



WHATCOM COUNTY
EXECUTIVE ORDER 97-06

Issuance of Electronic Mail & Internet Policy

WHEREAS, a County policy has been developed that establishes guidelines and procedures for use of electronic mail and Internet in County business, and

WHEREAS, the administration is desirous of implementing such guidelines and procedures for the departments of Whatcom County,

NOW, THEREFORE, by virtue of the power vested in me by the Home Rule Charter for Whatcom County, I hereby order, effective immediately, adoption of the attached "Electronic Mail and Internet Policy."

DATED this 27th day of June, 1997.

PETE KREMEN
Whatcom County Executive

WHATCOM COUNTY ELECTRONIC MAIL AND INTERNET POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the County's electronic mail systems and Internet usage. Access to these systems is provided for the sole purpose of facilitating or conducting County business.

II. SCOPE

This policy applies to all employees and authorized agents of Whatcom County using the County's electronic mail systems or accessing the Internet using County equipment or resources.

III. POLICY STATEMENT

This policy governs usage of the County's electronic mail systems and internet access. All users are responsible for adhering to County policy when utilizing these systems. Specific guidelines, rules and restrictions regarding electronic mail and Internet usage are outlined herein. Violation of any of these guidelines, rules or restrictions may result in the cancellation of the user's access to these systems and further, any such violation may also be grounds for legal and/or disciplinary action, including termination of employment.

'For the purpose of this policy, a "user" is defined as an employee or authorized agent of Whatcom County who makes use of either the County's electronic mail system(s) or County equipment or resources for accessing the Internet.

IV. ELECTRONIC MAIL

The purpose of Whatcom County's electronic mail systems is to facilitate timely and efficient conduct of County business. This policy refers to "Electronic Mail" in the context of two different systems. Whatcom County's internal electronic mail system is directly managed by Whatcom County. Internet electronic mail is not. Users' should be aware that they are provided no rights to privacy or confidentiality under either system. The rules governing the usage of both types of e-mail systems are the same. Use of or access to data or electronic mail systems not managed by Whatcom County (i.e., Washington State WAN and MIS systems) will not be monitored by Whatcom County, though the expectation of businesslike conduct outlined in this policy applies to the use of these systems as well.

- A. Consent Waiver Form** - Users must first complete an Employee Electronic Mail Account Waiver Form to obtain access to Whatcom County's internal electronic mail systems or the Internet. Unauthorized access is a violation of law and Whatcom County's policies. By signing the consent waiver form, an employee acknowledges that he or she has read and understands the County's electronic mail and Internet policies and that he or she consents to the County's ability to access, monitor, review and/or utilize any data or communications located on these systems.

- B. Retention of Electronic Mail** - The Whatcom County Records Management Policies apply to electronic mail and shall be consulted for instructions on long-term and/or permanent record storage.

- C. Electronic Mail Privacy** - Electronic mail may subject to Public Disclosure requirements as specified in state law. Users are advised of the risks to privacy that electronic communications present in that such messages can be forwarded to other e-mail users or they can be delivered to the wrong recipient. Users of County electronic mail systems must sign a statement that they are aware of these risks and that they recognize that the County does not warrant that electronic mail messages will be kept confidential. Electronic mail may become evidence in legal proceedings. All users are required to consent that the County may review any messages on its systems, may use any of that information for any purpose and may disclose such messages to third parties as provided under the Public Disclosure law if applicable. Requests to view electronic mail messages will be referred to and addressed by the appropriate department in the same manner as requests for access to other public information.

Departments are strongly cautioned in their use of electronic mail as a means to communicate information containing highly sensitive, confidential or privileged matters. Department heads shall establish specific procedures within their department that will ensure that the rights of their clients or others are not compromised by the potential vulnerabilities of electronic mail.

- D. Prohibition on Inappropriate Message Contents** - All electronic mail should be businesslike, courteous and civil. It must not be used for the expression of ill will or bias against individuals or groups, promotion of political, religious or other personal causes, transmission of offensive material such as obscenity, vulgarity or profanity, jokes, sarcasm, or other non-businesslike material. Sexually explicit material, cursing or

name-calling is not acceptable for use in electronic mail communications.

