**CITY OF ROSEVILLE**
**ADMINISTRATIVE REGULATION**

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| APPROVED: | Number: | A.R. 1.04.2<br>Rescind AR 1.04.3 |
| | Date Effective: | July 19, 2009 |
| Ray Kerridge, City Manager | Date Revised: | January 28, 2014 |

**SUBJECT: EMAIL USE, RETENTION POLICY AND REMOTE EMAIL ACCESS**

## I. EMAIL USE AND RETENTION POLICY

**PURPOSE:**

The purpose of this regulation is to establish a uniform written policy regarding the use and retention of electronic mail ("email"). The City's email system is a tool to facilitate daily communications of a transitory nature between employees and with external parties, relative to current business matters. It is not a platform for the long-term preservation and retention of official, mission-critical, or vital records. The City requires employees to handle emails on a routine basis, in order to better preserve the capacity and functionality of the email system. This will provide for the most efficient and effective use of the City's computer resources; maintain the integrity and security of the computer system; and help to comply with all federal, state, and local laws and regulations. The City's email system is not authorized for purposes of the retention of stored records. However, because each employee has certain obligations under the public records law, certain emails must be preserved to comply with this law. The purpose of this regulation is to help guide employees in the preservation of public records and the routine deletion of all other emails.

The following policy applies to the use and retention of email by City employees within the course and scope of City employment or business. "Employee" and "employees," wherever used in this regulation, shall mean and include every employee, volunteer, intern and contract employee of the City, and every other user of the City's email system.

**POLICY:**

**1. General Policies:**

A. City email services are provided to employees for the sole purpose of conducting official City business.

B. All City email users must screen and evaluate email messages for content. It is the content of the email and not the type of media on which it is stored that determines how long it must be retained.

C. Emails that are public records must be saved by the custodian or keeper of that public record and preserved in accordance with Administrative Regulation 1.08 and the City Record Retention Schedule (can be found on the City Attorney or City Clerk Intranet site).

1) An Employee is the custodian of all business emails he or she sends and business emails received if that Employee is the primary recipient(s) of the email (i.e. the email is addressed “To” the Employee).

2) An Employee is not the custodian if he or she is simply copied (i.e., the email shows a “Cc” or Bcc” to that Employee) on an email sent to another employee.

3) Exceptions may exist in connection with pending or threatened litigation where the Employee has been instructed by the City Attorney to retain all documents, including emails.

D. Public Records Act requests should be handled in accordance with Administrative Regulation 4.04 and standard departmental policy and direction.

E. All email messages processed by the City’s email system are property of the City and subject to City review. Employees should be aware that statements in City employee emails can be perceived as official statements from the City of Roseville. City email users have no right of ownership or personal privacy when using the City email services.

F. The City reserves the right, without notice, to disclose email content to regulators, courts, law enforcement, and members of the public, if required or allowed by law.

G. The City has the right to delete or retain any or all electronic files, including email, of a former City employee who is no longer employed by the City.

H. City email users should not release email message contents to non-City entities for public inspection without obtaining proper approvals in accordance with the RELEASE OF RECORDS policy (Administrative Regulation 4.04).

I. Email shall not be forwarded automatically to or from non-City email accounts.

J. When necessary for City Business, a department head or an authorized manager may assign another employee as a delegate to an email account or arrange for email to be forwarded from one account to another City email account. City email users are responsible for their email accounts, as well as their use of another user’s account as a delegate, and will be held accountable for violations of this policy.

K. City email users shall not intentionally alter the date, time, physical source/destination, logical source/destination, routing or other label or header information of any email message, file or report. The one exception to this is the subject line which employees may modify for organizing stored email and storage retrieval purposes.

L. In accordance with Administrative Regulation 2.03 (Harassment Prevention Policy), City email shall not be used in a way that may be harassing, threatening, or demeaning to any person.

