

## **Stanwood**

### **8.6 ELECTRONIC MAIL**

This policy applies to all City employees and officers who use e-mail either on the cooperative 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 City of Stanwood.

It is appropriate to use the City's electronic mail system ("e-mail" hereafter) only to conduct official City business and to facilitate efficient communications. E-mail can be an effective tool for communication and to avoid potential delays, or to avoid the cost or inconvenience of printing, publishing and mailing paper correspondence.

Use of e-mail in City of Stanwood government shall be in accordance with this policy and all applicable Federal, State and local laws.

#### **8.6.1 E-Mail Use Limited To City Business**

E-mail may be used for City business purposes only. The term "City business purposes" means the official work of City government undertaken for the public benefit, as opposed to activities undertaken for personal, non-City or other private purposes.

#### **8.6.2 Public Records**

E-mail is a form of written communication and must be treated in the same manner as a paper document of the same nature. All e-mail communications are the property of City of Stanwood and may be subject to the Public Records Disclosure Act (RCW Ch. 42.17).

Each employee is responsible for maintaining a paper copy of those e-mail communications the employee receives or sends which the employee would have an obligation to retain if created on paper. If an employee has a doubt concerning the need to retain any e-mail, the employee shall consult his or her supervisor.

#### **8.6.3 No Privacy Rights**

Electronic communications are not private or confidential. All e-mail communications are the property of the City of Stanwood. There are no rights to individual privacy in any e-mail communications, whether through the local area network or the City's Internet capabilities. No person shall use e-mail for any matter which he or she considers private or personal.

#### **8.6.4 Attorney-Client Communications**

Advice sought from or given by the City Attorney is protected from disclosure by the attorney-client privilege. However, disclosure of attorney-client communications may waive the privilege and make the advice open to non-clients. E-mail is not confidential and therefore may not be used for confidential attorney-client communications.

### **8.6.5 E-mail Etiquette**

The personnel rules and the standards of conduct apply to the use of e-mail. All e-mail shall be professional and courteous. E-mail shall not contain epithets or harassing or derogatory comments based on race, religion, disability, age, gender, or other protected status.

### **8.6.6 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 City of Stanwood government which is not in compliance with City policies. E-mail sent to City of Stanwood 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 Stanwood e-mail address."

### **8.6.7 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 outgoing 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 City of Stanwood but the employee's own personal opinion.

### **8.6.8 Discipline and Supervision**

Violators of this policy shall be subject to discipline, up to and including termination.

It is the responsibility of the elected official or department head to enforce these policies, and to monitor and audit use of e-mail within each agency or department.

### **8.6.9 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.