

4.5.2. ACCIDENTS: In the event of an accident, and in order to protect both employees and the City from unwarranted liability, employees are urged not to discuss accidents with persons other than the police and the Mayor until the City's insurer and the City Attorney have been notified and the employee has reviewed the accident with the insurer and/or Attorney. Overboard, inaccurate or confusing statements may result in personal loss or liability to the employee.

4.5.3. USE OF CITY TELEPHONE, EQUIPMENT OR SUPPLIES:

- A. Employees shall not use City equipment or supplies for personal activities nor store City equipment or supplies in personal vehicles or private residences, garages, etc. Employees shall not place long distance calls on the City's phone bill for personal business. Nothing in this policy shall be read to prevent reasonable, limited use of City telephones for local personal calls and in emergency situations.
- B. Employee's misuse of City telephones, equipment or supplies may be considered theft, and may result in disciplinary action or discharge. Theft of City services, equipment or supplies shall result in discharge.

4.5.4. USE OF CITY VEHICLES:

- A. No City vehicle shall be used for personal purposes. Violation of the prohibition against personal use may result in disciplinary action or discharge.
- B. Fuel card user shall record odometer reading when fueling City vehicles.

4.5.6. INTERNET USE:

This policy applies to all City employees and officers who use e-mail either on the local area network or through the City's Internet capabilities. In addition, this policy applies to all persons who use e-mail as a representative or agent of the City.

A. Internet Use Limited to City Business: The City's Internet capabilities may be used for City business purposes only. The term "internet" means the electronic information system of that name which connects smaller groups of linked computer networks. The term "City's Internet capabilities" means any and all access to the Internet obtained through City sponsorship, ownership, or financial contribution, or by any employee or officer as a representative or agent of the City, during work hours. The term "City business purposes" means the official work of City government undertaken for public benefit, as opposed to activities undertaken for personal, non-City or private purposes. Unacceptable sites or uses include, but are not limited to, the following:

- Pornographic sites and access to pornographic materials.
- Use of the City Internet to harass employees, vendors, customers, and others.
- Sports or games.
- Use of the City Internet for partisan political purposes.
- Unauthorized transfer of copyrighted materials utilizing City Internet capabilities.
- Any site that charges a fee (unless there has been prior written approval of justified City expense item by supervisor).
- Vendor sites to purchase personal items.
- Marketing of personal or private business.

While this policy does restrict Internet Use to official business, limited personal use (within acceptable use guidelines) during breaks or before/after work hours will be allowed as a way to encourage staff to become more proficient in using the Internet as a research and communication tool. Authorized personal use is subject to adequate capacity in the system. Internet and e-mail maybe used for minor personal matters to accommodate the demands of daily living so long as the use is occasional and does not cost the City money or interfere with City work. However, City departments may enforce more restrictive policies on computer, Internet, and e-mail use.

B. Authorized Users: No City employee or officer shall be authorized to use the City's Internet capabilities until he or she has signed a document indicating that the employee or officer has read and agrees to be bound by the terms of this policy.

C. No Privacy Rights: Electronic communications are not private or confidential. All Internet communications utilizing the City's Internet capabilities are the property of the City and may be public records under the Public Disclosure Act (RCW 42.17.). There are no rights to individual privacy in any communications or information obtained through the City's Internet capabilities.

D. Professional and Courteous Communications: The standards for conduct for City employees apply to use of the City's Internet capabilities. All communications across the Internet shall be professional and courteous.

E. Duty to abide by Procedures Established by the City Clerk Treasurer: The City Clerk Treasurer shall establish procedures for posting content on the Internet, accessing information (including downloading information or software), virus detection and control, access controls and related security mechanisms for use of the City's Internet capabilities.

Employees should keep personal log-ons and passwords confidential, and through the system administrator, will change passwords on a regular basis. Failure to adhere to this policy jeopardizes network security and puts users at risk of potential misuse of the system by other individuals, network user's may be held responsible for all actions taken using their personal network access permissions.

F. Supervision: It is the responsibility of the elected official or department head to enforce these policies, and to monitor and audit use of the City's Internet capabilities within each agency or department.

4.5.7. ELECTRONIC MAIL (E-MAIL): This policy applies to all City employees and officers who use e-mail either on the local area network or through the City's Internet capabilities. In addition, this policy applies to all persons who use e-mail as a representative or agent of the City.

