TOWN OF HILLSBOROUGH
PERSONNEL POLICY

POLICY 213 CREATED 8/1/08

SUBJECT: ELECTRONIC COMMUNICATION USAGE

PURPOSE: To establish an Electronic Communications Usage policy

STATEMENT OF POLICY:

Electronic mail and other electronic communications are considered an integral part of the working environment. The following types of electronic communications are the property of the Town:

- Telephone, Town-owned cellular phones, pagers & voicemail facilities
- E-mail accounts
- Fax machines, modems, and servers
- Town-supplied computers
- Network tools such as Internet access

All messages composed, sent or received through the electronic communications systems are and remain the property of the Town. They are NOT the private property of any employee, and should not be considered private. The Town reserves and intends to exercise the right to review, audit, intercept, access, print, read and disclose all messages created, received or sent over the electronic communication systems for any purpose. Please note that even when a message is deleted, it is still possible to recreate the message, therefore, ultimate privacy of messages cannot be guaranteed to anyone.

Employees are not to use a password, access a file or retrieve any stored communication without authorization. Passwords must be made known to the Town as your system may need to be accessed by the Town when you are absent. The reliability of passwords for maintaining confidentiality cannot be guaranteed. You must assume that any and all messages may be read by someone other than the intended or designated recipient.

Employees are prohibited from disclosing their voice or e-mail access password(s), or those of any other employee, to anyone who is not an employee of the Town. Disclosure of passwords to other employees only should occur when required by an

urgent business matter as directed by management. In such cases, passwords should be changed as soon as possible after the urgent business matter has been resolved. Passwords never should be given out over the phone, included in voice or e-mail messages posted or kept within public view.

Except as otherwise specifically discussed in other Town policies, the use of the electronic communications system is reserved solely for the conduct of business at the Town. It is NOT intended to be used for personal business. Employees accessing the Internet, the Town's Intranet or World Wide Web represents the Town when doing so. Accordingly, all such communications should be for professional, business reasons. Each employee is responsible for ensuring that he or she uses his or her Internet access privilege in an effective, responsible, ethical and lawful manner.

Employees, however, are permitted to use the Internet during their rest breaks and meal periods, consistent with the provisions below. Non-business uses should not involve significant use of the Town's electronic resources, such as others' work time, computer time, or bandwidth.

Non-business use is subject to the following:

a. All non-business communications are subject to this policy in its entirety and to all other Town policies. All non-business communications may be monitored at any time in accordance with this policy.

b. You should not use the Town's Internet for communications that you wish to keep private, such as communications with a physician or your personal attorney.

c. Non-business uses should be made during rest breaks or lunch periods. Consistent with the Town's policies regarding rest breaks and meal periods, employees are authorized to not be interrupted during such unpaid breaks. If an employee decides to use the Internet during his/her rest break and/or meal period, the employee is not to perform any work during this period, including responding to work related e-mails, telephone calls, etc.

d. Non-business uses do not preempt any business activity and must not interfere with the user's or others' productivity.

e. Employees' access to personal e-mail accounts is subject to all of the requirements contained in this policy.

The electronic communication systems shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or other confidential materials without prior authorization. The Town purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Town does not have the right to reproduce such software

for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Town prohibits the illegal duplication of software and its related documentation.

All electronic communications shall comply with the Unlawful Discrimination / Harassment / Retaliation Policy, and the Town's Solicitation / Distribution regulations. In no circumstances are the electronic communication systems to be used to create any offensive or disruptive messages, or any message that might constitute (or indicate the condoning or encouragement of) harassment, lewd, illicit or illegal activities. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin or disability. The electronic communication systems may not be used to solicit for commercial ventures, religious or political causes, outside organizations or other non-job related solicitations. Employees learning of any misuse of the voicemail / e-mail system or violations of this policy shall notify Human Resources or the Assistant City Manager.

Employees may access only messages, files or programs, whether computerized or not, that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, voicemail messages or other property of the Town, or improper use of information obtained by authorized means, will be grounds for disciplinary action, up to and including termination.

All electronic communication systems are to be used in a reasonable fashion. No Town-wide emails, voice messages, or faxes are to be initiated unless a business necessity exists.

Electronic Communications Through Third Party Service Providers

Town business generally should be conducted using the Town's electronic resources. Unless approved in writing by the City Manager, employees should not use personal e-mail accounts, cell phones, or personal digital assistants to conduct any Town business. The Town may need access to information stored on those devices or with the third-party service provider for the Town's legitimate business purposes. These employees, therefore, should understand that the Town may request that the employee provide written consent to access communications stored on the personal communication device or for the third-party service provider to disclose to the Town the content of stored communications concerning the Town's business. An employee's refusal to comply with the Town's request for such consent may result in discipline up through and including termination. Employees are required to cooperate with the Town in obtaining such consent as well as in the Town's obtaining access to the stored communications.

Communications by employees through any third-party electronic communications service for which the Town is the subscriber or for which it pays the subscription

directly or through reimbursement to the employee are subject to all Town policies, including this policy.