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1.0 PURPOSE:

To better serve our citizens and give our workforce the best tools to do their jobs, the City of West Allis (the "City") continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, PDAs, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet, the World Wide Web, etc.

The City encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City should remember that electronic media and services provided by the City are City property and their purpose is to facilitate and support City business.

This policy cannot lay down rules to cover every possible situation. The purpose of this policy is to express the City's philosophy and set forth general guidelines employees should apply when using electronic media and services. By adopting this policy, it is the City's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the City.

The following procedures apply to all electronic media and services that are:

- Accessed on or from City premises;
- Accessed during work time;
- Accessed at any time using City equipment or via City-paid access methods; or
- Used in a manner that identifies the individual with the City.
- Used in a manner that may bring discredit upon the City or cause one's work-related integrity or good judgment to be questioned (whether such use is on personal media and services and/or during work time or not).

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all City of West Allis departments, divisions, offices, boards, commissions, committees and City employees.

3.0 POLICY:

It is the policy of the City to follow this set of procedures for the use of electronic communication media and services.

4.0 REFERENCES:

Electronic Communications Privacy Act of 1986 and its exceptions; Wis. Stats. §§ 947.012 and 947.0125.

5.0 PROCEDURES:

5.1 ACCESS

- 5.1.1 Each Department Head shall determine which employees in their department shall have access to the various media and services, based on business practices and necessity.
- 5.1.2 The City may provide electronic media for general use on break and lunch periods, consistent with City policies, by employees who would not otherwise have access to a system at their workstation.
- 5.1.3 The provisions of this Policy shall also apply to the use of City-owned/provided equipment and/or services from home or other locations off City premises. City-owned equipment (e.g. lap tops) may be taken home pursuant to prior authorization from the Department Head.

5.2 PROHIBITED COMMUNICATIONS AND PRACTICES

- 5.2.1 Electronic media cannot be used for knowingly transmitting, receiving, retrieving or storing any communication that is:
 - 1.) Personal business on City time (e.g. sports pools, games, shopping, correspondence, conversations, non-business-related items/documents, etc.), except as otherwise provided;
 - 2.) Discriminatory or harassing;
 - 3.) Derogatory to any individual or group;
 - 4.) Obscene, pornographic, or sexually explicit;
 - 5.) Defamatory or threatening; or
 - 6.) Engaged in for any purpose that is illegal or contrary to the City's policy or business interests.
 - 7.) See section 5.3.5 below.
- 5.2.2 For the protection, integrity and security of the City's System, electronic media shall not be used to download or transfer software, unless authorized by the Systems Administrator.
- 5.2.3 Unless approved in advance by the IT Manager, employees shall not connect computers, accessories or peripheral equipment to any City systems, data ports or other access points. This includes electronic gaming equipment, wireless routers, printers, personal laptop computers (not including City-owned equipment) and any other equipment that is now or may in the future become compatible to function with the City's electronic media, telephone and information systems.

- 5.2.4 Unless approved in advance by the City Attorney and the IT Manager, employees shall not provide any information or provide access to any information from the City's network or intranet site that would be prohibited from release by local ordinance, state law or federal law.
- 5.2.5 Employees shall not directly or indirectly circumvent any electronic communication policies by using personal or non City-wide email systems in conducting City business.
- 5.2.6 Electronic communication policies that include other prohibited practices are incorporated herein by reference.

5.3 PERSONAL USE

- 5.3.1 Except as otherwise provided, electronic media and services provided by the City are solely for employees' City business use during the workday. Limited, occasional, or incidental use of such electronic media (sending or receiving) for personal, non-business purposes is permitted as set forth below:
 - 1.) Personal use is limited to break or lunch times (except as set forth in sub. 6 below);
 - 2.) Personal use must not interfere with the productivity or safety of the employee or others;
 - 3.) Personal use does not involve any prohibited activity (see Section 5.2);
 - 4.) Personal use does not consume system resources or storage capacity on an ongoing basis;
 - 5.) Personal use does not involve large file transfers or otherwise deplete system resources available for business purposes.
 - 6.) Brief, limited personal use of City telephones and cellular phones is permitted during the workday, provided such use is in compliance with subsections 2 and 3 above. Personal long distance calls are only permitted with the use of a personal 1-800 calling card.
- 5.3.2 The City makes a portion of its internal intranet system available for employees to post internal personal announcements to other City employees - for example, offers to buy and sell goods. All such internal electronic personal announcements must be submitted to the IT Division for posting in the appropriate area on this system.
- 5.3.3 Employees should not have any expectation of privacy with respect to personal use of the City's electronic media or services. This includes, but is not limited to, emails sent from web based email accounts such as Yahoo, Hotmail, Gmail, etc., in addition to those sent from City email accounts. Employees' personal use of the City's electronic media or services to communicate with their own personal attorney(s) is also subject to review and disclosure.
- 5.3.4 Employees are allowed to use their own, personal cellular phones during the workday (if permitted by Department Policy) to make/receive occasional, brief, limited calls or messages. However, such use shall not interfere with the employee's or others' productivity or safety and shall not involve any prohibited activity (see Section 5.2).
- 5.3.5 Inappropriate entries/communications including, but not limited to, those that may bring discredit upon the City or cause one's work-related integrity or good judgment to be questioned, whether on personal or City-owned electronic media or services and regardless of whether such entry/communication is made during working time or not, including, but not limited to, entries/communications made on social networking sites such as Facebook or MySpace, may subject the employee to discipline up to and

including termination.