A. Repelling Unwanted E-Mail: There may be occasions when e-mails are received which the recipient did not solicit and which do not comply with this policy. No employee shall be subject to discipline for receiving such e-mail provided the employee promptly replies by e-mail to discourage the sender with the following or similar message to the sender:

"You have sent me e-mail at the City of Mesa government which is not in compliance with City policies. E-mail sent to City of Mesa government e-mail address must be for City business purposes only. I do not wish to receive e-mail of the nature you sent at work. Please do not send me any additional material of this kind at a City of Mesa e-mail address."

B. Liability: The same consideration and care must be used in e-mail communications regarding official actions or statements on behalf of the City that would be used in other forms of written correspondence. Any ongoing e-mail messages which express an opinion that has not been authorized as the official City position on the subject must include a disclaimer that the opinion is not that of the City but the employee's own personal opinion.

C. Types of E-Mail/Restrictions: 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 as follows:

1. 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 telephone, in person or on paper.
2. 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.
3. Confidential and sensitive information such as performances reviews, disciplinary and/or corrective actions, attorney-client privileged information, personnel information, and health or medical information should not be communicated via e-mail.
4. 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, breached of confidentiality and insubordinate statements.
5. The electronic mail system may not be used for sales or to solicit anything for commercial ventures, religious, or political causes, outside organizations or other non-job related solicitations.

D. Technical Support: Employees may call the Clerk/Treasurer's office for answers to questions concerning implementation of e-mail or about how to properly configure and use e-mail capabilities. The Clerk/Treasurer shall have the authority to establish procedures for the implementation of this policy. All users of the City's e-mail systems must abide by any procedures established by the Clerk/Treasurer pursuant to this policy.

4.5.8. DISCIPLINE/ENFORCEMENT OF POLICY: This Discipline/Enforcement section applies to Internet Use and Electronic Mail sections.

A. Violators of this policy shall be subject to discipline. It is the responsibility of the Mayor or department head to enforce these policies, and to monitor and audit use of e-mail within each department. Employees who are found in violation of this policy may be subject to the following:

1. Internet and e-mail access may be revoked.
2. Access times may be restricted.

B. Employees will be disciplined for violation of the Electronic Communications Policy. However, employees will not be disciplined for "deminimis" personal use of the electronic mail system or the Internet. The deminimis (too minor to warrant concern) standard would mean that some personal communications while not sanctioned, are not prohibited by this 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 judgement should be applied to individual circumstances. The City retains sole discretion to determine what are deminimis and to discipline for all other use.

SECTION 6. SAFETY:

- A.** The City recognizes the need for the development of safe working practices for every employee and desires to promote on-the-job safety by encouraging the proper design and use of buildings, equipment, tools and other devices. Administration of the safety program is the responsibility of the Mayor. The Mayor will approve and supply necessary safety equipment required for jobs. The Mayor will insure that the employees under his/her supervision are well acquainted with existing safety rules and shall make certain that the rules are uniformly enforced. Safety education of all employees shall be promoted by the City.
- B.** Employees should be constantly on the alert as to unsafe working conditions with the aim of immediate correction. Employees who observe unsafe conditions or procedures should report these situations to the Mayor in writing.
- C.** Safety meetings shall be held monthly as scheduled by the Mayor.

SECTION 7. ON THE JOB ACCIDENTS:

Accidents which occur on the job, either during regular working hours, weekend services or while on special assignments, shall be immediately reported by the employee to the Mayor. If an immediate report of an accident cannot be made, it shall be reported as soon as it is possible to do so, in any case within 24 hours.

SECTION 8. DISCIPLINARY ACTION OR DISCHARGE:

4.8.1. DEFINITIONS OF DISCIPLINARY ACTIONS:

A. VERBAL ADMONISHMENT:

A verbal admonishment is a counseling session between a Mayor and an employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instructions.

B. REPRIMAND:

A reprimand is a formal written disciplinary action for significant misconduct, inadequate performance or repeated lesser infractions.

C. SUSPENSION:

A suspension is a temporary enforced absence from duty in a non-pay status which may be imposed as a penalty for significant misconduct or repeated lesser infractions.

D. RESIGNATION: