

## Policy Statement

### TITLE

Acceptable Use Policy for Telephones, Electronic Communications, and Internet Use

### CODE

701

### REFERENCE

Minnesota Government Data Practices Act  
Federal Wiretap Law  
Minnesota Wiretap Law  
Communications Decency Act

### PERSONNEL RESPONSIBLE

All City Employees

### EFFECTIVE DATE

Upon Adoption

### POLICY

#### 701.100 - Purpose

The city recognizes that phone and computer systems are becoming increasingly interconnected and sophisticated in their ability to create, disseminate and store electronic messages, along with an increased potential for the inappropriate release of non-public data. The city has developed policies and guidelines regarding the use of all electronic communications systems and information transmitted through or stored in those systems. The computer and communications systems operated by the city for the conduct of business are the property and work environment of the city and all city policies relating to personal conduct apply to access to and use of these resources.

#### 701.150 - Scope

The Internet and the public and private telephone systems have become a de facto standard for communication between disparate governmental, commercial organizations and private citizens. Communications traffic may cross multiple and different networks prior to reaching the client destination. Yet the public has a high reliance on the integrity and accuracy of data shared from the city. This policy applies to all city system users regardless of location, status, or ownership. Each system user is responsible for adhering to the

guidelines and policies regarding the use of these systems to protect the accuracy, integrity, and dependability of the organization's electronic systems and information. The Internet, for purposes of this policy, includes any entity having an Internet address.

The variety of phone, computing, and electronic communication access tools that the city provides its employees include: desktop, laptop, mobile, and central computers; internal and external networks; electronic mail; facsimile (fax) systems; cellular telephones, and voice mail. These tools are city-owned and publicly-funded. The computer systems and the software and information contained on or conveyed through them are the property of the city. Access and use are restricted by this policy.

By addressing the issue computer communications, the city ensures maximum benefits by recognizing a critical and defined balance between the need for operational communications and the protection of city assets. Each system may, at times, have its own set of policies and procedures. In those cases where communications are carried across other regional networks of the Internet, employees of the city are advised that this Acceptable Use Policy takes precedence over acceptable use policies of those other systems.

### **701.200 - Privacy Issues**

Users have no expectation of privacy in using these electronic systems. No communication using these systems should be considered private or personal. Record retention policies apply to electronic communications; users should assume that even deleted messages are retrievable at a later date. The city can and will inspect information stored in or transmitted through its electronic systems. By using the city's computers or networks, the employee is voluntarily consenting to being monitored and waives any claims to privacy. Department Heads, supervisors, or other authorized personnel may inspect the computers or review electronic communications of employees to determine whether there has been any breach of security, violation of this policy, or other violation of duty on the part of any employee.

### **701.250 - Careful Use**

The city provides telephone, voice mail, fax, Internet access, and e-mail to speedily conduct the business of the city. Use of these systems will be granted by supervisors and/or Department Heads with regard to job function. Once given access, users are expected to use these systems in a responsible manner at all times. All usage should be able to withstand public scrutiny without embarrassment to the city.

### **701.300 - Content**

System users are responsible for the content of all text, audio, and video sent using the Internet or phone systems. All messages must comply with relevant Federal and State laws regarding copyright, trademark, and intellectual property. Messages must contain the user's identity and should be written or verbalized with the same professional manner as any hard-copy correspondence. System users are not allowed to release passwords, user names, or dial-up numbers to anyone other than designated individuals. System users can not access or modify any information without the express prior permission of the authority

responsible for generating or maintaining the information. The city's policies pertaining to harassment and other forms of workplace misconduct apply with full force and effect to the use of the city electronic communication systems.

### **701.350 - Personal Use**

The use of the city electronic communication devices is a privilege, not a right. It may be revoked any time by the city. Use of telephone, cellular phones, fax, Internet access, and e-mail is permitted for personal use, provided such use:

- \* does not impair the employee's workplace performance and productivity
- \* is done on the employee's personal time
- \* does not interfere with business usage
- \* does not result in any expense to the city
- \* does not contain harassing or threatening material
- \* is not performing work for profit, for personal gain, promotional use, or solicitation
- \* does not contain or infer abusive, profane, or offensive language

### **701.400 - Inappropriate Use**

Inappropriate use of telephone, fax, Internet access, and e-mail systems would include but are not limited to: participating in illegal activities, gambling, commercial activities, accessing sexually explicit or violent material; using the systems to harass or disable other systems; creation or distribution of virus or destructive programs; distribution of pirated software or stolen data; distribution of unsolicited or personal advertising; propagation of computer "worms" or viruses; using the network to make unauthorized entry to other computational, information or communications devices or resources via any network; or any other activity that injures others or the city in any way.

### **701.450 - Media Contacts**

Only authorized individuals should communicate to or respond to the public news media regarding city business. Data that is "not public" under the Minnesota Government Data Practices Act should not be transmitted in clear text over the Internet.

### **701.500 - Presentation of the City**

Requests for city information can become very time-consuming and expensive. The city may contain public access points for information about the city, and for access to city records and information. These systems should be operated only by persons specifically authorized and trained to place or remove data on such a system. Release of data to the public in other formats should be carried out through authorized channels.

### **701.550 - Virus Scanning**

Diskettes from outside the city and incoming messages containing file attachments may

imperil the city systems by importing viruses. Diskettes, files, or mail attachments entering the organization's network should always be scanned for viruses before being opened or used. The user should immediately notify their immediate supervisor if a virus is detected.

### **701.600 – Monitoring**

It is a supervisory responsibility to oversee use and to determine if uses of electronic systems are appropriate to assigned work. Although content is not routinely monitored, it may occur: internally under administrative procedures; externally under subpoena, request for public data, or other legal actions; due to an unexpected absence of an employee; or for other business or technical reasons.

### **701.650 – Cellular Phones**

When it is determined that an employee should have a cellular phone, either one will be provided by the city or the city will reimburse the employee \$30 per month for access to the employee's personal cellular phone.

### **701.700 – Violations**

The city reserves the right to treat the misuse of these resources as any other act of employment in accord with its personnel regulations. Violations of this policy will subject the user to discipline, up to and including discharge, as well as notification to law enforcement agencies when appropriate.

### **701.750 - Records Retention**

Records retention schedules, based on the context of messages, are the same regardless of the medium - paper, voice, or electronic.

### **701.800 - Questions Regarding This Policy**

City employees who have concerns or are uncertain about ethical, legal, or security issues regarding their use of electronic communications are expected to discuss their concerns with their supervisor who should act as the employee's first point of contact.

**AUTHORED BY:** City Manager  
**DATE:** 01-28-08

**APPROVED BY:** City Council  
**DATE:**

City of Bemidji  
317 4<sup>th</sup> St NW  
Bemidji, MN 56601

## Employee Agreement for Electronic Communications and Internet Use

### Purpose

This document is intended to verify that the employee has received a copy of the City's Acceptable Use Policy for Electronic Communications and Internet Use. The employee further affirms that he/she has read and agrees to abide by the policy.

### Signature

I hereby acknowledge that I have received and read a copy of the above-named policy regarding the use of city electronic and telephone systems.

\_\_\_\_\_  
User's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
User's Printed Name