



Ohio

Department of Taxation

POLICY

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1. Authority

The Tax Commissioner issues Ohio Department of Taxation (herein referred to as the "Department") Policy ODT-202 in accordance with Ohio Revised Code (O.R.C) § 5703.05. O.R.C. § 5703.05 grants the Tax Commissioner powers, functions, and duties including the authority to manage and direct the Department's operations.

2. Purpose

The purpose of this policy is to establish the guidelines and procedures for acquisition and use of all state-owned wireless telephones, wired telephones, facsimile (fax) machines, calling cards, and other wireless communication equipment.

3. Applicability

This policy applies to all Department employees and contractors.

4. Definitions

4.1. Telephone service - Unless otherwise stated, telephone service includes both wired telephones and wireless telephones.

4.1.1. Wired - Traditional landline local and long distance telephone service.

4.1.2. Wireless - Telephone service utilizing various electromagnetic spectrum frequencies, such as radio and infrared, to communicate services, such as data and voice, without relying on a hardwired connection, such as twisted pair, coaxial or fiber optic cable. Unless otherwise stated, wireless telephone service does not include access to e-mail or the Internet.

4.2. Other wireless equipment - Any wireless communication equipment not otherwise defined including, but not limited to, paging services, air cards and personal data assistants (PDAs).

4.3. Calling card - A pre-paid card used to make phone calls.

4.4. Base monthly charge - The minimum charge including local usage fees, taxes, franchise fees, and other similar costs for one month of service through an equipment usage account.

- 4.5. Wireless equipment** - State-provided wireless devices which transmit communications via tower antennas, cellular data transmission/receipt equipment, and radio-wireless telephones.
- 4.6. Equipment usage account** - A contract or service agreement by a vendor to provide wireless or wired telecommunication service to a specific item of wireless or wired equipment. In addition, calling cards and air cards are considered usage accounts.
- 4.7. In/out log** - An electronic worksheet used to track physical custody of a shared/pooled phone.
- 4.8. Shared/pooled wireless telephone** – A wireless telephone that is in the custody of a unit or a division that employees share or pool to maximize usage and minimize the number of wireless telephones.
- 4.9. Routine and continuing business need** - When a Department employee or contractor is required by their position or employment to travel away from their designated headquarters and it is necessary to communicate with others while on travel status or a Department employee is required to be on call twenty-four (24) hours per day.
- 4.10. Emergency need** - When a Department employee or contractor is required by their position or employment to report or to respond to an unexpected, serious occurrence or situation requiring prompt action. (Calling cards and pagers are not applicable communication equipment and services in emergency situations and cannot be acquired under this category.)
- 4.11. Safety need** - When a Department employee or contractor is required by their position or employment to be away from their designated headquarters and their position or employment places the employee or contractor in potential personal danger or harm. (Calling cards and pagers are not applicable communication equipment and services in safety situations and cannot be acquired under this category.)
- 4.12. Personal business** – Any non-work related matter.

5. Policy

State wireless/wired equipment and service as well as calling cards may be provided to Department employees and contractors while on official state business when the nature of their job creates a routine and continuing business, emergency, or safety need (see definitions) for such equipment and service. The Department expects appropriate and responsible use of state equipment and services. The policies and procedures contained within this policy are in conjunction with the policies and procedures contained within the Office of Information Technology (OIT) Policy ITP H.2. All individuals provided with state wireless and/or wired communication equipment and services as well as calling cards must comply with this policy and OIT Policy ITP H.2.

5.1 Personal Use

State-issued air cards, wired/wireless telephones and calling cards are for business communications only. Personal business must not be conducted using a state telephone service or equipment. Department employees and contractors are prohibited from circulating their state telephone number (wired, wireless, or pager) as a telephone number at which they can be reached for outside employment activities. Personal business cards and other such materials must not have a state telephone number listed as a contact number.

5.1.1 Wired Local Personal Calls

Local personal calls utilizing a wired state telephone must be kept to a minimum in both frequency and duration. Whenever possible, calls should be made during lunch hours or authorized breaks.

5.1.2 Wired Long Distance Personal Calls

Personal long distance calls utilizing a wired state telephone are only acceptable if charged to a personal credit card, personal telephone card, or billed to a non-state third party number. In the case of an emergency, personal long distance calls may be made using the state's wired telephone service and charged to the state. "Local calling plus" calls are calls to nearby exchanges that are not part of the local calling area and are considered long distance calls. "Local calling plus" calls do not require the user to dial 1 before the area code (e.g., calls from Columbus to Delaware).

5.1.3 Local Personal Faxes

Local personal faxes utilizing a state fax machine must be kept to a minimum in frequency, duration and page length. Whenever possible, personal faxes should be made during lunch hours or authorized breaks.

5.1.4 Long Distance Personal Faxes

Personal long distance faxes utilizing a state fax machine are only acceptable if charged to a personal credit card, personal telephone card, or billed to a non-state third party number. Many Departmental fax machines do not have this capability. Therefore, in the case of an emergency, personal long distance faxes may be made using the state's fax machine and charged to the state. Additionally, one must be aware that "local calling plus" charges also apply to faxes.

