



**POLICY: ACCEPTABLE USE POLICY – Information Resources & State Equipment**

**ISSUED: December 12, 2018**

**EFFECTIVE DATE: January 1, 2019**

**RELATED LAWS, RULES AND POLICIES:**

- A. NCGS § 20-137.4. *Unlawful use of a mobile phone***
- B. NCGS § 20-137.4A. *Unlawful use of mobile telephone for text messaging or electronic mail***
- C. NCGS § 143B-920. *Department heads to report possible violations of criminal statutes involving misuse of State property to State Bureau of Investigation***
- D. Article 3A of Chapter 143 of the NC General Statute, *Surplus Property***
- E. Session Law 2015-286, Section 3.1 - Agency Mobile Device Reporting Frequency**
- F. NC State Budget Manual, Section 5 – Travel Policies and Regulations**
- G. NCDOL Mobile Electronic Device Policy (Effective July 1, 2018)**
- H. NC DIT Statewide Acceptable Use Policy (Effective October 2017)**

**PREVIOUSLY APPLICABLE SESSION LAWS:**

- 1. Session Law 2011-145, Section 6A.14 – Use of Mobile Electronic Communication Devices**
- 2. Session Law 2012-142, Section 6A.7 – Mobile Device Reporting Change**
- 3. Session Law 2014-100, Section 7.12 - Mobile Communication Devices**
- 4.**

**FORMS:**

- 1. Acceptable Use Policy Signature Page**

**I. Access to and Disclosure of Confidential Information:**

- A.** The employees of the North Carolina Department of Labor have access to information resources that may contain information that is confidential in nature. Therefore, all information and data processing systems to which the employee is granted access will be used only for conducting activities authorized by the Department, and any other agency that “owns” the information, and in accordance with State policies and procedures.
- B.** Unauthorized use or disclosure of information from information systems resources may be a violation of State and/or Federal laws.

**II. Observing Software License Agreements:**

- A.** The theft of computer resources, including computer software, is illegal.
- B.** All computer software, including software obtained from sources outside the Department, is subject to license agreements, which may restrict the employee’s right to copy and use the software. Software distributed on a trial basis, even obtained through the Internet, does not mean that the software is free or that it may be distributed freely. Any fees or incurred expenses for computer software must be preapproved.
- C.** Copies of software can be made for backup purposes only if specifically authorized, in writing, by the manufacturer of the software product.
- D.** Violation of copyright protection is considered a felony and is strictly prohibited by N.C. Department of Labor policy, the N.C. Department of Information Technology Services (“DIT”) policy, and Federal Law.
- E.** Prior to downloading any new software to a state computer, employees shall contact their Bureau Chief and the NCDOL Information Technology Division (“IT”) to discuss the need for such software. Licenses shall be acquired through normal procurement procedures for all computer software after coordination with and agreement from IT. All software shall be installed by IT Staff unless otherwise authorized by same.
- F.** If an employee downloads or installs software without authorization, they shall be subject to disciplinary action up to and including dismissal. The level of disciplinary action will depend on the severity of the violation. Minor violations, including first offenses, shall result in a documented coaching session. Major offenses, including second violations of this policy, shall result in disciplinary action up to and including dismissal.

- G. Software needed for training purposes shall be coordinated with IT in advance (preferably at least 5 business days) of the training period to allow adequate time for staff assessment and response.

### **III. Responsible Use and Care of the Department's Equipment:**

#### **A. It is the employee's responsibility to:**

1. Exercise prudent and reasonable care for all information resources and all state equipment assigned to the employee.
2. On certain occasions, non-field staff may need to take home information resources and/or other state equipment for work purposes (e.g., emergency weather conditions, special projects, etc.). Prior written approval by appropriate supervisors/managers is required, unless there are justifiable extenuating circumstances, before Departmental equipment can be taken for home use. This written approval should be time limited and maintained by the supervisor/manager for reviewing the appropriate and timely return of this equipment.
3. Use and protect this equipment in a professional and responsible manner.
  - a. You must notify the appropriate bureau or divisional supervisors and/or managers within five (5) business days of any material change in the status of such assigned equipment (asset transfer, permanent assignment/location change, etc.).
  - b. If any assigned equipment becomes obsolete, disposition shall follow the established procedures for surplus of State-owned equipment, pursuant to Article 3A of Chapter 143 of the NC General Statute, and all associated rules under 01 N.C. Administrative Code 43A.
4. Use such equipment for authorized Department of Labor business only.