M. In accordance with Administrative Regulation 6.13 (Mobile Device Policy), City emails received or accessed on any mobile devices, regardless of whether the City owns the mobile device, will be subject to this policy.

N. To ensure that information sent to the ZZ-All User email address contains important, appropriate information relevant to a citywide audience, the City has limited the ability of employees to send ZZ-All User emails to the following groups:

- Department Heads and their designees
- Administrative Assistants
- Members of the citywide Communications & Budget teams
- Dispatchers, Human Resources & Emergency Management Team

## 2. Guidelines

A. Only authorized users, approved by Department Heads, will have the authorization and ability to send Citywide all user distribution list email messages (see Policy 1.N. above).

B. Encryption of messages is not incorporated into the City's email system. Therefore, email should not be used to transmit confidential or personal information such as credit card numbers, social security numbers, bank account numbers, etc.

C. Effective January 1, 2016, any email and calendar older than two years will automatically be deleted from the system if stored in the calendar, in-box, deleted and sent items. Effective January 1, 2017, any email and calendar older than one year will be deleted from the system.

D. Upon separation from City employment, employee electronic mailbox will be removed. Upon request and approval of the department head, emails will be exported prior to the electronic mailbox being removed.

E. City electronic mailboxes have a limited storage capacity. This limit is set by the system administrator based on usage guidelines.

F. The maximum allowable size of an attachment in the email system is 10 megabytes. Attachments larger than this will not be transmitted or received.

## 3. Types of Emails

A. <u>Personal Emails and Junk Emails</u>.

1) The City prohibits the use of City email system for personal emails. The City recognizes that unforeseen circumstances may infrequently occur in which personal use takes place resulting in minimal and incidental use. Personal emails are not considered public records and should be deleted immediately.

2) "Junk mail" is all email that is unwanted and has no information value. This includes spam and phishing. Junk mail emails are not considered public records and should be deleted immediately.

B. Email Messages that are Transitory or Not a Public Record. Transitory email messages are those of temporary usefulness and should be disposed of once that temporary use has expired.

1) Transitory emails and emails that are not public records have no administrative, legal, fiscal or archival requirements for their retention.

2) Examples, including but not limited to:
- Courtesy or personal correspondence
- Meeting requests
- Out-of-office replies
- Thank you messages
- Duplicate messages and attachments
- Published material from outside agency
- Replies to routine questions and information
- Incoming listserv messages
- Media advisories, news and press releases
- Emails sent to another employee in department with a copy sent to you
- Meeting minutes
- GIMS
- All user emails

C. Public-Record Emails or Email Messages of Long-Term Value. Email messages or attachments which are established records listed in the City Record Retention Schedule.

1) Examples, including but not limited to:
- Policies and directives
- Correspondence or memoranda relating to City official business (excluding duplicates)
- Any document that initiates, authorizes or completes a business transaction
- Final reports and recommendations
- Attorney work product
- Personnel file information

2) If an email is determined to contain long-term value, employees are required to move the email out of the email system prior to expiration of the email retention period as noted in Section 2C, and:

a. Migrate the message (and/or attachments) from the email system to another electronic system of record (e.g., SIRE or Microsoft Enterprise Archiving Program) for further retention; or

b. Generate a hard copy printout and place it into the proper paper file for further retention.

D. Email Related to Litigation or Government Investigation. If the content of an email is related to actual or pending litigation or a government investigation, it shall NOT be destroyed without the express written approval of the City Attorney.

This restriction begins when the City Attorney issues a “litigation hold” memo or otherwise notifies employees that a matter is the subject of litigation or other legal proceedings, and continues until terminated by written authorization from the City Attorney.

**4. Attorney-Client Privileged Communications**

The attorney-client privilege can provide valuable protection for the City’s legal interests and should be preserved. Some emails sent, received or stored will constitute confidential, privileged communications between the City and its attorneys. Note that generally the privilege attaches only to communications which are intended to be confidential, not disclosed to third parties, and contain advice or an opinion formed by the attorney in the course of the attorney-client relationship. Attorney-client communications shall not be forwarded or disclosed without consulting and receiving approval from the City Attorney's Office.

