



Purpose This policy is meant to provide employees and managers with an understanding of the proper uses of City office and telecommunication equipment.

Policy This policy is applicable to all employees.

- Office equipment, furniture, lockers, supplies, telephones, cellular phones, including voice based and text messaging formats, and other telecommunications equipment, computer hardware and software, electronic media devices and access to the Internet acquired by the City are to be used for official City business functions. They are not to be used for personal purposes except as outlined in this policy. The City will not be responsible for personal items that are damaged, lost, or stolen. *Employees are hereby notified that they shall have no reasonable expectation of privacy for any items listed in this paragraph.*
- Any use of City equipment or personal equipment, used in the course of city business that degrades, humiliates, or embarrasses any person is strictly prohibited. This includes, but is not limited to any degrading comments based on race, sex, age, religion, national origin, disability, or any other protected class.
- The proper use of office and telecommunication equipment is an important method of effectively carrying out the of the City’s mission. This equipment includes computers, facsimile machines, printers, telephones, cellular phones (including cellular text messaging), radios, mobile data terminals, copy machines, portable digital assistants (PDAs) and all other forms of electronic media. In addition to the hardware components listed above, information systems also include the software components that make the machines and devices effective such as but not limited to computer programs, E-mail, text messaging, on-line data services, voice mail, Internet access, etc. Like other City assets, these systems are acquired to help City employees carry out their job responsibilities efficiently. It is important that these tools be used appropriately.
- The Oregon Government Ethics Commission has issued a draft advisory opinion that governs the use of electronic and telecommunications equipment by public employees. This policy complies with that draft advisory opinion.
- Information created, stored, sent, or received by City employees, in connection with city business, or using City assets or facilities, which includes most forms of electronic media devices, may be public records. See ORS 192.005 for the definition of a public record. Public records may be subject to disclosure under Oregon Public Records Law. Public records are subject to the State of Oregon Archives Retention Schedule. Employees should not make public disclosure decisions. Employees should contact the Records and Information Management (RIM) Coordinator for their department, or the City Clerk’s Office in the event that they receive a public records request.



A. Telephone (non-cellular)

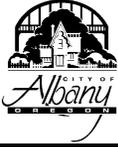
- 1) Long distance calling should be used prudently since each minute is billed to the City.
- 2) Employees may not make personal long distance calls using the City's long distance service, even if the employee reimburses the City for the costs of these calls. It is the responsibility of each department to monitor employee long distance calls based upon the call accounting reports available from Finance. In order to make personal long distance calls, employees will have to use their personal long distance calling card.
- 3) Employees should use extra care in making local personal calls, which do not have extra toll charges connected with them. Frequent or protracted personal conversations take away from productive work time. Abuse of work time is subject to disciplinary action. Expressly prohibited is the use of City telephone instruments for carrying out noncity business, trade, advertising, and/or selling personal or noncity business items.

B. Cellular Telephones

- 1) City employees who use cellular telephones for City business use the phones with different frequency, varying from occasional use to frequent use. Given the variations, the purpose of this policy is to provide for flexible, cost-effective use of cellular telephones. It is the City's intent to minimize the number of City-provided cellular phones to the fullest extent possible.
- 2) Cellular text messaging is a tool to be used for personal, transitory purposes only. The use of text messaging to conduct City business, or in any other way that might create a public record, is prohibited.
- 3) Use of any cellular phone at any time should be done in a safe, common sense manner. Except in the case of an emergency, use of a cellular telephone while operating a vehicle on City business is strongly discouraged. If such use is necessary, it must be performed in keeping with current applicable Oregon motor vehicle codes.

C. Other

- 1) The following options are available to City of Albany employees who use cellular telephones for City business:
 - a. Phones supplied by the City.
 - (1) Employees with a daily business need for a cellular phone may be assigned a City-issued phone.



