALTH OF VIRGINIA



**Information Technology Resource Management (ITRM)**

## **MOBILE COMMUNICATIONS USE TECHNICAL TOPIC REPORT**

**PLATFORM DOMAIN**

**Virginia Information Technologies Agency (VITA)**

## Reviews

- This publication was reviewed and approved by the *Manager* Director of VITA's ~~Policy, Practice, and Enterprise~~ Architecture (PPA)-(EA) Division.
- Online review was provided for agencies and other interested parties via the VITA Online Review and Comment Application (ORCA).

## Publication Version Control

Questions related to this publication should be directed to the *Manager* Director of VITA's ~~Policy, Practice, and Enterprise~~ Architecture (PPA)-(EA) Division. PPA EA notifies Agency Information Technology Resources (AITRs) at all state agencies, institutions and other interested parties of proposed revisions to this document.

This following table contains a history of revisions to this publication.

Version	Date	Revision Description
1.0	01/17/2013	Original
1.1	07/28/2016	<i>Update necessitated by changes in the Code of Virginia and organizational changes in VITA. No substantive changes were made to this report.</i>

## Identifying Changes in This Document

- See the latest entry in the revision table above.
- Vertical lines in the left margin indicate the paragraph has changes or additions. Specific changes in wording are noted using italics and underlines; with italics only indicating new/added language and italics that are underlined indicating language that has changed.

The following examples demonstrate how the reader may identify requirement and recommend practice updates and changes:

**EXA-R-01 Example with No Change** – The text is the same. The text is the same. The text is the same.

**EXA-R-02 Example with Revision** – The text is the same. *A wording change, update or clarification is made in this text.*

**EXA-R-03 Example of New Text** – *This language is new.*

~~**EXA-R-03 Technology Standard Example of Deleted Standard** – This standard was rescinded on mm/dd/yyyy.~~

## Preface

### Publication Designation

Mobile Communications Use Technical Topic Report  
ETA Platform Domain

### Subject

Enterprise Technical Architecture implementation

### Effective Date

~~07-28-2016~~ 01-17-2013

### Supersedes

~~01-17-2013~~ None

### Scheduled Review:

This standard shall be reviewed on an annual basis.

### Authority

~~Code of Virginia, §2.2-225 (Powers and duties of the Secretary of Technology (SoTech)~~

*Code of Virginia, §2.2-2007 (Powers of the CIO)*

*Code of Virginia, § 2.2-2010 (Additional powers of VITA)*

*Code of Virginia § 2.2-2007.1. Additional duties of the CIO relating to information technology planning and budgeting)*

### Scope

This standard is applicable to all Executive Branch state agencies and institutions of higher education (hereinafter collectively referred to as "agencies") that are responsible for the management, development, purchase and use of information technology resources in the Commonwealth of Virginia. This standard does not apply to research projects, research initiatives or instructional programs at public institutions of higher education.

### Purpose

This standard establishes direction and technical requirements which govern the acquisition, use and management of information technology resources by executive branch agencies.

### General Responsibilities

#### ~~Secretary of Technology (SoTech)~~

~~Reviews and approves statewide technical and data policies, standards and guidelines for information technology and related systems recommended by the CIO.~~

#### Chief Information Officer of the Commonwealth (CIO)

Develops and ~~approves~~ recommends to the Secretary of Technology statewide technical and data policies, standards and guidelines for information technology and related systems.

#### Virginia Information Technologies Agency (VITA)

At the direction of the CIO, VITA leads efforts that draft, review and update technical and data policies, standards, and guidelines for information technology and related systems. VITA uses requirements in IT technical and data related policies and standards

when establishing contracts; reviewing procurement requests, agency IT projects, budget requests and strategic plans; and when developing and managing IT related services

#### Information Technology Advisory Council (ITAC)

Advises the CIO and Secretary of Technology on the development, adoption and update of statewide technical and data policies, standards and guidelines for information technology and related systems.

#### Executive Branch Agencies

Provide input and review during the development, adoption and update of statewide technical and data policies, standards and guidelines for information technology and related systems.

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## Mobile Communications Use Technical Topic

The mobile communication use requirements support the ability for state employees to use their personal mobile communications devices to access commonwealth voice and email systems to conduct official state business. Institutions of higher education are excluded from the requirements of this Technical Topic, but are encouraged to consider the provisions included herein when developing their internal mobile communications use policies.

The following are requirements for the General Provisions component.