**5. Confidential/Sensitive Information**

A. Most communication among City employees is not considered confidential and does not contain sensitive information. However, certain communications may contain confidential or sensitive information. Examples of confidential/sensitive communications include police investigations, personnel records, payroll/employee information, medical/insurance information, customer billing records, proprietary agreements, social security/employee numbers and legal compliance information. Questions about whether communications are confidential or sensitive should be raised with the employee's supervisor.

B. Employees shall exercise caution in sending confidential information on the email system and should consider whether written memoranda, letters or phone calls would be preferable, because of the ease with which such information may be retransmitted through email.

C. Confidential information must not be sent or forwarded to any person or entity not authorized to receive that information and must not be sent or forwarded to other City employees who do not require the information in order to perform their assigned job duties in connection with the specific matter.

D. Care should be taken in using email to ensure messages are not inadvertently misdirected to the wrong person or entity. In particular, exercise care when using distribution lists to make sure all addresses are appropriate recipients of the information. Lists are not always current and individuals using lists should take measures to ensure lists are current. Additionally, be cautious when using the “reply to all” function.

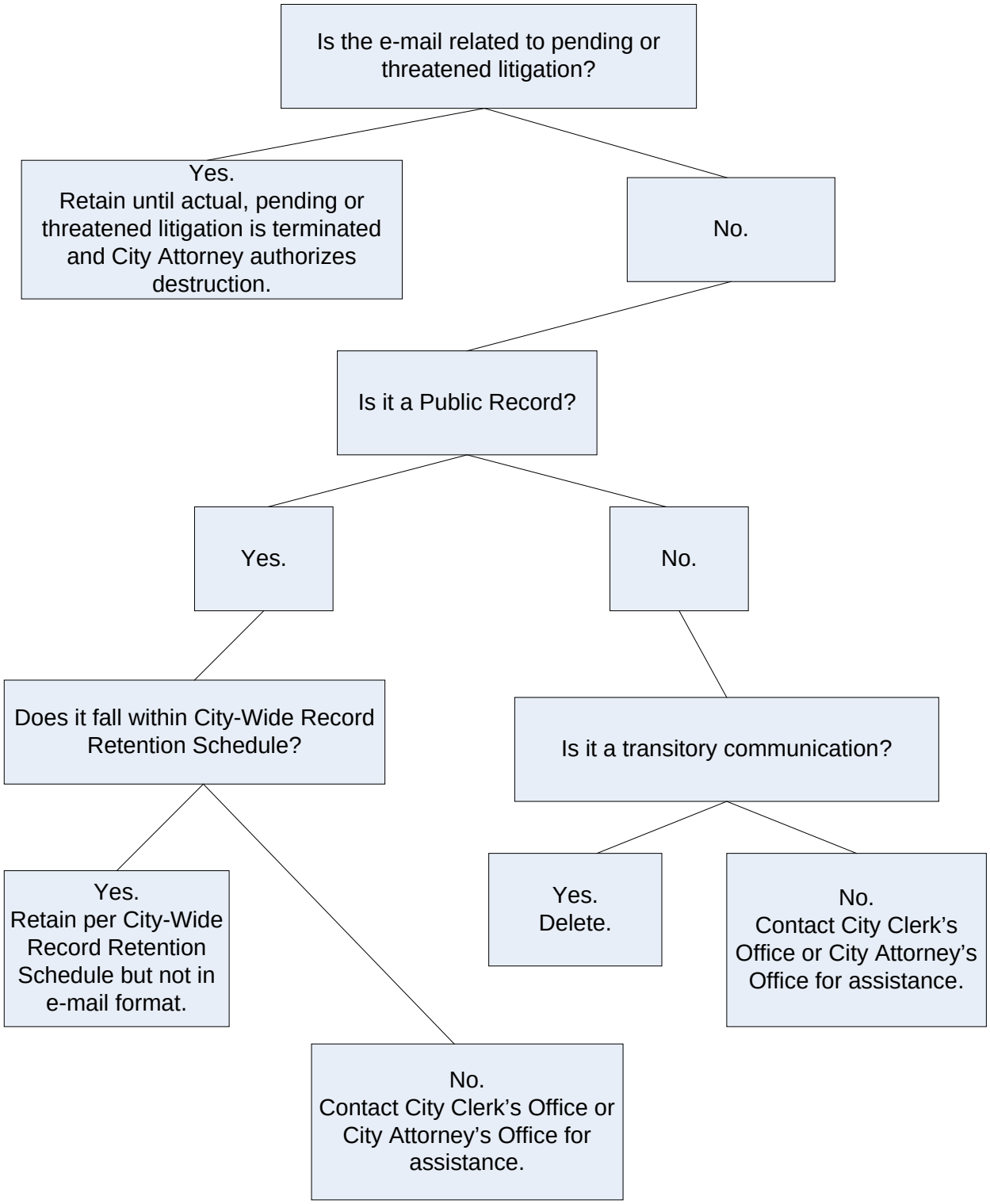
E. If an employee inadvertently receives a confidential email, the employee should immediately notify the sender and delete the email.

