



**COUNTY OF SAN BERNARDINO
POLICY MANUAL**

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By

EFFECTIVE 3/23/04

SUBJECT
ELECTRONIC MAIL (E-MAIL) SYSTEMS

APPROVED
DENNIS HANSBERGER
Chair, Board of Supervisors

PURPOSE

To establish policy and guidelines for the use of the County of San Bernardino's electronic mail (e-mail) systems.

SCOPE

This policy applies to all users of the County of San Bernardino's electronic mail systems.

POLICY STATEMENT

The County e-mail systems are valuable resources for communication of information that is necessary to conduct county Business. Employees and other authorized users are encouraged to make use of this tool to carry out their responsibilities and duties in a professional and courteous manner, which is in the best interest of the County.

PRIVACY/USE

In order to ensure the proper use of County resources, the County reserves the right without advance notice to users of the e-mail systems to monitor, access, copy, or delete any messages stored on any of its e-mail systems. **NO USER OF ANY COUNTY E-MAIL SYSTEM SHOULD HAVE AN EXPECTATION OF PRIVACY IN ITS USE.** The County recognizes that certain agencies have a duty of confidentiality imposed by law. For those agencies in the event that e-mail must be accessed, confidentiality shall be maintained.

Employees are expected to respect the privacy of messages sent to others using the County's e-mail systems. Therefore, no employee, except those authorized to do so, shall access, view, retrieve, listen to, record, tamper with, copy, change, print or delete another employee's information or communications without that employee's permission.

Limited, occasional or incidental use of the e-mail systems for personal purposes may be acceptable, if done in a professional and appropriate manner, not used on County work time, not violating prohibited activities contained in this policy and not interfering with the conduct of County business or the performance of the employee's duties. Should employees use the County e-mail systems for personal messages such messages will be treated as business messages. Employees should not use the e-mail systems for messages they wish to keep private, as the County may access these messages and they may become "public records" in accordance with the Public Records Act. Messages may be stored and are not necessarily deleted by pressing "delete".

PROHIBITED ACTIVITIES

It shall be a violation of this policy to use e-mail to violate any existing law, regulation, County policy, departmental or personnel rule. Other prohibited uses of the County e-mail systems include, but are not limited to:

1. Activity that could subject the County to civil or criminal liability.
2. Representing oneself as a spokesperson and/or making commitments on behalf of the County or a department without authorization.
3. Usage intended for personal or commercial financial gain (e.g., advertising), or participating in any gambling, gaming or wagering activities.
4. Any use of e-mail for the purpose of distributing materials, promoting causes or beliefs, or soliciting membership in, support for or donations to any organization, group or entity including, but not limited to, those of a commercial, political, charitable or ideological nature unless officially sanctioned by the County.
5. Utilization of e-mail to distribute offensive, abusive, threatening, pornographic, and sexually explicit or hate messages or images.
6. Use of e-mail to commit illegal, fraudulent or malicious activities.
7. Originating or intentionally propagating computer viruses and/or chain letters or petitions.
8. Disclosing confidential and/or personal information without appropriate authorization or sharing County e-mail accounts or passwords to access those accounts with others.
9. Personal usage that results in any charges or other costs to the County.
10. Subscribing to external mailing lists, notification services, or other e-mail services that are not reasonably related to the performance of assigned job duties.
11. Using animation, specialized graphics or colored backgrounds in e-mails.

ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

Some of the messages sent, received, or stored on the County e-mail system will constitute confidential, privileged communications between the County and either its inside or outside attorneys. Upon receipt of a message either from or to counsel, do not forward its contents to others without counsel's authorization.

ANTI-HARASSMENT POLICIES APPLICABLE

The County's policies prohibiting sexual and other harassment are applicable to the use of the County's e-mail systems. As such, employees shall not prepare, solicit, or transmit messages and images that are obscene, pornographic or sexually oriented, or that contain offensive, harassing, derogatory or disparaging comments, jokes or slurs related to race, color, ethnicity, gender, age, sex, religion, disability or political affiliation.

COUNTYWIDE E-MAIL BROADCASTS

County e-mail shall not be used to announce, advertise, or otherwise promulgate any event, cause, organization, or activity that is not an official County of San Bernardino function or program. Any use of the e-mail system to promulgate a legitimate event countywide must be requested by the agency/department head and approved by the Chief Information Officer.

RESPONSIBILITIES

Except as otherwise specified, the Information Services Department (ISD) is charged with the overall responsibility of administering this policy. Department heads are responsible for ensuring that all policy requirements are fulfilled. ISD will not respond to requests for e-mail access without written approval from either the Department Head, the Appointing Authority or County Counsel.

DISCIPLINE

Violations of this policy may be considered as a basis for disciplinary action, up to and including termination.