- MBL-R-01**      **Establishment of Provisions** - Each agency shall develop a set of provisions for agency mobile communications use. The agency provisions may be more restrictive than the provisions herein, but may not be less restrictive.
- MBL-R-02**      **Minimum Provisions** - The agency provisions shall include, at a minimum, the provisions outlined and discussed in the following sections.
- MBL-R-03**      **Cost Consideration** - Agency usage provisions shall consider the additional cost to the agency to maintain the commonwealth's electronic messaging, network access services, and mobile device management capabilities when considering allowing the use of mobile communications devices.

### Rationale

The agency is still responsible for the cost of these services even for non-commonwealth owned devices. The option of using a non-commonwealth owned device is provided for the convenience of the employee and as a tool for the agency to achieve savings and enhance productivity. While it is up to the employee to determine if they would elect to use a non-commonwealth owned device, the agency shall first determine if they will support that option.

In order to perform commonwealth business in a secure manner while using either commonwealth owned or non-commonwealth owned mobile communications devices, the following requirements shall be met:

- MBL-R-04**      **Authorized User** - Mobile communications devices used to conduct state business shall to be used only by the individual(s) to whom they were issued or authorized.
- MBL-R-05**      **Care and Due Diligence** - Each employee authorized to use a mobile communications device to conduct the business of the commonwealth is responsible for the reasonable care and due diligence in using, handling and protecting devices that access, receive, transmit, store or manipulate commonwealth data or information. Employees shall take reasonable precautions to protect mobile communications devices assigned to them from damage, loss, theft, fraud or other misuse. Devices shall not be left in unattended personal or state vehicles.

- MBL-R-06**      **Safe and Courteous Operations** - Mobile communications devices shall be operated in a safe and courteous manner. They shall not be used while driving, except in cases of emergency, during which times they may only be used for voice communications. They may be used with a hands free device in limited situations, but not for prolonged conversations or in heavy and/or slow-moving traffic. Text messaging while driving is strictly prohibited under all circumstances.
- MBL-R-07**      **Compliance with Related Commonwealth Policies** - All mobile communications use shall comply with other related commonwealth policies including, but not limited to, DHRM Policy: 1.75 – Use of Electronic Communications and Social Media; DHRM Policy 1.60 - Standards of Conduct; and Virginia Information Technologies Agency Information Security Policy, Standards, and Guidelines.

### **Commonwealth Owned Mobile Communications Device Provisions**

The Mobile Communications Use team identified the following commonwealth owned mobile communications device topic-specific requirements:

- MBL-R-08**      **Commonwealth Owned Devices and Communication Plans** - It is the commonwealth's sole responsibility and discretion to determine, select and acquire the commonwealth owned mobile communications service plans and devices needed to satisfy the business requirements of the employees or authorized users to whom they are assigned.
- MBL-R-09**      **Commonwealth Security Configuration** - All commonwealth owned mobile communications devices that access commonwealth data, including email, shall be configured as to meet all commonwealth security policies/requirements
- MBL-R-10**      **No Expectation of Privacy** - Except where prohibited by law, employees do not have, and shall not expect, privacy while using any commonwealth-owned mobile communications device. This includes usage detail information; telephone numbers dialed and received; data transmission content and email. Additionally, the commonwealth reserves the right to use Global Positioning System (GPS) or other location-tracking functionality on all commonwealth-owned devices.
- MBL-R-11**      **Incidental Person Use** - Incidental personal use of commonwealth owned devices is permitted as long as it does not materially or routinely impact the cost of the service to the commonwealth. The agency shall consider the position and the job function of the user when determining incidental personal use.

### **Rationale**

As an example, a position requiring overnight travel might be permitted to call home from the commonwealth owned device while traveling.

### **Non-Commonwealth Owned Mobile Communications Device Provisions**

The Mobile Communications Use team identified the following non-commonwealth owned mobile communications device topic-specific requirements:

- MBL-R-12      Non-Commonwealth Mobile Device Use** - Employees, whose agency has determined require a mobile communications device for their position, may choose, if permitted by the agency, to utilize a non-Commonwealth owned mobile communications device instead of being assigned a commonwealth owned device.
- a. Non-commonwealth owned devices shall only be authorized if they are used exclusively by the agency employee or user for whom they were authorized.
  - b. Non-commonwealth owned devices shared between the employee and family members, or employees and other parties are not eligible for use to conduct commonwealth business.

