



Approved by  
The Executive Committee

No. 2-15

Initially issued: 09/30/1987  
Last amended: 10/05/2016  
Last reviewed: 10/05/2016

## EMPLOYEE USE OF M-NCPPC PROPERTY

### AUTHORITY

This Administrative Practice was approved by the Executive Committee on September 30, 1987. The most recent amendments to the Practice were adopted by the Executive Committee on October 5, 2016.

  
Patricia C. Barney, Executive Director

### PURPOSE AND BACKGROUND

This Practice, originally titled “Employee Use of Commission-Owned/Leased Property,” was initially issued September 30, 1987, to establish guidance on the use of M-NCPPC-owned and leased property.

Subsequent to its initial adoption, the Practice has been amended as follows:

- April 16, 2003: Revisions provided more comprehensive guidance on authorized and unauthorized use of M-NCPPC property. The title of the Practice was changed to “Employee Use of Commission Property”.
- October 5, 2016: Policy revised to incorporate technology updates, clearer terminology and cross references to other relevant policies.

### REFERENCES

- M-NCPPC Merit System Rules and Regulations.
- M-NCPPC Administrative Practice 2-14, and accompanying Administrative Procedures 03-05, “Outside Employment and Non-M-NCPPC Commission Business”.
- M-NCPPC Administrative Practice, 2-16 and accompanying Administrative Procedures 00-02, “Contract Employment: Seasonal/Intermittent, Temporary, and Term Employment”.
- M-NCPPC Administrative Practice 3-10, “Business Expense Reimbursement for Travel, Meetings, and Conferences,” which establishes allowable uses of M-NCPPC property incidental to travel, meetings, and conferences.
- M-NCPPC Administrative Practice 3-14, “Accounting for Commission Real and Personal Property” and accompanying Administrative Procedures 04-01 “Fixed Asset Procedure Manual”.
- M-NCPPC Administrative Practice 3-31, “Fraud, Waste and Abuse”.
- M-NCPPC Administrative Practice 6-10, “M-NCPPC Vehicle Use Program”.

- M-NCPPC Administrative Practice 6-13, “Electronic Communications Policy,” which establishes policy related to electronic communications and the use of electronic communication equipment. (See also, M-NCPPC Administrative Procedures 12-01, “Mobile Technology”.)
- M-NCPPC Administrative Practice 6-52, “Use of Commission Facilities by the Public and Staff,” which regulates use of facilities by permit.

## **APPLICATION**

This Practice applies to all Merit System employees, Contract employees (as defined by M-NCPPC Administrative Practice 2-16), volunteers, and appointed individuals. In the event that any portion of this Practice conflicts with a collective bargaining agreement, the agreement shall prevail for members of the respective collective bargaining unit.

## **DEFINITIONS**

**M-NCPPC Property** is any service or asset/property (physical, digital, electronic, virtual, or intellectual) owned, purchased, leased, or under contract with the agency. This includes, but is not limited to: facilities, general equipment and tools; natural items (for example, plants, trees, mulch, compost and firewood, etc.); vehicles and machinery; office equipment and supplies, including M-NCPPC stationery; computer hardware, software and other electronic equipment; copiers and printers; telecommunication services such as telephones, paging devices, facsimile machines, Internet/Intranet and electronic mail; mobile technology (such as phones, personal digital assistants (PDAs), electronic tablets, air cards and transponders, etc.); data stored on, received by, or transmitted by the agency’s operating systems and/or servers; M-NCPPC-issued uniforms; staff services delivered by employees, contractors, or volunteers of the agency; and rights under any license or other agreement relating to intellectual property, know-how, and information of commercial value, whether or not protected by patent, trademark, copyright or other legal entitlement.

**The Maryland-National Capital Park and Planning Commission (M-NCPPC)**: For purposes of this Practice, “M-NCPPC” or “agency” shall be used to reference the entity acting in its organizational capacity.

## **POLICY**

The use of M-NCPPC property is intended for the conduct of official business of the agency. The use of M-NCPPC property for outside employment, non-M-NCPPC business or personal gain is prohibited unless specifically covered under “Allowable Exceptions”.

**Allowable Exceptions**: Restricted use of M-NCPPC property for non-M-NCPPC-related business is permitted as outlined in agency policies listed in this Practice under the section titled “References.” Listed policies explain requirements and authorization for use. Examples of referenced policies include:

- Administrative Practice 6-10, Vehicle Use Program: This policy outlines restrictions on the use of M-NCPPC vehicles;
- Administrative Practice 6-13, Electronic Communications policy and its accompanying Administrative Procedures, 12-01, Mobile Technology: These policies address the use of

computer hardware, software, technology services, mobile devices and other technology;  
and

- Administrative Practice 6-52, Use of Commission Facilities by the Public and Staff: This policy provides standards regarding the use of the agency's facilities by the public and staff.

Use of M-NCPPC Phones and other Communication Technology: Agency technology is intended for the use of carrying out M-NCPPC duties. While it is recognized employees occasionally may need to use this technology for personal reasons, personal use must be kept to a minimum and must be brief. The restrictions in Practice 6-13, Electronic Communications Policy, shall prevail for personal use. Placing phone calls, or engaging in other uses of technology categorized as "entertainment" is prohibited. Charges incurred as a result of personal or other unauthorized (non-M-NCPPC-related business) may not be charged to the M-NCPPC.

## **RESPONSIBILITIES**

**Department Heads** shall ensure that his/her employees follow the policy and that violations are handled in a timely and consistent manner. Concerns related to inappropriate use of M-NCPPC property must be reported/handled consistent with Administrative Practice 3-31, "Fraud, Waste and Abuse".

**Managers/Supervisors** must use reasonable efforts to monitor the use of M-NCPPC property within their respective units, and report any violations to their Department Head or designees, for resolution of the problem. Concerns related to inappropriate use of M-NCPPC property must be reported/handled consistent with Administrative Practice 3-31, "Fraud, Waste and Abuse."

**Covered persons** must comply with this Practice.

## **VIOLATIONS OF POLICY**

Employees who violate any portion of this Practice are subject to disciplinary action, up to and including termination of employment. For Merit System employees, disciplinary actions shall be handled in accordance with the Merit System Rules and Regulations, Discipline Chapter; and applicable collective bargaining agreements. Administrative Practice 2-16, "Contract Employment: Seasonal/Intermittent, Temporary, and Term Employment", Discipline Section, shall be used for disciplinary actions involving Contract employees. Violations of policy also may result in criminal prosecution.

In addition to actions described above, any expenses incurred from an employee's unauthorized use of M-NCPPC property will be recovered by the agency through direct repayment of such expenses by the employee, or collection of such expenses through payroll deduction, where appropriate. M-NCPPC reserves the right to determine the method of recovery of such expenses and to pursue legal action for collection of any monies owed by an employee.