- #### **B. Information resources equipment includes, but is not limited to, items such as office and cellular telephones, pagers, tablets, Personal Digital Assistants (PDAs), desktop and laptop computers and printers, digital cameras, and wireless connectivity devices (e.g. Bricks or Hotspots).**

- C. NCDOL is committed to purchasing laptop computers with docking stations whenever operationally appropriate. This policy is currently the most cost-effective means of providing the needed information resources to our employees. Before an alternative purchasing choice is made, specific operational justification will be required and coordination with NCDOL IT Division will be necessary.
- D. Justification of multiple computer assignments to individual NCDOL employees will require review and coordination with the NCDOL IT Division. This includes the potential need for “spare” or “backup” computers. If proper justification is not available, the bureau/division will take all appropriate steps to coordinate the return of these computers to the IT Division for redistribution or surplus.
- E. **Damaged, Lost, Stolen or Misplaced Equipment:** If any state-owned equipment is damaged, lost, stolen, or otherwise misplaced, **the employee shall immediately notify their supervisor by email, or the most expedient means available.** The supervisor shall notify IT, the NCDOL Financial Services Division, and the NCDOL Legal Affairs Division immediately so any services connected to the device can be deactivated and the report required by subparagraph F, below, can be timely filed. **Failure by either the employee or supervisor to comply with these instructions may result in disciplinary action in addition to responsibility for any costs associated with the loss of the equipment.** Repayment will be made in accordance with departmental accounting procedures.
- F. In accordance with N.C. Gen. Stat. § 143B-920, state-owned equipment that is damaged, lost, stolen, or otherwise misplaced, shall be reported by the Legal Affairs Division to the Director of the State Bureau of Investigation no later than ten (10) days from the date it receives notice pursuant to subparagraph E, above.
- G. Employees shall not charge personal long-distance telephone calls to the state or make personal calls on state-owned or leased mobile devices, except for emergency calls and for employees in travel status as defined in and limited by the State Budget Manual.
- H. All employees of NCDOL have access to the State Budget Manual’s policy on “Telephone and Mobile Device Usage” on the NCOSBM website. All personnel must read and comply with this policy on telephone usage. All personnel must read and comply with this policy, which is incorporated herein by reference. The State Budget Manual may be accessed at [OSBM Budget Manual](#) (see Section 5, Subsection 5.10).

**IV. Computer Games and Screensavers Not Allowed on NCDOL Computers:**

- A. Computer games and screensavers shall not be allowed on Department of Labor information resources equipment, except those games and screensavers provided with the operating system software. Please note that operating system software screensavers are essential to prevent stationary images from being permanently burned into the screen.
- B. Images (JPEG) of family members or other personal pictures are allowed as background to the desktop. Please note that screensavers and desktop backgrounds are two different items, and that while you are allowed to alter the desktop background, you are NOT allowed to alter the screensavers. If you have any questions about the difference, please contact the IT Division.
- C. Supervisors may, at their discretion, request that games provided with the operating system software be removed by the NCDOL Information Technology Division from an individual's or Bureau's equipment.
- D. By signing this *Acceptable Use Policy*, the employee expressly agrees not to download and install electronic games or screensavers on the Department's equipment from any source.
- E. IT shall maintain an inventory list of Division/Bureau software and shall install the appropriate software each time new computers are added and when existing equipment is reconfigured as required.

**V. Electronic Mail (E-mail) Guidelines and Expectations:**

- A. Electronic mail (e-mail) in N.C. State Government is considered a "public record" under the N.C. Public Records Act (N.C. Gen. Stat. § 132-1).
- B. Employees shall comply with the State E-mail Notification Policy and include the following statement on each e-mail: "***E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and may be disclosed to third parties.***" The NCDOL IT Division will provide assistance in placing this statement on your e-mail, if necessary.
- C. Automatic forwarding of emails from an authorized State of North Carolina/Department of Labor email account to any non-State email account is expressly forbidden.
- D. Anonymous or pseudonymous posting of e-mail or sending chain letters via e-mail on any NCDOL computer or tablet is expressly forbidden.

- E. It is the employee's responsibility to use the Department's e-mail resources to communicate responsibly, and to be courteous, professional, and show restraint when responding to both internal and external recipients.
- F. Sending e-mail to "ALL" in the Department places a great burden on the e-mail system and should be used only with reservation.