- (2) Use of City-issued cellular phones is restricted to City business; personal calls (outgoing or incoming) will only be allowed infrequently for limited duration in emergencies when these calls cannot be made from a land line within a reasonable period of time.
 - (3) City-issued phones will be City property and will be on a cellular telephone plan provided by the City.
- b. Personal cellular telephones provided as an employment benefit.
- (1) The City recognizes that, due to the nature of some positions, it may be more cost-effective and give more flexibility to provide some employees a cellular phone allowance in lieu of providing the employee with a City-owned cellular phone.
 - (2) Under this plan, managers may designate employees who will be provided with a monthly allowance to obtain a personal cellular phone.
 - (3) The monthly allowance will be \$35 for voice and an additional \$45 for a data plan, if needed. The City Manager may change these amounts, as appropriate. Managers will need to notify Payroll of the names of employees to receive the allowance. Since this method of payment is not expense-substantiated, the allowance is considered a taxable fringe benefit and will be included in the employee's end-of-month paycheck.
 - (4) The monthly allowance may be adjusted periodically by Finance to attempt to conform generally to commercially available cellular telephone usage plans.
 - (5) Under this plan, the employee is allowed unrestricted business and personal use of his or her cellular telephone.
 - (6) Each employee who receives a cellular telephone allowance is responsible for obtaining their own phone and usage plan.
 - (7) Employees who receive a cellular phone allowance may seek separate reimbursement from the City for excessive charges incurred for a specific emergency situation with the approval of their supervisor.
- 2) Employees who carry personal cellular telephones that are rarely used for City business shall submit an expense reimbursement form to cover business use charges.



D. Mobile and Portable Radio Telephone Interconnect

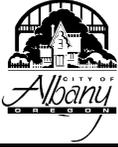
- 1) The air time for radios with this feature is expensive and parallels cellular telephone usage. Inbound telephone interconnect time is charged as well as outbound time. The procedures outlined for cellular telephones also apply to radio telephone interconnect charges.

E. Telephone On-Line Subscription Services

- 1) The City budget may provide funds for subscription to telephone or computer subscription services such as on-line database information services. Supervisors are responsible for monitoring proper use of these subscription services. Use of such services for noncity or personal use is prohibited.

F. Computers, Printers, Copiers, Facsimile Machines, and Electronic Media Devices

- 1) The intent of this equipment is to be used to carry out official City business. Employees are not to use this equipment for noncity or personal work unless given prior approval by their supervisor. Employees are prohibited from using this equipment for profit-making ventures or businesses.
- 2) Copiers and Facsimile Machines. These may be used to produce limited numbers of personal copies or faxes, provided they are not for a noncity, profit-making business and provided the employee records the number of copies made, faxed, or received as a fax and reimburses the City at the prescribed rate. Also, in order to send personal long distance faxes, employees will have to use their personal long distance calling card.
- 3) Computers and Electronic Media Devices. Department Directors may authorize the use of computers, electronic media devices and related office equipment for training or development purposes if it is intended to increase employee work skills, produce a usable product pertinent to City operations, or maintain a professional certification pertinent to the employee's job with the City. ***Employees are hereby notified that they shall have no reasonable expectation of privacy for any information created, stored, received or sent on their computers or electronic media devices.*** Individual hard drives and any electronic media devices are subject to inspection by supervisors and information technology (IT) staff under the direction of the HR Director and the IT Director. Supervisors may permit employees to use City computers or electronic media devices for limited personal use during nonwork time, especially if that use benefits the City by improving an employee's skills or knowledge.



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Personal use must comply with the other restrictions and prohibitions spelled out in this policy. Use of City computers or electronic media devices for carrying out a noncity business, trade, advertising, and/or selling personal or noncity business items is prohibited.

Information created, stored, sent or received on the City's computers and electronic media devices may be considered a public record. Public records may be subject to disclosure unless the record or material is exempt under Oregon Public Records Law. If material is exempt from public disclosure, then it may be stored and labeled "Confidential." However, it is the content of the material and not its storage location or designation as confidential which would allow the City not to disclose the information. Should a request be made for information within an employee's confidential directory, then the City Attorney will make a determination whether the specific material requested falls within one of the exemptions.

- 4) Software. Management and IT department approval is required for employees to install personally owned software on city computers. Directors, managers, and supervisors may install demo software to evaluate programs for City use. Copying of City-owned software is prohibited unless explicitly approved by management and allowed under software license requirements. All managers shall check with Information Technology before approving installation of personal software or copying of City-owned software.
 - a) Exempt personnel (those receiving administrative leave) with the consent of their supervisor may use City software on their home computer exclusively to do City business provided there is no violation of software licensing regulations.
 - b) Nonexempt personnel (those eligible for overtime) may use City software on their home computer exclusively to do City business only when overtime has been preauthorized by their supervisor and provided there is no violation of software licensing regulations.