#### **Rationale**

The non-commonwealth owned device use privilege is permitted at the agency's discretion as a matter of convenience to the employee. Agencies, at their sole discretion, may elect to limit, restrict, or discontinue the use of non-commonwealth owned devices when they determine it is in the agency's best interest to do so.

- MBL-R-13      Non-Commonwealth Device Security Requirements** - All non-commonwealth owned mobile communications devices that access commonwealth data, including email, shall be configured as to satisfy all commonwealth security policy requirements.

- MBL-R-14      Non-Commonwealth Device Use Denial** – The commonwealth reserves the right to deny the use of any non-commonwealth owned device to conduct official business that is incapable of separating personal data from commonwealth data.

#### **Rationale**

While some devices are able to partition commonwealth data from personal data allowing the commonwealth to separately manage security of its data. Other devices cannot, resulting in an intermingling of personal and commonwealth data.

- MBL-R-15      Mobile Device Management Software** – The commonwealth reserves the right to require mobile device management software to be installed on non-commonwealth owned mobile communications devices as a prerequisite for the device being authorized for use to conduct official business.

### Rationale

The sole purpose of any mobile device management software the commonwealth installs on a non-commonwealth owned mobile device is to protect the commonwealth's data from personal data, and vice versa; and to remotely remove or wipe commonwealth data from the device when the agency deems it is appropriate or necessary.

- MBL-R-16**      **Public Domain** - All records relating to commonwealth business are considered to be within the public domain, even though generated on a non-commonwealth owned device. State business records are subject to review and disclosure unless the Freedom of Information Act (FOIA) permits or requires them to be withheld.

### Rationale

Employees authorized to use non-commonwealth owned devices shall be aware that commonwealth email servers capture and retain records of the transmission details and content of all commonwealth email messages transmitted to and from non-commonwealth owned devices, and those records are subject to review and disclosure under the Freedom of Information Act (FOIA) or for commonwealth administrative purposes.

- MBL-R-17**      **Personal Email and Records** - Personal emails and personal call records are not public records and are not subject to review and disclosure under the Freedom of Information Act (FOIA).

### Rationale

Employees do not waive their right to privacy of personal emails, personal call records or other personal information by using a non-commonwealth owned mobile communications device to conduct commonwealth business.

- MBL-R-18**      **Production of Public Records on Non-Commonwealth Devices** – All employees who are authorized to use non-commonwealth owned devices to conduct official state business shall agree in writing to produce any public record required by the agency, if requested.

- MBL-R-19**      **Commonwealth Data Removal** - If a non-commonwealth owned device is lost/stolen or the user's employment with the state is terminated, the entire device shall be electronically "wiped clean" of all commonwealth data residing on the device.

## Reimbursement for Non-Commonwealth Owned Mobile Communication Devices

- MBL-R-20**      **Agency Discretion Whether Non-Commonwealth Owned Device Is Permitted** - While it is up to the employee to

determine if he/she prefers to use a non-commonwealth owned device to conduct official business, it is the agency's sole discretion, to determine whether non-commonwealth owned devices shall be allowed and the conditions under which they shall be supported.

**MBL-R-21 Reimbursement** - Reimbursements shall only be offered to employees who provide approved devices that are provisioned to support voice and data, or data-only functions (i.e., "smart" devices). Cellular telephones and other devices that only support voice and text messaging are not capable of or not configured to, at minimum, receive commonwealth email messages are not eligible for a stipend or reimbursement.

**MBL-R-22 Stipend Restriction** - Employees or authorized users shall normally only be authorized a single stipend for single non-commonwealth owned mobile communications device. Exceptions to this provision may be granted by the agency head (or designee). Documentation of the exception and its justification shall be retained in the agency's files for the duration the exception is in effect and/or audit, whichever is later.

## Department of Accounts Requirements

The Department of Accounts (DOA) has established provisions in the Commonwealth Accounting Policies and Procedures (CAPP) Manual that govern the terms under which agencies may provide stipends to employees as reimbursements for the use of non-commonwealth owned mobile communications devices to conduct official business. See CAPP Manual, Volume 1 – Policies and Procedures, Topic: 50535, Employer Provided Fringe Benefits, Mobile Device Provisions.

**MBL-R-23 Maximum Allowed Reimbursement** - The DOA policy establishes how the maximum allowed reimbursement shall be applied in order for the stipend to be provided in compliance with commonwealth policies and federal Internal Revenue Service (IRS) income tax and withholding laws. The current maximum allowed reimbursement is \$45.00 per month.