**VI. Use of the INTERNET by the Department's Employees:**

- A. If the employee is authorized by his/her supervisor to have access to the Internet, the employee is expected to use the Internet responsibly and professionally and make no use of these resources in an illegal, malicious or obscene manner.
- B. Employees may make reasonable personal use of the Internet, before and after work hours and during a lunch break, as long as the direct measurable cost to the public is none or is negligible or access supports the mission of the Department and there is no negative impact on employee performance of public duties.
- C. Employees should not engage in personal use of departmental information resources equipment if that usage might result in embarrassment to the State of North Carolina, the NC Department of Information Technology (DIT), or to the NCDOL.
- D. If costs are incurred by the employee while making personal use of the Internet, such costs must be repaid to the Department in accordance with departmental accounting procedures, and incurring such costs without appropriate management authorization in advance may subject the employee to disciplinary action.
- E. Use of the Internet to purposely send, receive and/or access sexually oriented messages or images while on duty and/or with departmental equipment is expressly forbidden. Violation of this provision shall constitute unacceptable personal conduct and shall result in dismissal. The Department maintains a zero-tolerance position on this issue.
- F. All employees must comply with the provisions of the *Statewide Information Security Manual* in relation to (1) *Sending Electronic Mail*; (2) *Acceptable Usage of Information Assets*; (3) *Using the Internet in an*

*Acceptable Way; and (4) Using the Internet for Work Purposes.* Information on Data Protection may be found here: [DIT Data Protection](#). The DIT Incident Response Policy may be found here: [DIT Incident Response Policy](#).

**VII. Preventing the Spread of Computer Viruses:**

- A. Knowingly spreading computer viruses is illegal and unethical, and it is each employee's responsibility to help prevent the introduction or propagation of computer viruses in the Department.
- B. All files received from any external source, including files electronically downloaded from any source external to the department's servers, must be scanned for computer viruses.
- C. All Department computers, including those in an office or home location, must use anti-virus software.
- D. Employees should immediately contact the NCDOL Information Technology Division when a virus is detected or suspected so it may be confirmed and removed before it spreads further. All employees must comply with the following provisions of the *Statewide Information Security Manual*: Sections 060109 – *Defending Against Virus Attacks*, 060110 – *Responding to Virus Incidents* and 060111 – *Installing Virus Scanning Software*.

**VIII. Software and Documentation Developed for the Department:**

- A. Computer software and related documentation, including spreadsheets and/or databases, developed by the Department's employees or contract staff, while on duty, remain the exclusive property of the North Carolina Department of Labor.
- B. Any unauthorized disclosure or distribution of such computer software and related documentation is prohibited.

**IX. Employee Certification of Notification:**

This *N.C. Department of Labor Information Resources and State Equipment Acceptable Use Policy* supersedes and replaces all previous editions of the *Department of Labor Memorandum of Understanding for Department of Labor Employees – Department of Labor Information Resources and State Equipment Usage*. I certify that I am a Department of Labor Employee, and I have read this

*Acceptable Use Policy* and all attachments/electronic links, and I understand my obligations regarding the use, and manner of usage, of the information resources and all equipment belonging to the State of North Carolina and the Department of Labor. I understand that this *Acceptable Use Policy* is applicable departmentwide. I understand that failure to observe and abide by these obligations and other policies and procedures may result in disciplinary action, up to and including dismissal. Furthermore, I have been informed that the Department will retain this document for future reference.

- Note:**
1. Access to the North Carolina Integrated Information Network, the Internet, and the Department's e-mail system and software applications will not be granted until the Department receives this signed *Acceptable Use Policy*. Supervisors should immediately forward signed *Acceptable Use Policy* to the Information Technology Division. The Information Technology Division will forward the *Acceptable Use Policy* to the Human Resources Division.
  2. This *Acceptable Use Policy* becomes part of the employee's Official Personnel File on the date of the employee's signature.

## **REVISION HISTORY**

May 1997: Initial implementation of this policy.

Revised: September 2003; January 2007; and November 2009

Revised: December 12, 2018 to reflect a 2014 legislative recodification of NCGS 114-15.1 [NC General Statutes §§ 114-15 through 114-15.3 were recodified as G.S. 143B-919 through 143B-922 by Session Laws 2014-100, s. 17.1(j), effective July 1, 2014.]; and to reflect name changes to the NCDOL Financial Services Division and the NC Department of Information Technology.





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**ISSUED: December 12, 2018**

**EFFECTIVE DATE: Immediately**

**ACCEPTABLE USE POLICY SIGNATURE PAGE**

I have read, understand, and will abide by the above Acceptable Use Policy when using computer and other electronic resources owned, leased, or operated by NCDOL. I further acknowledge that I will abide by the above Acceptable Use Policy when using personal computing devices not owned or operated by NCDOL. I have no expectation of privacy when connecting any personal device to the State Network and that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation of this policy, my access privileges may be revoked, disciplinary action may be taken, and/or appropriate legal action may be initiated.

Division/Bureau: \_\_\_\_\_

Employee's Full Name [Print]: \_\_\_\_\_

Full name above must match on ALL documents submitted to NCDOL.

Preferred Name [Print]: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Name [Print]: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

IT Representative: \_\_\_\_\_ Date: \_\_\_\_\_

HR Representative: \_\_\_\_\_ Date: \_\_\_\_\_