



## UNIVERSITY POLICY

<b>SUBJECT:</b>	HUMAN RESOURCES	<b>TITLE:</b>	USE OF PERSONALLY-OWNED MOBILE COMMUNICATION DEVICES/RECORDING DEVICES ON UNIVERSITY PREMISES		
<b>CATEGORY: Check One</b>	<b>Board of Trustees</b> <input type="checkbox"/>	<b>Presidential</b> <input checked="" type="checkbox"/>	<b>Functional</b> <input type="checkbox"/>	<b>School/Unit</b> <input type="checkbox"/>	
<b>Responsible Executive:</b>	Vice President for Human Resources		<b>Responsible Office:</b>	Human Resources	
<b>CODING:</b>	00-01-30-80:00	<b>ADOPTED:</b>	05/15/07	<b>AMENDED:</b>	02/03/10
			<b>LAST REVIEWED: 02/03/10</b>		

**I. PURPOSE**

To establish policy for use of personally-owned mobile communication devices and recording devices by University employees in the workplace.

**II. ACCOUNTABILITY**

Under the direction of the President, the Vice President for Human Resources is responsible for ensuring compliance with this policy. Department managers and supervisors shall implement this policy.

**III. APPLICABILITY**

This policy applies to all staff and faculty employees while on University owned or leased property and/or facilities in which the University conducts business.

**IV. DEFINITIONS**

- A. Mobile Communication device is defined as any Cell Phone, Pager, Personal Digital Assistant (PDA), MP3 player, headphone, Bluetooth device, or any other wireless device that could be used to access the UMDNJ network.
- B. Recording device is defined as any device used to record or intercept any wire, electronic, oral or visual communication, to include, but not limited to, mobile communication devices, including those with picture messaging, tape recordings, other photo devices and the transmission of images through e-mail systems.

**V. REFERENCES**

- A. Rights & Responsibilities for the Use of University-Accessed Electronic Information Systems [00-01-10-40:00](#)
- B. Issuance and Use of Mobile Communications Devices 00-01-95-20:00 (under development)

## VI. BACKGROUND

The use of personal mobile communication devices and other electronic devices has expanded rapidly in the workplace. The University does not wish to unreasonably constrain the use of these devices; however, it has a broader responsibility to: (1) ensure that they are used in an appropriate manner; (2) ensure the integrity of proprietary information; (3) preserve the privacy of fellow employees and (4) ensure that unauthorized surveillance does not breach the reasonable expectation of privacy in the workplace.

## VII. POLICY

A. Mobile Communication Devices - Employees are required to exercise discretion and restrict the use of personal mobile communication devices while on duty, or in the workplace. Excessive calls via personal mobile communication devices and/or the use of its multi-media functions (games, internet, videos, music) can interfere with productivity and can be distracting to fellow workers. For safety purposes, use of mobile communication devices while driving on University business should be done in compliance with state law requiring the use of hands-free equipment. In addition, the use of head sets and wireless head set technology while operating work-related equipment is a safety hazard and is not allowed.

B. Recording Devices - As a general rule, recording devices and camera-equipped devices (including mobile communication devices) and their uses are restricted in accordance with state and federal regulatory guidelines concerning unauthorized surveillance. Employees shall not use the picture-taking functionality of mobile communication devices in the workplace. Unauthorized use of cameras at any University-owned facility, including designated research areas, restrooms, or exercise areas without the express written consent of the department manager is not allowed.

C. Taping Conversations - Taping conversations is prohibited, unless all parties have prior notice that the conversation will be monitored or taped and have given consent. Covert/secret taping of any conversation or meeting occurring at the workplace or, conversations or meetings offsite that deal with workplace matters of official concern are prohibited. Examples of such meetings are promotion interviews, meetings with a counselor or investigator, meetings between a supervisor and a subordinate, etc.

Employees are also prohibited from arranging for others, including non-employees, to do any recording of conversations, phone calls or other work activities.

D. In compliance with the privacy regulations contained in the Health Insurance Portability & Accountability Act (HIPAA), visual and recording devices shall not be used in patient care areas.

E. The following are the only exceptions to the above provisions:

1. Camera-equipped devices issued by the University to designated employees as part of their performance of certain duties;
2. When required as an accommodation for an employee who has a documented hearing-impairment or physical challenge and who is otherwise unable to write or conveniently record information or data;
3. When authorized by a meeting chairperson for the purpose of facilitating the recording of meeting minutes or the taking of notes; or, the recording of investigatory or other hearings;
4. When an authorized department head or his/her designee grants prior written approval and notice of the recording of an activity restricted to their department. Copies of the written approval must be maintained in the department's files.

5. When cell phones are used in employee break areas during an employee's scheduled break or at University-sponsored social events.
- F. The University shall not be liable for the loss or damage of personal cell phones, multimedia devices or other recording devices brought into the workplace.
  - G. Failure to comply with the provisions of this policy may result in disciplinary action up to and including termination depending on the severity of the infraction.

By the Direction of the President:

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Vice President for Human Resources