**MBL-R-24 COV Mobile Device Allowance Agreement** - The DOA policy requires that prior to providing a stipend to an employee who is authorized to use a non-commonwealth owned mobile communications device, the employee's supervisor and the agency head (or designee) shall sign the "COV Mobile Device Allowance Agreement". The agreement form can be found at: [http://www.doa.virginia.gov/General\\_DOA/DOA\\_Forms\\_Alpha.cfm](http://www.doa.virginia.gov/General_DOA/DOA_Forms_Alpha.cfm)

## Agency Mobile Communication Use Policies

**MBL-R-25 Mobile Communications Use Policy** - Each agency shall develop an agency mobile communications use policy. The

agency policy may be more restrictive than the requirements provided herein, but may not be less restrictive. The agency policy shall include the general use provisions above and, at a minimum, the provisions outlined and discussed in the following sections.

- MBL-R-26 Mobile Communications Device Use Justification** - Each agency shall be responsible for determining the criteria for which positions in that agency require the provision of a mobile communications device and the type of service. Provision of a mobile communications device shall be limited to those positions requiring the device for a specific job function (e.g., public health, welfare and safety), to improve customer service or for a proportional increase in productivity justifying the cost.
- MBL-R-27 Single Mobile Communications Device Limitation** - An employee shall not be authorized more than a single mobile communications device, unless an exception is documented and approved by the agency head (or designee).
- MBL-R-28 Mobile Communications Device Use Criteria** - The criteria for providing a mobile communications device shall include, but is not limited to, the following considerations:
- a. A requirement to travel frequently on commonwealth business.
  - b. Considerable amounts of time spent away from the office.
  - c. A need for customers to be in constant communication with the individual.
  - d. A need for the individual to be constantly available while out of the office.
  - e. Personal safety concerns for individuals while working.
  - f. A need to contact the individual after normal business hours on a consistent basis.
- MBL-R-29 Identification of Positions Meeting Mobile Communications Device Use Criteria** - The agency shall clearly identify and document which positions in their agency meet the defined criteria. Positions with similar job functions or needs shall be grouped together with the same justification. The goal is to clearly identify those positions within the agency requiring a mobile communications device
- a. As an example, the agency policy could state that all agency employees meeting with customers outside the office require a mobile communications device for personal safety.
  - b. A list of the specific job titles meeting this criterion shall also be included (i.e. Case Manager, Site Inspector, etc.).
- MBL-R-30 Service Type** - In addition to defining which positions require a mobile communications device, the type of service provided to the position shall be identified. Many different types of service are available at a wide difference in cost. Since one of the goals

of this policy is to be cost effective, the least expensive device and service that meet the agency's business requirement shall be identified for each position.

- a. The most basic service would provide only a voice capability to the user. Advanced services can provide access to commonwealth email and many other applications. The type of service required shall greatly depend on the requirement of the position.
- b. Care shall be taken to ensure the correct plan of included minutes is identified. Overages of those minutes can be costly. Routinely using less than the allowable minutes can also be costly.
- c. Actual usage shall be monitored and plans managed to ensure the most cost effective service plans are utilized.
- d. As an example, if the requirement is for personal safety a voice-only device and service will likely meet the requirement.
- e. If there is a requirement to be accessible by email when out of the office, then a Blackberry or smart phone and data service shall be required at an additional cost for both the device and the monthly service.

**MBL-R-31**      **Service Plan Level** - The level of service plan shall be identified. Though the level of service plan varies among the mobile service providers, consideration shall be given to the level of service required for each position.

- a. Care shall be taken to ensure the correct plan of included minutes is identified. Overages of those minutes can be costly. Routinely using less than the allowable minutes can also be costly.
- b. Actual usage shall be monitored and plans managed to ensure the most cost effective service plans are utilized.

#### **Rationale**

- As a general rule, a pooled minute service plan is the most cost effective service plan for an agency. With a pooled minute service plan, the agency pays a low fixed cost for each device and those devices share a large pool of minutes for voice telephone calls.
- The alternative is an individual plan where the included minutes for voice calls are defined for each device.

**MBL-R-32**      **Determining Factors for Non-Commonwealth Owned Devices** - Each agency shall determine if non-commonwealth owned devices will be permitted for those employees requiring mobile communications devices. Factors impacting this decision shall include the function of the device.

#### **Rationale**

- Some devices can easily be used for simple voice calls and email access, but may not be appropriate for running mobile applications due to resource and configuration limitations on the personal device.
- Some mobile applications require specific operating systems, memory/processor requirements or other application specific configurations.
- Managing and testing the varied device configurations would likely prove too costly and inefficient to justify their support. As a result, the agency may prohibit non-commonwealth owned devices from use on the commonwealth network.