5.1.5 Personal Pages

Employees and contractors may receive a reasonable number of personal pages on their state-issued pager. Unreasonable use of a state-issued pager by an employee or contractor may result in revocation of the state-issued pager and discipline up to and including termination.

5.1.6 Wireless Personal Calls

Personal calls on state-issued wireless telephones are prohibited except in emergency situations and when wired telephone service is not available. In the case of an emergency, personal wireless calls may be made using the state's wireless telephone service and charged to the state. Unreasonable use of state-issued wireless telephones by an employee or contractor may result in revocation of the state-issued wireless telephone and discipline up to and including termination.

5.1.7 Personal Calls on State-issued Calling Cards

Personal calls on state-issued calling cards are prohibited except in emergency situations. In the case of an emergency, personal calling card calls may be made using the state-issued calling card and charged to the state. Unreasonable use of state-issued calling cards by an employee or contractor may result in revocation of the state-issued calling card and discipline up to and including termination.

5.1.8 Personal Use of State-issued Air Cards

Personal use of state-issued air cards is prohibited. Personal use of a state-issued air card may result in revocation of the state-issued air card and discipline up to and including termination.

5.2 Usage of State-issued Telecommunication Equipment, Equipment, and Service

State-issued telecommunication equipment and service are for business communications.

5.2.1 Restrictions and Prohibitions of Wired Telephones

The following types of calls are prohibited if not related to official state business:

- Pay per call numbers (e.g., 900 numbers);
- Unauthorized calls to a personal internet provider;
- Any call made in relation to an employee's personal business enterprise;
- Any call of unreasonable duration;
- Collect calls to state telephone services; and
- Calls billed to state telephone services.

5.2.2 Restrictions and Prohibitions of Wireless Telephones

Department employees must only use their state-issued wireless telephones when state-issued wired telephones are not available. It may sometimes be necessary to discuss Confidential Taxpayer Information on a state-issued wireless telephone. Use of wireless telephones does not automatically create disclosure concerns, but does raise vulnerability issues. Department employees must use good judgment in balancing the risks of unauthorized disclosure with business needs.

The use of wireless telephones in locations where privacy is limited, such as airports, restaurants, and other crowded spaces, poses a greater risk of having a conversation overheard. Department employees need to be aware of the volume of their speaking voice. Whenever possible, Department employees should conduct wireless telephone conversations in private settings or in locations that minimize the potential for unauthorized disclosure.

For contacts initiated by Department employees, the employee must inform a taxpayer that he or she is calling from a wireless telephone when the employee is in an area where the conversation could be overheard. If the taxpayer does not wish to continue the conversation by wireless telephone, the Department employee must offer the taxpayer the option of rescheduling the conversation when a more secure wired telephone is available or communicating by secure e-mail. Department employees must never use their personal wired telephone to conduct state business.

To ensure safety, Department employees and contractors are prohibited from talking on a state-issued wireless telephone while operating a motor vehicle. If a call is received while operating a motor vehicle, the driver must allow the equipment to receive a voice mail message and then return the call after safely parking the vehicle. If a Department employee or contractor must make a call while driving a motor vehicle, the driver must stop the motor vehicle and safely park it before making the call.

Personal calls from state-issued wireless telephones are not to be made for convenience.

The following types of wireless calls are prohibited if not related to official state business:

- Pay per call numbers (e.g., 900 numbers);
- Collect calls to state telephone services;
- Calls billed to state telephone services;
- Any call which could reasonably be made from a wired telephone;
- Any call made in relation to an employee's personal business enterprise;
- Any call of unreasonable duration;

- Any call made or received that is personal in nature and does not represent an emergency situation; and
- Unauthorized text messaging and web messaging.

5.2.3 Directory Assistance, Busy Line Verification, and Busy Line Interrupt

Employees and contractors are discouraged from using directory assistance, busy line verification, and busy line interrupt on their state-issued wired/wireless telephones. Employees and contractors must only use these services as a last resort, not for convenience. Employees and contractors are encouraged to utilize free online directories instead of directory assistance.