## 6. Enforcement

An employee found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees must acknowledge that they have read and understand this policy, and agree to the terms and conditions stated in this policy.

# CITY OF ROSEVILLE E-MAIL RETENTION FLOWCHART



## II. REMOTE EMAIL ACCESS

### PURPOSE

The purpose of this regulation is to define the standards for remote access to the City of Roseville's email system. These standards are designed to minimize the City's potential exposure to damages, which may result from inappropriate or careless use of City of Roseville resources. Damages include, but are not limited to, loss of sensitive or confidential City data, intellectual property, damage to public image, damage to critical City of Roseville internal systems, etc.

In addition, this policy emphasizes that remote access to email is voluntary and is provided as a convenience to employees. This policy provides standards for non-compensable, voluntary and incidental access to the City of Roseville's email system.

### POLICY

This policy applies to City of Roseville employees requesting remote access to the City's email system.

Nonexempt employees may only have access with approval by agreement with the department head and Human Resources and will not receive overtime pay or compensatory time for accessing email remotely.

Following are provisions of this policy:

It is the responsibility of City of Roseville employees with remote access privileges to maintain appropriate levels of security and confidentiality of City of Roseville resources.

The City of Roseville employee is responsible for taking steps to prevent unauthorized uses and bears responsibility for the consequences should access to the email system be misused.

Remote use of the City of Roseville's email system is subject to compliance with the email use and retention policy. City of Roseville email is to be used only to conduct City of Roseville business.

Email and/or network communication is not considered time worked and is provided for convenience to employees. Employees are not required to check their email on their days off or while on vacation.

Non-exempt employee time spent accessing City resources via remote connection must be incidental and is therefore not subject to FLSA overtime. Any non-incidental access by non-exempt employees is not authorized by the City of Roseville.

The employee is responsible for all costs associated with the remote access connection including but not limited to Internet connection or usage fees, equipment, and required software.

### REQUIREMENTS

Personally owned devices are preferred for security reasons.

At no time should any City of Roseville employee provide his or her login or email password to anyone, not even family members.

All personal devices used for remote access to email must use the most updated and vendor supported anti-virus software, operating system and browsers.

Firewalls provided with operating systems should be enabled and properly configured to minimize security risks.

Individuals who wish to implement non-standard remote email access solutions to the City of Roseville production network must obtain prior approval from Information Technology.

**ENFORCEMENT**

Any employee found to have violated this policy will have remote access immediately disabled and may be subject to disciplinary action, up to and including termination of employment.

Employees must acknowledge that they have read and understand this policy, and agree to the terms and conditions as stated in this policy.