**MBL-R-33 Agency Responsibility for Non-Commonwealth Owned Devices** - Agencies, at their sole discretion, may elect to provide a stipend to reimburse employees authorized to use non-commonwealth owned smart devices for commonwealth business. There are costs to the agency if the device accesses the employee's commonwealth email account or network resources. The agency is still responsible for the cost of these services even for non-commonwealth owned devices.

- a. The option of using a non-commonwealth owned device is provided solely for the convenience of the employee so as not to require two mobile communications devices to be carried (one personal and one business).
- b. While it is up to the employee to determine if they prefer to use a non-commonwealth owned device, the agency shall first determine if they will support that option.
- c. Stipends shall only be offered to employees who provide approved non-commonwealth owned devices that are provisioned to support voice and data, or data-only functions (i.e., "smart" devices).
- d. Agencies shall not offer a stipend or reimbursement to an employee or authorized user who has been assigned a commonwealth owned mobile device, but has also been authorized to use a non-commonwealth owned device.
- e. Agencies that elect to provide stipends to reimburse employees for use of a non-commonwealth-owned device shall comply with the "Commonwealth Accounting Policies and Procedures (CAPP) Manual". See CAPP Manual, Volume 1 – Policies and Procedures, Topic: 50535, Employer Provided Fringe Benefits, Mobile Device Provisions.

**MBL-R-34 Non-Commonwealth Owned Use Agreement** - If non-commonwealth owned devices are permitted, the agency mobile communications policy shall include an "Non-Commonwealth Owned Use Agreement" that defines the requirements placed on the employee and grants the commonwealth management of the non-commonwealth owned device, as required, depending on the capabilities of the non-commonwealth owned device.

## Management of Mobile Communications

- MBL-R-35**      **Processes to Minimize Cost** - The agency mobile communications use policy shall establish processes to manage and monitor the use of mobile communications devices for purposes of minimizing costs and eliminating unauthorized use.
- a. This shall be accomplished through evaluation of detailed billing for each device, as appropriate, or shall be provided through a periodic review conducted by a Telecommunications Expense Management (TEM) firm.
  - b. Internal review processes shall also be established to ensure compliance with the agency policy, including periodic assessments of ongoing individual and agency-wide business justification and plan usage effectiveness.
- MBL-R-36**      **Device Inventory** - The agency mobile communications use policy shall establish a process to maintain a current inventory of the wireless devices used by the agency. At a minimum, the inventory shall include a description of each device, the service provider for each device and the individual to whom the device is issued.
- MBL-R-37**      **On Boarding and Off Boarding** - The agency mobile communications use policy shall specifically detail the on-boarding and off-boarding processes.
- a. The on-boarding process shall include the review and approval process for initiating service as well as a requirement for the employee to read and to acknowledge awareness and acceptance of the agency and statewide policies. This acknowledgement shall be in writing and include provisions for the agency to withhold the value of the commonwealth owned device from the employee's pay if it is not returned upon request or termination.
  - b. The off-boarding process shall include the recovery of any commonwealth owned devices from the departing employee, the cancellation of services, removal of information from the device and the storage or disposal of the device.
  - c. The off-boarding process shall include the timely removal or wiping of all commonwealth data and information from the non-commonwealth owned mobile device of the departing employee.

## Special Security Consideration

- MBL-R-38**      **Special Security Considerations** - The agency mobile communications use policy shall clearly identify any special security considerations for mobile communication devices. This shall include any prohibitions for accessing agency data or resources from the mobile device.

- a.* It shall also include any features of the mobile device that shall not be used even if available through the service plan.
- b.* Some features such as text messaging do not create a record that can be maintained if they are used for conducting commonwealth business.
- c.* Employees may be required to use email to ensure that a record is created though text messaging may be more convenient.

### **Rationale**

- Another example might be to prohibit use of a camera on the mobile device in sensitive or private facilities or portions thereof. Mobile communications devices can now combine many features and functions into a single device. Not all of the features are appropriate in all work environments and thus shall be managed appropriately.

## Appendices

### *References and Links*

#### State Site/Document Reference:

Department of Accounts

[http://www.doa.virginia.gov/General\\_DOA/DOA\\_Forms\\_Alpha.cfm](http://www.doa.virginia.gov/General_DOA/DOA_Forms_Alpha.cfm)