

CITY OF DIAMOND BAR POLICY AND PROCEDURE

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Authority: City Manager
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INFORMATION SYSTEMS USAGE

1. Purpose

To establish guidelines for the use of information systems, including, but not limited to electronic mail (hereinafter “e-mail”) and internet (hereinafter “internet”) usage on the computer network and the telephones and voicemail (hereinafter “voicemail”) system within the telephonic network of the City of Diamond Bar (hereinafter “City”).

2. Application

This policy shall apply to all City employees, consultants, elected and appointed officials or other non-employees utilizing electronic communications with the City (hereinafter “users”).

3. Definitions

Information Systems – includes, but is not limited to, computers, electronic mail, internet, hardware, software, network infrastructure, telephones, cellular phones, two-way radios, printers, copiers, and any and all other equipment associated with digital information.

Internet or World Wide Web (www) - for the purposes of this policy, is defined as universal information retrieval system(s) which exist independent of any City information systems.

E-mail - for the purposes of this policy shall refer to any electronic message automatically passed from one computer user to another.

4. Policy

All information systems, including the internet, e-mail, and telephone voicemail are business communication tools made available to City employees and consultants in order to enhance efficiency and effectiveness in the performance of their duties and are to be used in accordance with generally accepted business practices and current laws. Messages transmitted over either the internet, the e-mail system, sites visited, or voicemail messages are intended to be those which involve City business activities or contain information essential to users for the accomplishment of business-related tasks, and/or communication directly related to City business, administration, or practices.

5. Provisions

5.1. General Use

- 5.1.1. The City of Diamond Bar's internet and e-mail facilities shall not be used to violate the laws and regulations of the United States or any other nation, any state, city, or other local jurisdiction.
- 5.1.2. All internet, e-mail messages, data that are transmitted over or reside in the City's computer network are the property of the City and users should have no expectation of privacy.
- 5.1.3. The internet and e-mail systems are not confidential systems since all transmissions on the systems are the property of the City. Therefore, the internet and e-mail systems are not appropriate for confidential communications. If a communication is considered to be private, an alternative method to communicate should be used.
- 5.1.4. The City reserves the right to monitor and record user internet and e-mail usage at any time. No user shall have any expectations of privacy as to his/her internet and e-mail usage. The City has software and systems in place that can and will monitor and record all usage for each and every user; including, but not limited to, all internal transmissions, World-Wide Web site visits, chats, newsgroups, and file transfers into and out of the City's internal network. City representatives may access, audit, and review all activity and analyze usage patterns, and may, for whatever reason, disclose this data to assure the City's telecommunications resources are devoted to maintaining the highest level of productivity.
- 5.1.5. Derogatory, defamatory, obscene, disrespectful, sexually suggestive, or in any other way inappropriate messages on the internet and/or e-mail system are prohibited and are a violation of this policy. Harassment in any form, sexual or ethnic slurs, and obscenities, or any representation of obscenities are prohibited and are a violation of this policy. Sending a copy of these types of offensive transmissions is prohibited and is a violation of this policy.
- 5.1.6. It is a violation of this policy to transmit a message under another user's name, reading others' e-mail messages, or accessing others' files. Any user who obtains a password or user identification must keep that password confidential; users shall not share user identification or passwords. It is the user's responsibility to maintain password security. If a user suspects someone else may know their password, it is the user's responsibility to change their password immediately. Users will log off of the City network at the end of each workday.

- 5.1.7. Users shall not operate a business through the City's Information Systems, e-mail, internet, or any bulletin boards.
- 5.1.8. Files which are to be shared by multiple users should be stored on the division file subdirectory on the designated share location.
- 5.1.9. All purchases of computer hardware or peripherals must be approved by the Information Systems Director.

5.2 Internet Use

5.2.1 Users shall not use City internet facilities to:

- 5.2.1.1 Download or distribute pirated software or data.
- 5.2.1.2 Deliberately propagate any virus or any other destructive programming.
- 5.2.1.3 Disable or overload any computer system or network, or attempt to download alternate browsing software from any ISP to circumvent any system intended to protect the privacy or security of another user.
- 5.2.1.4 Download entertainment software or games, or play games against opponents over the internet.
- 5.2.1.5 Download images or videos unless there is an explicit business-related use for the material.
- 5.2.1.6 Upload any software licensed to the City or data owned or licensed by the City, without explicit authorization from the City Manager or his/her designee.
- 5.2.1.7 Commit infractions such as, but not limited to: misuse of City computer hardware, software or resources; sexual harassment; unauthorized public comments; or misappropriation or theft of intellectual property.
- 5.2.1.8 Release confidential City information.

