

305. ELECTRONIC COMMUNICATIONS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement.

POLICY: The City of Vancouver maintains computer systems, network utilities and electronic mail to assist in conducting City business. The electronic messaging system and Internet access, like paper files and notebooks, are assets provided to City employees to assist them in performing their work efficiently. These tools, and the work product they contain, are the property of the City and should be used for business purposes. Employees should not have any expectation of privacy in their use of these tools.

GUIDELINES:

1. Can employees use the electronic mail system for personal reasons?

As a general rule, no. The electronic mail system hardware is City property and all the messages composed, sent or received on the system are City property. Therefore, the use of the electronic mail system is reserved solely for City business and should not be used for personal business.

2. Are there restrictions on the type of messages that can be sent?

Yes. Employees are accountable for their use of electronic communications just as they are for other conduct and communications in the workplace. Therefore, use of the electronic mail system is restricted as follows:

a. The e-mail system is not to be used to create, send or copy any offensive, harassing or disruptive messages. Messages will be considered offensive if they contain information or language that would violate the City's Harassment Prevention policy. The City will view the appropriateness of any communication on the basis of how it would have been perceived and dealt with had it been conducted by phone, in person or on paper.

- The e-mail system is not to be used to send, receive or download copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.
- Communications which would be inappropriate under other City policies are equally unacceptable if delivered via electronic communication. These communications may include, but are not limited to, harassing or discriminatory comments, breaches of confidentiality and insubordinate statements.
- The electronic mail system may not be used to solicit or market commercial ventures, religious or political causes, outside organizations or other non-job related reasons.

4. Are electronic communications private and confidential?

No. Electronic communications and electronic files are considered official business communications and are the property of the City. The City reserves the right to enter the e-mail system to review, copy or delete any messages, to disclose such messages to others and to use the messages to support disciplinary or other action. In addition, electronic messages may be considered public record in which case the public has the right to examine the messages. Therefore, employees should not assume that messages are confidential even if a password is used. If a communication must be private or confidential, do not use the electronic mail system.

The City recognizes that confidential and sensitive information such as performance reviews, disciplinary and/or corrective actions, personnel information, or other related information may sometimes be sent over e-mail. Because of this, the City is reminding employees that information sent over e-mail should be treated with the same confidentiality paper copies are given.

5. Are employees required to treat messages as confidential?

Yes. Notwithstanding the City's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them.

6. Can employees use the Internet?

As described above, the computer system is City property and is reserved for City business. Therefore, requests

for Internet access and the software and hardware for that access must be sent to department directors and then forwarded to the Department of Information Technology for authorization. Departments will keep a register of all Internet users. When authorized, access to the Internet via City resources can only be used for City purposes.

7. Are there any guidelines or procedures that should be followed when using the Internet?

Yes. Departments will provide employees with appropriate guidelines and software for their operations, including virus protection. As a general rule, the safety and security of the City's network and resources must be considered at all times. Some of these considerations are:

- o Individual users must be aware of and at all times attempt to prevent potential City liability in their use of the Internet. For that reason, all outgoing messages, which do not reflect the official position of the City or Department, must include the following disclaimer: "The opinions expressed here are my own and do not necessarily represent those of the City of Vancouver."
- o Accessing the Internet using City equipment must be in compliance with all applicable laws and policies, including but not limited to the Harassment Prevention policy.
- o Electronic communication databases (such as a web site) must not be created or implemented without prior approval of the department director and review by the Information Technology Department.
- o Infringing on third party copyrights or other intellectual property rights, license agreements or other contracts such as illegally installing, copying or making available copyrighted software is prohibited.
- o Resources which are not used for a City purpose must not be accessed or downloaded.
- o Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual users should be aware that the City has no control over and can therefore not be responsible for the content of information available on the Internet.

8. Can employees install their own software on the City's system?

No. Employees may not make changes to nor install hardware or software on any component of the City's system. All requests for new hardware or software should be sent to the Information Technology (IT) Department.

9. How should employees respond to electronic mail from outside the City?

In most instances, electronic correspondence (e.g. from citizens or other cities or agencies) should receive the same response and level of attention as if it had been received through the traditional mail system. Electronic mail should be filed and copied according to the same procedures within a work group as applies to other correspondence.

10. May employees use a City owned computer to take classes via the Internet?

Yes. If the class is taken under the Tuition Reimbursement program or is work-related, and is approved in advance by your supervisor.

11. Will employees be disciplined for personal use of the electronic mail system or the Internet?

As with all City policies, employees will be disciplined for violation of the Electronic Communications Policy. However, employees may not be disciplined for minor personal use of the electronic mail system or the Internet. In other words, minor personal communication, while not sanctioned, is not prohibited by the policy. Generally, this would include such uses as adding a personal comment to an official e-mail, sending a short personal note to a colleague or other personal interactions that are routinely a part of day to day business interaction. Reasonable judgment should be applied to individual circumstances. Employee use of the City's systems for personal use is at his/her own risk. The City retains sole discretion to determine what use is minor. Questions about what use may be considered minor should be directed to Human Resources.

However, requests for information or public records under the Public Disclosure Law should be immediately referred to the appropriate department or to the City Attorney's Office for review. Questions regarding the Public Disclosure Law should be referred to the City Attorney's Office.