

**Policy: Appropriate Use of Electronic Communication and Technology**

The Township provides a variety of electronic tools for employees whose job performance requires or would be enhanced by the use of its technology.

These electronic tools include, but are not limited to, the following:

• Desk telephones

• Mobile devices (e.g., cellphones, laptops, IPADS etc.)

• Computers

• Facsimile machines and printers

• Pagers

• Electronic mail (e-mail) systems

• Internet access

The Township faces the challenge of making maximum use of the benefits of such tools, meeting legal requirements for access to information, and providing adequate protection for proprietary information. This policy governs access to and the appropriate use of township provided electronic tools and technology at all times, including both work and non-work time, by township employees, consultants and/or contractors.

Employee access to and use of electronic tools is intended for business-related purposes. *Limited and reasonable incidental use of these tools for occasional employee personal purpose that does not result in any additional costs or loss of time or resources for their intended business purpose is permitted.* Incidental use is defined as minimal duration in length and frequency.

**Employee Responsibility:** Employees are responsible for appropriate use of all township owned electronic tools. They are expected to adhere to the highest ethical standards when conducting township business.

**Appropriate Use:** Employees need to use good judgment in the use of all township provided electronic tools and technology. They are expected to ensure that messages conveyed are appropriate in both the types of messages created and the tone and content of those messages. Employee use of all township provided electronic tools and technology must be able to withstand public scrutiny without embarrassment to the township.

**Examples of inappropriate use include, but are not limited to:**

1. Illegal activities

2. Wagering, betting, or selling

3. Harassment, disparagement of others, stalking, and/or illegal discrimination

4. Fund-raising for any purpose unless township sanctioned

5. Commercial activities, e.g., personal for-profit business activities

6. Promotion of political or religious positions or activities

7. Receipt, storage, display or transmission of material that is or may be reasonably regarded as violent, harassing, discriminatory, obscene, sexually explicit, or pornographic, including any depiction, photograph, audio recording, or written words. Downloading or installing software (including games and executable files) unless agency sanctioned

9. Unauthorized accessing of non-public data

10. Non-employee use (e.g., family member or friend) at work or away from work

11. Uses that are in any way disruptive or harmful to the reputation or business of the Township

12. Purposes other than Township business, except incidental or minimal use

The traditional communication rules of reasonableness, respect, courtesy and common sense and legal requirements also apply to electronic communication. Engaging in any of the above listed activities may subject an employee to discipline, up to and including discharge.

Employees should be aware that they might receive inappropriate, unsolicited e-mail messages. Any such message should be deleted before opening if an employee does not believe the e-mail is coming from a reputable person or organization. While employees may make personal use of technology such as e-mail and Internet access, the amount of use during working hours is expected to be de minimis. De minimis use is defined as so small or minimal in difference that it does not matter or the law does not take it into consideration. Excessive time spent on such personal activities during working hours will subject the employee to disciplinary action.

Township owned property or services including the e-mail system may not be used for political activities, fund-raising, campaigning for union office, union organizing activities, or solicitation of employees for union membership. Union use of electronic communication technology is subject to the same conditions as employee use of such technology.

**Monitoring:** Electronic communication devices such as mobile devices, desk telephones, facsimile machines, pagers, e-mail systems, Internet access, any and all software, data, or other information stored on a township owned computer are town property. Like other township owned resources, they are intended to be used for township business and other township sanctioned activities.

Township owned electronic communication devices may be monitored, read, examined, seized, or confiscated as necessary. Accordingly, the Township reserves the right to monitor any and all electronic communication device activity. Employees should not expect that any township owned electronic communication device activity will remain private. The township reserves the right to monitor any use of these systems, including use of these devices while the employee is on his/her own time, to access any information on these systems, and to take any action it determines to be appropriate with respect to that information.

Data that agencies maintain electronically are government data and, as such, are subject to classification and access under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. Employees should understand that electronic data may not be completely secure. E-mails and records of Internet activities may be retrieved and viewed by someone else with proper authority at a later date. It is the user's responsibility to use care in communicating information not meant for public viewing.

Because electronic communication systems, such as facsimile, e-mail and Internet systems may not be secure, it is recommended that employees not send any data classified under the Minnesota Government Data Practices Act as not public (private or confidential data on individuals or nonpublic or protected nonpublic data not on individuals) through unsecured facsimiles or over the e-mail or Internet systems unless the data are encrypted or encoded.

**Record Retention Schedules:** Record retention schedules are the same regardless of the medium used to create or store the record. As a result, many electronic records and e-mail messages are official records of the township and must be retained in accordance with the approved record retention schedule appropriate for the type, nature and content of the record. Improper disposal may subject the employee and the township to legal sanctions and other administrative or legal consequences. The same rules that are used to determine if a paper, microform or videotaped record should be retained apply to electronic records or e-mail messages.

**Use of Mobile Device for Personal Calls** – The use of township owned mobile device equipment and service is intended for township business. Personal use of township owned mobile devices is allowable only for incidental use. Employees are expected to use mobile devices responsibly and in accordance with this policy and any applicable work rules. Personal use of a township mobile device in violation of this policy may result in revocation of the mobile device assignment and possible disciplinary action against the employee. The Township reserves the right to seek reimbursement for excessive personal use of any township owned mobile device.

**Monthly Mobile Device Billing Review and Annual Service Reviews** – The Town Board or its designee is responsible for reviewing monthly mobile device billings, not unlike any other type of billing it receives.

**Authority:** The Town Board and supervisors are responsible for ensuring that employees appropriately use all electronic tools through training, supervising, coaching and taking disciplinary action, when necessary.

The use of technology resources is a privilege, not a right, which may be revoked by the Town Board at any time for any reason. Any employee who intentionally fails to comply with the provisions of this policy shall be subject to disciplinary action up to and including discharge.

This policy becomes effective upon adoption by the Board.

This \_27th\_\_\_\_ day, of \_\_February\_\_\_\_\_\_\_\_\_\_2013.