



PERSONNEL POLICY 26

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COMPUTER USAGE; E-MAIL USE, RETENTION, & STORAGE; AND INTERNET POLICY

Effective Date: April 2, 2014

26.1 PURPOSE

- A. E-mail and other electronic communication and information management tools are the fastest and most efficient means of communicating and are used by nearly every employee and official at the Town of Oro Valley. This policy provides guidance regarding the use and storage of e-mail communications, the proper use of computer hardware and software, and the Town of Oro Valley connections to the internet.
- B. The procedures presented in this policy apply to all users of the Town of Oro Valley system, including employees, elected officials, volunteers, and other affiliated organizations that utilize town-provided resources regardless of the user's location when accessing the system.
 - 1. Town of Oro Valley e-mail and internet communications are not private and may be monitored as allowed by the Electronic Communications Privacy Act.
 - 2. Violations of this policy may result in disciplinary actions as provided for both herein and in separate Town of Oro Valley Policies and Procedures.
- C. The responsibility for assuring complete compliance with the provisions of this policy rests with all System users.
- D. Regardless of the user's location when accessing the Town System, if the equipment being used is provided by the Town, employees should conduct official business via that access.
 - 1. Personal use is permissible within reasonable limits and if consistent with restrictions defined elsewhere in the Town of Oro Valley Personnel Policies and Procedures Manual, as well as in related Standard Operating Procedures (SOP's).
 - 2. Department directors may grant exceptions to this policy, where the exception is required in order for employees to perform assigned duties related to the mission of the department.
 - 3. Users understand that the use of the Town-provided System is a privilege.
 - 4. Unauthorized usage may result in disciplinary action up to and including termination of employment.

26.2 REFERENCES

- A. A.R.S. §§ 41.151.18, 41.151.19, 38-421 and 41.151.15
- B. A.R.S. §§ 39-121 ET SEQ: PUBLIC RECORDS LAW
- C. A.R.S. § 38-431 ET SEQ: OPEN MEETING LAW
- D. Administrative Directive 16 – Information Technology Acceptable Use Policy and any superseding policy or directive implemented at a later date.



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26.3 DEFINITIONS

- A. Backup: E-Mail records created on a daily basis for the purpose of disaster recovery.
- B. Electronic communications: For purposes of this policy, electronic communications refers to electronic mail (e-mail) and electronic calendars.
- C. Non-records: Messages that do not meet the statutory definition of a record as defined in A.R.S. § 41.151.18. Destruction of non-record electronic messages does not need to be reported on a report/certificate of records destruction form.
- D. Records: Messages that are considered to be official records as defined in A.R.S. § 41.151.18. Official records may require short-term storage, long-term storage, or a combination of both.
- E. System: The Town of Oro Valley computer system consists of all related hardware, software, network, and services provided for facilitating town needed computer services.

26.4 RETENTION AND DISPOSITION POLICIES AND PROCEDURES

- A. Retention and disposition of public records is determined by the Arizona state library, archives and public records, records management division, in accordance with Arizona state statutes. A record's retention schedule is based upon the legal, administrative, historical, fiscal or informational value of the record, not on the format of the record. "Electronic communication" refers to the format of the record, not its content or value. Thus, electronic communications, such as e-mail, cannot be assigned blanket retention periods because they are not a type of record or record series. Rather, the value – and therefore, the retention period – of an electronic message is determined by its content.
- B. It is the responsibility of every employee, consultant, volunteer, intern, elected and/or appointed Town official to retain any electronic communications, depending on the nature and content of the document, as required by the public records retention and disposition schedules. Each Town department shall appoint a records coordinator who will work with the Town Clerk's Office and their respective Department Head to assure proper management and disposal of records, including compliance with this policy. Records retention and disposition schedules that apply to Town records are available from the Town Clerk's Office.
- C. Electronic messages that are considered to be official records (for example, a citizen complaint that is sent via e-mail) must be maintained and destroyed in the same manner as a paper record. Retention and destruction shall be performed according to the corresponding record series on either a department's custom retention schedule or the state's general schedule.
- D. Short-Term Retention Of Record E-Mail Messages
 - 1. For records management purposes, the majority of the Town's emails are short communications that function much like phone calls and are considered to be non-records.



