

**CITY OF TRAVERSE CITY
OFFICE OF THE CITY MANAGER
PERSONNEL POLICY NO. 207P**

TITLE: COMPUTER, E-MAIL, INTERNET POLICIES
DEPTS. AFFECTED: ALL
EFFECTIVE DATE: JULY 2011

This policy establishes guidelines for the proper use of the City of Traverse City's computers, Internet resources, and E-mail. All employees have the responsibility to use these resources in a professional, ethical and lawful manner. *The information created through the use of these systems is the property of the City of Traverse City, not the persons who create them. Federal and State laws may require the reproduction of this information for third parties.* Employees are notified that they are responsible for the material they review and download from the Internet.

Definitions

1. Computer Network – a system containing any combination of computers, computer terminals, printers, audio or visual display devices, or telephones interconnected by telecommunication equipment or cables: used to transmit or receive information.
2. Electronic mail ("E-mail") - is a means of exchanging messages and documents using computers. An E-mail message includes the contents of the communication, the transaction information (dates and times that messages were sent, received, opened, deleted, etc.; as well as aliases and members of groups), and any attachments.
3. Public Record – is a writing prepared, owned, used, in the possession of or retained by a public body in the performance of an official function, from the time it is created.
4. Records Management Handbook – Guidelines and Retention and Disposal Schedule for Public Records adopted by the City Commission on October 5, 1998 and as amended.

General Computer Policies

1. Only those persons currently employed (or given special permission) are permitted to use any computer resources owned, rented or leased by the City.
2. Use of the City's computer resources or Internet connections for gambling, obtaining or distributing pornographic materials and all other illegal activity is strictly forbidden. The City Manager may have incoming and outgoing Internet traffic monitored for this type of usage.
3. Where copyright laws apply, the City forbids unlawful copying of any software or manuals.

Internet Use

1. Access to the Internet is primarily for the exchange of information and research consistent with the vision, mission, goals and activities of the City.

2. Access to the Internet is provided both as a business tool for and a benefit to employees.
3. Employees are expected to use the Internet solely for job-related research and City business communications during work hours. Acceptable job-related uses include, but are not limited to, the following: a) Research/Education -Communication with professional associations, other governments, universities, businesses and/or individuals associated with the facilitating of City business, research and education efforts, as authorized by a Department Head; b) General Public -Distribution of information to the general public, whereby such information is made available under City guidelines and policies for the release of information and the Freedom of Information Act; and c) Incidental Communication -incidental communication among City professionals in discussion of a work-related field of knowledge.
4. Employees may use the Internet on-site for personal research and communications outside of work hours, provided these activities do not result in additional expenses for the City and do not interfere with City business. This incidental personal use is permissible under the following conditions: a) Does not consume an abusive amount of time, resources or material that should be used for business purposes; b) Does not interfere with employee productivity; c) Does not preempt or interfere with other employee's business activity; d) Does not involve solicitation for business, selling products or otherwise engaging in commercial activities; or e) Does not involve locating, storing, or transmitting data or information that has the potential to be considered harassing or offensive by nature.
5. Employees shall not use the Internet for inappropriate or unlawful purposes, including but not limited to: placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages; using obscene or otherwise inappropriate language in communications; and obtaining, viewing or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable.
6. Internet access records and records of downloaded files are not private and may be monitored as deemed necessary by the City Manager without prior notice to the employee.

E-mail Use

1. The above rules for the Internet also apply to the use of E-mail provided to City employees. E-mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others outside the City and subject to the Records Management Handbook and the retention policy described below.
2. All E-mail originating from or received by City computer systems is City property, and is not considered private information.
3. E-mail may be monitored as deemed necessary by the City Manager without prior notice to the employee.
4. No E-mail or other electronic communications may be sent which attempt to hide the identity of the sender, or represent the sender as someone else or from another city unless related to the performance of a work-related investigation.

5. Any messages or information sent by an employee to one or more individuals via an electronic network, (e.g., bulletin board, on-line service, or internet) are statements identifiable and attributable to the City of Traverse City. While some users include personal "disclaimers" in electronic messages, it should be noted that there would still be a connection with the City and the statement might still be legally imputed to the City. All communication sent by employees via a network must comply with this and other City policies and may not disclose any confidential or proprietary information unless required for use in your official job duties.

E-mail Retention

EMPLOYEE RESPONSIBILITIES.

PURPOSE: The purposes of this policy are (1) to prescribe the maximum amount of time a particular E-mail may remain on the Computer Network and (2) to ensure that E-mails are retained as required by the Records Management Handbook in the same manner as other types of public records.