5.2.2 All software downloaded via the Internet into the City network shall only be done with the approval of the Information Systems Division and shall become the property of the City. Any such files or software shall be used only in ways that are consistent with their copyrights or licenses.

5.2.3 The City retains the copyright to any material created or posted to any forum, newsgroup, chat or World-Wide Web page, by any user in the course of his/her duties.

- 5.2.4 Use of the internet connection during business hours shall be used exclusively for business purposes. Users may use their internet connection for non-business research or browsing during meal times, other breaks, or outside of work hours, providing all other usage policies are observed.
- 5.2.5 The City uses a variety of software and data to identify inappropriate or sexually explicit internet sites and will block access from within the City's network to all such sites that are known. If a user finds himself/ herself connected accidentally to a site that contains sexually explicit or offensive material, he/she shall disconnect from that site immediately, regardless of whether that site has been previously deemed acceptable by any screening or rating program, and immediately report the incident to the Manager of the Information Systems Division.
- 5.2.6 The display of any kind of sexually explicit image or document on any City system is a violation of the City's Harassment Policy. In addition, sexually explicit material shall not be archived, stored, distributed, edited or recorded using the City's network computing resources.
- 5.2.7 Users shall not attempt to disable or circumvent any City security system.
- 5.2.8 Users should take reasonable care to prevent introduction or spread of computer viruses into or through the City's communication and information systems and equipment. The willful introduction of computer viruses, worms, Trojan horses, trap-door code and other disruptive and/or destructive programs into the City's computer systems or network is prohibited.
- 5.2.9 Users must not attempt to repair or resolve hardware or software failures, bugs, anomalies and/or problems themselves. These problems should be reported to the Information Systems Director.

5.3 E-mail Use

- 5.3.1 The City's e-mail system is not intended to be used for permanent electronic storage or recordkeeping. To conserve valuable storage space, all e-mail messages ninety (90) days and older will be deleted from an active mailbox, which includes the in-box, out-box, and sent items folders. Messages placed in the deleted items folder shall be removed daily.
- 5.3.2 Messages that must be stored beyond the ninety (90) day period may be kept in mailbox subfolders or printed and stored in a hard copy file. In such instances, the stored message would likely be deemed retained by the City in the ordinary course of business and constitute an official record subject to the City's Records Retention Policy and subject to disclosure under the California Public Records Act. These retained messages may be subject to public disclosure, even if they are drafts or

informal notes, unless the need to retain their confidentiality outweighs the need for disclosure (Government Code Section 6254(a)) or unless protected by another exemption from disclosure.

- 5.3.3 Electronic communications may be subpoenaed or requested under the Public Records Act and/or may be used as evidence in court or as part of an investigation. The City will raise objections and privileges as appropriate to the disclosure of electronic communications and to protect privacy interests of users, but cannot guarantee that these communications can be protected from disclosure. When the City is obligated or directed to disclose electronic communications, the content of electronic communications and/or documents may be disclosed within or outside of the City without employee permission or knowledge, although the City will endeavor to provide notice whenever feasible. In view of the foregoing, users use the City's electronic communication systems for non-business purposes at their own risk.
- 5.3.4 Users are responsible for checking their mailbox on a regular basis during the workday for messages. Messages received shall be responded to promptly.
- 5.3.5 Incidental and occasional personal use of the e-mail system is permitted. Such personal communications should be limited to "reasonable" personal communications. "Reasonable" personal communications shall be subject to the interpretation of City management.
- 5.3.6 Remote access to e-mail shall only be permitted to Full-time Exempt staff. Full-time Exempt staff are exempt from the overtime requirements of the Fair Labor Standards Act; and therefore may access the e-mail system beyond the standard work day. Non-exempt staff, or those subject to overtime shall not access the e-mail system outside of the standard work day.
- 5.3.7 E-mail messages addressed to "City Staff" or other broad distribution shall only be used for items that are of particular interest to all users and must be related to City business. Personal advertisements are not acceptable and shall not be sent.
- 5.3.8 All e-mail messages, sent to and received by any and all users can be read by systems administrators and management staff and users have no expectation of privacy. The use of passwords does not constitute a message as being private or confidential or that the City will not retrieve it. The deletion of messages is no assurance that the City will not retrieve and read the messages at a future time.
- 5.3.9 E-mail shall not be used by either supervisors or employees to transmit any form of written reprimand or disciplinary action.