6. Procedures

6.1 Administrators and supervisors are expected to ensure that:

- 6.1.1** The need for each item of wired/wireless state-owned telecommunication equipment, each calling card, and each state equipment usage account is clearly justified by a business, emergency or safety need and that all applicable acquisition request forms are accurate and complete.
- 6.1.2** Alternative solutions for work production and communication have been considered.
- 6.1.3** Employees and contractors provided with state equipment usage accounts understand the purpose and limitations of usage.
- 6.1.4** Use of state equipment is terminated when no longer justified by a business, emergency or safety need or when the employee or contractor has abused or disregarded the limitations of this policy.
- 6.1.5** State equipment related to this policy must be returned to the Budget and Fiscal Division when custody changes, when there is no longer a business, emergency or safety need, or when an employee or contractor is no longer serving the Department. Under no circumstance will a supervisor or administrator keep any unassigned equipment after an employee or contractor leaves the Department or no longer requires the equipment.
- 6.1.6** Custody of state wired telephones is current. Administrators and supervisors are to notify the Budget and Fiscal Division when the custody of a wired telephone changes or when an employee or contractor is no longer serving the Department.
- 6.1.7** If a wireless telephone is shared/pooled, an in/out log must be maintained to track the responsible user and the dates and times the wireless telephone was checked out and checked in.
- 6.1.8** Each Department employee or contractor assigned a wireless telephone or access to a wireless telephone as part of a shared/pooled option must be provided a copy of OIT Policy ITP-H.2, "Use of State Telephones."

6.2 Employees and contractors are expected to:

- 6.2.1** Complete the in/out log for shared/pooled wireless telephones.
- 6.2.2** Use state-issued wireless telephones, wired telephones, calling cards, air cards, and other wireless communication equipment in a responsible, informed and safe manner, conform to network etiquette, customs, courtesies, and observe all applicable laws and regulations.

- 6.2.3** Return wireless telephones, calling cards, air cards, and other wireless communication equipment to their supervisor upon a change in employment status or when there is no longer a business need.
- 6.2.4** Immediately report any actual or potential loss, compromise or theft of Department confidential or sensitive information to their immediate supervisor or an administrator. The employee or contractor must also follow all appropriate policies and procedures regarding lost or stolen equipment. Failure to follow the appropriate policies and procedures may result in revocation of the state-issued equipment and discipline, up to and including termination.

6.3 Determination of Eligibility

- 6.3.1** It is the responsibility of employees at the administrator level or above to determine the business needs of subordinate employees and contractors for telecommunication equipment and/or equipment usage accounts.
- 6.3.2** If a subordinate employee or contractor is considered to have a routine and continuing business, emergency, or safety need for telecommunication equipment or services (subject to budgetary limitations), the employee or contractor may be provided with equipment and an equipment usage account by the Department.
- 6.3.3** Employees and contractors without a routine and continuing business, emergency or safety need for wireless equipment may request access to a shared/pooled wireless telephone.

6.4 Acquisition of Telecommunication Equipment and Services

- 6.4.1** Telecommunication equipment and services are to be acquired in accordance with state laws, Department policies and procedures, and the Department of Administrative Services Office of Information Technology regulations.
- 6.4.2** The Department shall encourage the acquisition and distribution of shared/pooled wireless telephones instead of individually acquired and assigned wireless telephones.
- 6.4.3** The administrator of a unit or division must determine and document whether the business need of the employee or contractor seeking a wired telephone, wireless telephone, calling card, air card or other wireless communication equipment is routine and continuous. If a routine and continuous business, emergency, or safety need is determined by the administrator, then the administrator may request the acquisition through the Budget and Fiscal Division. If a routine and continuous business, emergency, or safety need is not determined by the administrator, then the administrator may recommend access to a shared/pooled wireless telephone.
- 6.4.4** The employee or contractor seeking a wireless telephone must complete the appropriate acquisition request form including: the justification (business need), specific service needs (number of minutes, coverage area, hours of use, and custody), and the signature approvals of the employee's immediate supervisor, administrator, Deputy Tax Commissioner, and the Budget and Fiscal Office. Assignment of a wireless telephone with the capability for email and Internet access (e.g., Blackberry) requires the approval of the Tax Commissioner.
- 6.4.5** The Budget and Fiscal Division must provide the employee or contractor with appropriate wired telephone, fax machine, wireless telephone and service, calling card, air card, or other wireless communication equipment and service based upon the associated approved request.

6.5 Usage

- 6.5.1** State wireless equipment usage accounts, wired telephones, fax machines, calling cards, air cards, and other wireless communication equipment are provided for official state business. The Department expects appropriate and responsible use. Employees and contractors are responsible for reading, understanding and following all policies, laws, and regulations.
- 6.5.3** Telecommunication equipment is intended for business applications, such as purposes of safety or to assist in the completion of an assigned task. Telecommunication equipment is not intended to be used solely for personal convenience.
- 6.5.4** When the usage levels do not demonstrate a need, the Budget and Fiscal Division may terminate telecommunication equipment and services or request that the employee or contractor submit a new justification request form.

6.6 Record Retention and Auditing of Records

The Department's Budget and Fiscal Division shall retain all wired/wireless telephone and other wireless service equipment records, including in/out logs, for the current fiscal year and for the two previous fiscal years.

All state wireless and wired equipment usage account statements, invoices, and payment documents are public records and subject to disclosure and review. The State and the Department may audit and/or review any usage of state-issued equipment and services at any time. Abuse of state-issued wireless and wired telephones, calling cards, air cards, facsimile machines, and other wireless communication equipment may be subject to revocation of access to state-issued equipment and discipline up to and including termination.