1. There are four types of E-mails covered:
 - a. Public Record. Examples include work related correspondence and memoranda between employees that are not included in the definition of a Transitory Record, purchase orders, citizen complaints, E-mails that request changes made to contracts or document human resource actions, etc.
 - b. Work-related Appointments, Tasks and Notes Record. E-mails containing information such as a daily log, calendar, or other record evidencing an employees' daily performance of work related tasks, or E-mails approving a request to attend a training class.
 - c. Transitory Record: E-mails that have very little administrative value. Transitory records do not set policy, establish guidelines or procedures, document a transaction or become a receipt of an action. Such E-mails include E-mails reminding the employee of a meeting, E-mails requesting a document to be E-mailed, faxed, etc,
 - d. Non Public Record: E-mails not related to the performance of an official function or that document non-government business, such as an announcement to donate blood or of a retirement party. E-mails indicating congratulations on a new job, E-mailing a spouse to let them know you are running late, holiday party announcements, or to notify individuals a car in the parking lot has their lights on.
2. The retention period for each type of E-mail is as follows:
 - a. Public Record. See Records Management Handbook.
 - b. Work-related Appointments, Tasks and Notes Record. Two years.
 - c. Transitory Record. Disposal after the purpose of the E-mail has been fulfilled.
 - d. Non Public Record. Within 30 days or following the event or purpose to which the E-mail relates, whichever is earlier.
3. All employees shall retain and dispose of E-mails as required by this Policy. E-mails shall not be destroyed if they have been requested under FOIA, or if they are part of on-going litigation, even if their retention period has expired or this Policy would otherwise require disposal.
4. Senders are generally considered to be the employee responsible for maintaining the E-mail as required by this Policy. However, if recipients of the message take action as a result of the message, or if

the E-mail was sent by an outside agency, a member of the public, or anyone outside of the City, the recipient should retain it as required by this Policy.

5. It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content.

6. The employee responsible for retaining the E-mail as required by this Policy shall evaluate the content and purpose of each E-mail message to determine the appropriate Retention Period.

7. All employees shall retain E-mail that has not fulfilled its legally mandated retention period by setting up the Lotus Notes or similar E-mail program automatic archive function to a network drive. Assistance on how to do this can be obtained from the County's MIS Department.

8. All retained E-mails shall contain the transactional information with the E-mail (transactional information includes dates and times that messages were sent, received, opened, deleted, etc.; as well as aliases and names of members of groups. Information can be found and printed or saved from the E-mail system).

9. All employees shall organize their E-mail messages in a manner that they can be located and used. E-mail may be organized by subject or by some other system. E-mail folders should be coordinated with any paper or other electronic filing system already in place within the employee's department.

10. All employees shall provide their E-mail to the City Clerk or their designated FOIA Coordinator as documented in the FOIA policy, upon request.

11. E-mail messages that are sent and received using the City's E-mail system are not private, employees are encouraged to manually delete personal appointments (such as sick leave or annual leave) from the E-mail system after the event takes place.

12. Each Department Head shall ensure that E-mail messages (and other records) of former employees are retained in accordance with approved Retention and Disposal Schedules.

13. All employees shall notify the City Clerk or their designated FOIA Coordinator, when a department becomes involved in litigation or receives a FOIA request pursuant to the City's FOIA Policy.

FOIA and Litigation Coordinator Responsibilities ("FOIA Coordinator")

1. The FOIA Coordinator shall follow the FOIA policy procedures in disclosing public records.

2. The FOIA Coordinator may notify the County MIS Department that a FOIA or litigation request involving E-mail was received to prevent the destruction of relevant messages until after the case is resolved or the FOIA request is fulfilled.

Network Security

No employee shall use any data or other information on the City's network file server or any City personal computer for personal gain, or for the advantage of any outside third party, or in any other way except in accordance with the policies of the City.

No employee shall permit any unauthorized person to gain access to the City's computer network system.

No employee shall furnish any information to any unauthorized person about the hardware or the software used by the City, nor the method of accessing the City's computer network system.

Violation of this order will be considered cause for appropriate disciplinary action. Any questions with regard to interpretation of this order should be discussed with the department head.

This order may be amended or revised from time-to-time. Employees will be provided with written copies of all amendments and revisions to this Policy.



R. Ben Bifoss, City Manager

History: Supersedes Executive Order No. 315 dated June 20, 2008

Cross -Ref: Records Management Handbook adopted by the City Commission on October 5, 1998 and updated March 3, 2010