5.4 ACCESS TO EMPLOYEE COMMUNICATIONS

5.4.1 Electronic information accessed, created and/or communicated by an employee using City-owned/provided e-mail, word processing, utility programs, spreadsheets, voice mail, telephones, cellular phones, PDAs, pagers, Internet and bulletin board system access, and similar electronic media, whether for personal or business use, may be accessed and monitored by the City. The City reserves and intends to exercise the right, at its discretion, to review, monitor, intercept, access and disclose all messages created, received or sent over the electronic communication systems for any purpose, including, but not limited to:

- 1.) Cost analysis;
- 2.) Resource allocation;
- 3.) Optimum technical management of information resources; and
- 4.) Detecting use which is in violation of City policies or constitutes illegal activity.

5.4.2 Any such monitoring, intercepting and accessing shall observe any and all confidentiality regulations under federal and state laws.

5.5 SECURITY/APPROPRIATE USE

5.5.1 Except in cases in which explicit authorization has been granted by the Human Resources Division or the City Attorney's Office, employees (other than employees of the IT Division who are responsible for enforcing this Policy) are prohibited from engaging in, or attempting to engage in:

- 1.) Accessing/viewing other individuals' confidential electronic communications;
- 2.) Monitoring or intercepting the files or electronic communications of other employees or third parties;
- 3.) Hacking or obtaining access to systems or accounts they are not authorized to use;
- 4.) Using other people's log-ins or passwords; and
- 5.) Breaching, testing, or monitoring computer or network security measures.

5.5.2 No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

5.5.2 Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

5.5.4 Anyone obtaining electronic access to other organizations', business', companies', municipalities' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

5.5.5 Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be privileged, confidential and/or exempt from disclosure under applicable law. Such privilege and confidentiality shall be respected.

5.6 ENCRYPTION

Employees should not assume electronic communications are totally private. Employees with a business need to encrypt messages (e.g. for purposes of safeguarding sensitive or confidential information) shall submit a written request to their supervisor and the Systems Administrator. When authorized to use encryption by their supervisor and the Systems Administrator, employees shall use encryption software supplied to them by the Systems Administrator. Employees who use encryption on files stored on a City computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

5.7 PARTICIPATION IN ON-LINE FORUMS

5.7.1 Employees should remember that any messages or information sent on City provided facilities to one or more individuals via an electronic network - for example, Internet mailing lists, bulletin boards, and on-line services - are statements identifiable and attributable to the City.

5.7.2 The City recognizes that participation in some forums might be important to the performance of an employee's job (e.g. an employee might find the answer to a technical problem by consulting members of a newsgroup devoted to the technical area). However, communications in on-line forums must not reveal confidential information and must not otherwise violate this or other City policies.

5.8 POLICY VIOLATIONS

Employees who abuse the privilege of City facilitated access to electronic media or services risk having the privilege removed for themselves and possibly other employees, are subject to discipline, up to and including termination and may be subject to civil liability and criminal prosecution.

E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES

EMPLOYEE NOTICE

As an employee of the City of West Allis (the "City"), I recognize and understand that the City's electronic communication systems are provided for conducting the City's business. However, City policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the City. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the City. I agree not to use pass codes, access a file or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the Systems Administrator.

I am aware that the City reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the City's electronic communications systems at any time. I am aware that the City may exercise these rights with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy or restrict the City's right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil and/or criminal liability.

I acknowledge that I have read and that I understand the City's policies regarding e-mail and electronic communications. I also acknowledge that I have read and that I understand this notice.

Signature of Employee

Date

POLICY REMINDER

The City's E-mail and Electronic Communication Policies control use of electronic communication systems. These systems are provided for **BUSINESS USE**. However, City policy does permit some limited, occasional, or incidental personal use under certain circumstances. The City reserves and will exercise the **RIGHT TO MONITOR, REVIEW, AUDIT, INTERCEPT, ACCESS AND DISCLOSE** all matters on the City's electronic communications systems at any time. Employees have **NO RIGHT TO PRIVACY** when using these systems. Misuse of the systems may subject employees to discipline up to and including termination and/or loss of access privileges. If you have not reviewed and signed an acknowledgement form for the City's E-mail and Electronic Communication Policies, you may not access these systems.

**PRESSING "OK" SIGNIFIES YOU HAVE READ AND ACKNOWLEDGE THIS NOTICE
AND THE CITY'S E-MAIL AND ELECTRONIC COMMUNICATION POLICIES**