G. E-Mail and Voice Mail

- 1) E-mail is provided as a communication avenue for City business. E-mail is considered a public record, and all messages sent on E-mail should be viewed in this light. Any message or wording that degrades, humiliates, or embarrasses any person is strictly prohibited. Employees should periodically review their E-mail and appropriately delete messages that no longer are germane to operations.
- 2) Voice mail is assigned to City employees based on the need to enhance telephone communications with internal and external customers. Voice mail allows callers to leave messages for City staff members. Employees



should not leave messages which should not be shared with any other person. As with E-mail, employees should periodically delete voice mail messages that are no longer germane to operations.

3) Examples of inappropriate/unacceptable use of E-mail and voice mail are as follows:

- * Messages of a political nature, such as messages regarding a candidate for elected office
- * Messages which are comments or jokes which demean other people, including citizens, coworkers, supervisors, or subordinate staff
- * Messages you would want no one other than the intended recipient to ever see or hear

4) Users are entirely responsible for the use and content of their E-mail and voice mail. Improper use could result in disciplinary action. Supervisors may review E-mail and voice mail at any time. Users should report inappropriate use of E-mail and voice mail to any member of management or the Human Resources Department.

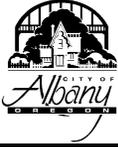
5) To ensure that only authorized users gain access to E-mail, voice mail, and Internet accounts, users must safeguard their individual network passwords.

6) Retention

- a. City employees have an obligation to apply the appropriate retention based on the State of Oregon Archives Retention Schedule to E-mail sent and received and to provide access to E-mail in compliance with the Oregon Public Records Law. The retention requirements apply to records that are created, stored, sent or received “in connection with the transaction of public business.”
- b. E-mail messages are filed in a record series based on their content and have the same retention as the record series in which they are filed. City employees may need to print E-mail in order to store the E-mail with the appropriate records.

Our E-mail system allows users to enclose or attach records to messages. These enclosed or attached records need to be filed according to their content or record series. These records will have the same retention as the records series in which they are filed.

- c. The Oregon State Archives Retention Schedule contains retention and disposition schedules that specify how long to keep different records. There are two types of schedules:



- (1) Special Schedules apply to records that are unique to an agency and its programs and functions and are specific authorizations for an agency to dispose of records.
 - (2) General Schedules apply to records commonly found in most agencies and are contained in the Archives Division's Administrative Rules (Chapter 166).
- 7) Group and "Everyone" e-mail lists
- a. Group e-mails. On occasion, employees may need to communicate quickly with all people in a work group, division, department, or building. Group e-mail lists may be developed for this purpose. The following applies to messages sent to recipient groups:
 - (1) Messages to a recipient group must be work-related.
 - (2) The subject matter must be used in the message's subject line – i.e. Lights On, Found Keys, etc.
 - (3) The content of the message must be direct and concise so that its meaning is not open to interpretation or assumption.
 - b. "Everyone" e-mails. Specified employees have been granted rights to send occasional communication to all City recipients. The requirements of group e-mails as above, also apply to these "everyone" e-mails. In addition messages that are intended for distribution on the "everyone" list must be submitted to the Public Information Officer for approval; in the absence of the PIO, these messages should be submitted to the Executive Assistant to the City Manager, the Graphics Specialist, or specified Human Resources staff.
 - IT systems related messages sent to group distribution lists by designated IT staff are not subject to the above approvals, but may be subject to the approval of the IT Director as needed.
- 8) E-mail Notice of Disclaimer
All employees should automate their e-mail to include the following statement in the signature block: "This e-mail is a public record of the City of Albany, and may be subject to public disclosure under Oregon Public Records Law. This e-mail is subject to the State of Oregon Retention Schedule." If needed, employees may contact the IT help desk to access instructions on how to update their e-mail signature to include the disclaimer.