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At the end of 180 days, all messages will be permanently deleted. It is the responsibility of each individual employee, consultant, volunteer, intern, elected and appointed official to ensure that any record messages that must be retained beyond 180 days and are located in the employee's inbox, sent box, or deleted items box are moved to proper storage locations before the end of the 180 day period.

E. Long-Term Retention Of Record E-Mail Messages

1. E-mail messages requiring long-term retention (more than 180 days) shall be retained according to the state's approved retention schedules.

F. Public Records Requests

1. E-mail is subject to the public records law (A.R.S. §§ 39-121 et seq) and may be subject to public disclosure. Employees should have no expectation of privacy regarding the use of the Town's systems and equipment or the transmission, receipt or storage of information in these systems or equipment.
2. Information Technology staff will work with individual departments to identify a technology solution when a department requires a shared storage location for e-mail that pertains to public records requests in order to minimize duplication of e-mail storage.
3. Backup
 - a. The Town of Oro Valley creates backup records of electronic mail on a daily basis. The primary purpose of creating these backups is for disaster recovery in the case of system failure, not for purposes of public records retention. The backups are retained for the limited period of time required by law for backup data.

26.5 USAGE POLICIES AND PROCEDURES

A. Regardless of the user's location when accessing the Town System, if the equipment being used is provided by the Town, employees should conduct official business via that access. Personal use is permissible within reasonable limits and if consistent with restrictions defined elsewhere in the Town of Oro Valley Personnel Policies and Procedures Manual, as well as in related Standard Operating Procedures (SOP's). Users understand that the use of the Town-provided System is a privilege. Unauthorized usage may result in disciplinary action up to and including termination of employment.

1. Examples of what could be considered to be appropriate limited personal use includes (but is not necessarily limited to):
 - a. Scheduling of personal appointments
 - b. Posting of personal information only in specific areas designated for this purpose
 - c. As with the telephone, other limited uses that do not interfere with the employee's responsibilities or conflict with the Town's Personnel Policies and Procedures



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B. Examples of those uses which would be restricted include (but are not necessarily limited to):

1. Use for commercial or financial gain.
2. Information relating to religious or political causes.
3. Threatening, harassing or obscene materials (as defined by U.S., state and local laws).
4. Discourteous communication to or about other persons.
5. Solicitation, including charitable campaigns, except as specifically authorized or part of Town-sponsored events to the extent permitted by the Town's Personnel Policies and Procedures (i.e., blood drives, United Way, etc.).
6. Issuing or forwarding chain mail or other frivolous messages, such as practical jokes.
7. Anything which could be construed as sexually explicit, scandalous, or defamatory. Libelous, immoral or discriminatory based on race, national origin, sex, sexual orientation, age, disability or religious or political beliefs is banned from the system.
8. Accessing any adult (pornographic) sites is strictly prohibited.

C. Employees are advised that the content of all correspondence, including e-mail and other electronic documents developed in the course of business remain the property of the Town of Oro Valley.

26.6 RESPONSIBILITIES

A. All employees, consultants, volunteers, interns, elected and appointed officials are responsible for:

1. Reading and familiarizing themselves with the Town of Oro Valley SOP entitled "Information Technology Acceptable Use Policy."
2. Understanding the procedures as outlined in this policy and all other applicable town policies and procedures regarding the use of the town's electronic communications.
3. Using the Town's electronic communication systems responsibly, in the interest and furtherance of the public's business.

B. Information Technology Department, the Town Clerk's Office, Human Resources Department and the Legal Department will ensure proper training for new employees and on-going training for existing employees on a regular basis.