5.3.10 E-mail Etiquette

- 5.3.10.1 Remember as a user you are representing the City through your communications both internally and externally, and it is critical that you maintain a positive image for both yourself and the City.
- 5.3.10.2 Users must be certain that messages are addressed to the proper person. Check the list of persons being E-mailed when choosing a REPLY ALL function.
- 5.3.10.3 Capitalize words only to emphasize an important point or to distinguish a title or heading. Capitalizing whole words that are not titles is generally interpreted as shouting.
- 5.3.10.4 Users should be professional and careful of what they say about others. E-mail is easily forwarded and blind copied.
- 5.3.10.5 Be cautious when using sarcasm and humor. Without face to face communication, humor may be viewed as criticism. By the same token, also carefully read what others write. The perceived tone may easily be misinterpreted.
- 5.3.10.6 Some E-mail messages, especially those written in “the heat of the moment,” are best unsent. Users should think twice before sending angry or sarcastic messages or using E-mail to “let off steam.”

5.4 Telephone and Voicemail Use

- 5.4.1 It is the primary responsibility of all users to answer the telephones.
- 5.4.2 Telephones and voicemail are intended for business-related purposes.
- 5.4.3 All telephonic equipment is the property of the City. The City has the right to retrieve and make proper and lawful use of any and all communications transmitted through the voicemail system.
- 5.4.4 Voicemail shall never be used as a substitute to answering a City telephone during work hours.
- 5.4.5 Personal non-toll calls may be made during breaks or after work hours.
- 5.4.6 Telephone and Voicemail Etiquette
 - 5.4.6.1 All telephones must be answered before the third ring.
 - 5.4.6.2 Greeting a caller shall contain the “City of Diamond Bar” or “Department or Division name” and “User name”.

- 5.4.6.3 Users are to be courteous, respectful, and attentive while on the telephone.
- 5.4.6.4 Users shall take notes or use the record feature during the call to avoid requesting the same information a second time.
- 5.4.6.5 Irate callers shall be treated with special care. Users should attempt to identify their chief complaint quickly.
- 5.4.6.6 Calls should be aborted only if the caller refuses a request to refrain from using abusive or profane language.
- 5.4.6.7 When transferring a call, the user shall explain to the caller why the call is being transferred.
- 5.4.6.8 Voicemail greetings shall contain the staff member's name the department or program name and an indication that by pressing "zero" the caller will be transferred to another staff member able to provide immediate assistance.
- 5.4.6.9 Voicemail messages shall be programmed so that when a caller presses "zero" the call is transferred to the department designated staff member. The designated staff member shall program their voicemail so that a call is transferred to the main City receptionist when the caller presses "zero".
- 5.4.6.10 If an extended absence is expected, including a scheduled 9/80 day, an alternate secondary message shall be prepared. The length of the absence and the anticipated return to the office as well as the information included in the standard primary greeting shall be recorded in the alternate secondary outgoing message.

5.5 Prohibited Use of Voicemail

- 5.5.1 Voicemail messages that disrupt or threaten to disrupt the efficient operation of City business or administration are prohibited. This includes, but is not limited to:
 - 5.5.1.1 Messages that publicize a personal dispute other than recording an approved grievance or complaint procedure.
 - 5.5.1.2 Messages that constitute or counsel insubordination.
 - 5.5.1.3 Messages that may threaten to harm close working relationships.
 - 5.5.1.4 Messages that contain abusive or profane language.

- 5.5.1.5 Messages that may take employees away from their assigned tasks.
- 5.5.1.6 Messages that include confidential City materials or information.
- 5.5.1.7 Messages that are sent anonymously or under a fictitious name.
- 5.5.2 Voicemail messages that violate law, violate individual rights, create potential liability for the City or that violate public policy of the State of California are prohibited. These messages include, but are not limited to:
 - 5.5.2.1 Messages which are pornographic or obscene.
 - 5.5.2.2 Messages in conflict with the City's Harassment Policy or any other policy prohibiting discrimination, including harassment, on the basis of race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, medical condition, veteran status, marital status, sexual orientation, or any other status protected by local, state, or federal law.
 - 5.5.2.3 Messages that involve the use of racial, religious, or ethnic slurs.
 - 5.5.2.4 Messages intended to harass or annoy.
 - 5.5.2.5 Messages containing any threat that implicates personal safety.

6. Violations and Consequences

- 6.1. All users are required to sign the Acknowledgement of Receipt of Information Systems Usage Policy.
- 6.2. Employees who violate any aspect of this policy or who demonstrate poor judgment in the manner in which they use e-mail, the internet, all telephonic communications, and/or voicemail will be subject to disciplinary action, up to and including termination.
- 6.3. Failure on the part of any contractor or consultant to comply with the provisions of this policy will constitute grounds for termination of their contract with the City.
- 6.4. Employees who have any questions regarding this policy should bring them to the attention of their supervisor, manager, or department director.