H. Internet Usage



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- 1) Employees are given access to the Internet to perform their work assignments. The Internet must not be used for personal profit or entertainment by any City employee.
- 2) The Internet is a worldwide network of interconnected computers containing billions of pieces of information and many diverse points of view. Employees are responsible for the material they access and obtain from the Internet. All Internet use by City employees on City equipment is monitored and subject to periodic review. Employees may only access the Internet through the City's network, which has an approved Internet firewall. Employees may not access the Internet directly by modem, unless the accessing computer is not connected to the network.
- 3) Employees will not view, send, receive, print, or otherwise disseminate materials that degrade, humiliate, or embarrass any person. This includes but is not limited to any degrading materials or information based on race, sex, age, religion, national origin, or disability. Sexually explicit materials may not be viewed, archived, stored, sent, received, distributed, edited, or recorded using the City's equipment. Users are to report inappropriate use of the Internet through the City's system to their supervisor, department manager, or Human Resources.
- 4) Anything created or viewed by City employees on the Internet will be treated as a public record and archived as specified by public records rules. Confidential and/or sensitive information should be avoided.
- 5) All files and data received from the Internet or from computers or networks that do not belong to the City must be scanned for viruses and other destructive programs. Files that are attached to E-mail leaving the City's network should also be checked for viruses.
- 6) ***Employees have no expectation of privacy as to their use of the Internet through the City's network.*** The City has the right to monitor any sites employees visit on the Internet, including web pages, chat rooms, and news groups. Human Resources may authorize Information Technology to review Internet activity and analyze usage patterns of employees at any time. The City may choose to distribute this data to the management staff.
- 7) Employees must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activity, including downloading of any copyright protected computer programs. Questions regarding licenses, copyrights, and intellectual property should be directed to the Information Technology staff.
- 8) Employees are not to use the Internet for noncity or personal work unless given prior approval by their supervisor. Any personal use must be in compliance with all aspects of this policy, particularly paragraphs 1



through 7 of this section. No use will be made of the Internet by an employee for a profit-making venture or business or for any political use prohibited by Oregon law. Personal use of the Internet should take place only during nonworking hours, should be infrequent, and should not be a substitute for an employee obtaining a private Internet account. Frequent or protracted personal use of the Internet is prohibited. Personal use of the Internet during work time or use of the Internet that has not been authorized by an employee’s supervisor is subject to disciplinary action.

I. Mobile Data Terminals

- 1) Since these terminals combine components of E-Mail and on-line computer subscription services, the same procedures apply to mobile data terminals as apply to E-Mail and on-line computer subscription services.

J. Summary

- 1) The proper use of City office and telecommunication equipment enhances productivity and allows the City to better meet increased service needs. It is the responsibility of each employee to use this equipment in an appropriate manner. Violation of this policy or procedures set forth in this document may be grounds for disciplinary action.

Definitions

Voice Mail - is any recorded message made on the City’s telephone system and includes both incoming messages and the prerecorded greetings to callers.

Personal Computer (PC) - is any computer device (desktop, laptop, or portion of the network) used to create or access information stored on an electronic media.

Electronic Mail (E-mail) - is a package of services designed to allow users to “send” or “receive” memos, notes, reports, or communications from other system users.

Internet Mail - is a package of services designed to allow City Staff to “send” or “receive” memos, notes, reports, or communications from other Internet system users (e.g., other cities or state agencies). Internet E-mail is a small part of the data network commonly referred to as the “Internet.”

Public Record – Information created, stored, sent or received by city employees in connection with City business, or using City assets or facilities, which includes most forms of electronic media devices, may be public records. See ORS 192.005(5) for the full definition of a public record.

Record Series- Records arranged according to a filing system, or kept together because they relate to a particular subject or function or result from the same activity.



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References

Human Resources Policy Ethics
Archives Division's Administrative Rules (Chapter 166)
F-05-08, Public Records Request
F-06-08, Records Management Policy

Review and Authorization

Supersedes: HR-ER-13-005 06/01/2010	Created/Amended by/date: DS; 08/07/2013	Effective Date: 08/01/2013
HR Director:		City Manager:

1. Form or worksheet revision related to this document? No Yes

If yes, attach a copy of the revised form or worksheet.

2. Training required? No Yes