- E. Statement of Business Purpose, Right of Inspection and Duty to Report Abuses** - Whatcom County's electronic mail systems are intended for communication of matters directly related to County business and are not for personal or recreational use. Users should be aware that electronic mail messages on Whatcom County's internal e-mail systems may be monitored periodically by County management to determine compliance with this policy. This inspection is not systematic and the County depends upon users to report offensive or inappropriate material.
- F. Mis-Delivered Messages** - If an electronic mail message is delivered incorrectly, the recipient is expected to stop reading it as soon it becomes apparent that there was an error in delivery. The recipient should also immediately notify the message sender or the system administrator of the error. It is impermissible and may be a violation of law to purposefully read electronic mail intended for another person without the express permission of that person.
- G. Forwarding of Electronic Mail** - In forwarding a message that originates from someone else, a user may not make changes to that message without clearly disclosing the exact nature of the changes and identity of the person who made the changes. If a message has been designated by its originator as confidential or privileged, it may not be forwarded without the consent of its originator.
- H. Non-Solicitation** - Users may not use County provided electronic mail systems for commercial activities, religious causes, political causes, charitable solicitations, support for outside organizations, or other activities that are not directly related to conducting County business. The County recognizes that users may occasionally receive solicitations via e-mail that they did not request. In these instances, the user should advise the originator of the County's non-solicitation policy.
- I. User's Responsibility for Security** - Users are responsible for the security of their electronic mail accounts' passwords and any electronic mail that is sent via their accounts. To protect an account against unauthorized use, users should take the following precautions:

 - 1. Logging Off** - Users must log off from electronic mail accounts before leaving their computer unattended. If an electronic mail account is left open and someone else uses it, it will appear that the authorized user sent the message and the authorized user may be held accountable.
 - 2. Use of Passwords** - Users shall not give out their password. Users are responsible for messages sent via their account.

Correspondingly, users shall not use or tamper with someone else's account without their knowledge and consent. Unauthorized use of an electronic mail account may be unlawful and is in violation of County policy.

V. **INTERNET ACCESS**

Access to and use of the Internet from County owned equipment or through County provided resources shall be allowed solely for the purpose of facilitating or conducting County business.

- A. **Internet Electronic Mail** - Access provided by Whatcom County to Internet electronic mail shall be used for the sole purpose of facilitating or conducting County business. Please refer to section IV. "Electronic Mail" for specific rules governing user standards of conduct.
- B. **Virus Protection** - Internet users are required to take every precaution available to protect the County's data and computer systems from damages due to corrupt files and/or computer viruses. Every computer that has access to the Internet shall employ an authorized means of virus protection.
- C. **Downloading Files** - Files shall not be downloaded from the Internet without express consent by the user's department head. In cases where routine downloads are to occur, a department head may grant ongoing consent to download files from particular sites (i.e., Washington State Department of Transportation database updates, etc.) All downloaded files must be scanned for viruses prior to any use.
- D. **Uploading Files** - Files shall not be uploaded to the Internet without express consent by the user's department head. In cases where routine uploads are to occur, a department head may grant ongoing consent to a user to upload specific files to particular sites. All files must be scanned for viruses prior to any upload.
- E. **Personal Use of Internet Accounts** - Users are not permitted to use County equipment or resources to access their personal Internet accounts or to access web sites for purposes other than County business, except as may be specifically approved by the user's department head.
- F. **Access Logs** - Users should be aware that an electronically generated log of all Internet web sites visited will be retained on each computer having Internet access. This log shall be subject to audit by County management at any time.
- G. **Prohibited Uses of the Internet**

1. **Solicitation** - The purchase or sale of personal items through advertising on the Internet is prohibited.
2. **Harassment** - The use of the Internet to harass employees, vendors, customers or others is prohibited.
3. **Non-County Business** - Commercial activities, promotion of religious causes, political purposes or any other non-business related activities are prohibited.
4. **Aliases** - The use of aliases while using the Internet is prohibited. Anonymous messages are not to be sent. Also, the misrepresentation of an employee's job title, job description, or position in the County is prohibited.
5. **Misinformation/Confidential Information** - The intentional release of untrue, distorted or confidential information regarding County business is prohibited.
6. **Viewing/Downloading of Non-County Related Information** - The willful accessing, viewing, downloading or any other method for retrieving non-County related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites or other sites that are not consistent with the County's mission or the user's specific duties or responsibilities.
7. **Obscene, Profane or Offensive Language** - Use of obscene, profane or otherwise offensive language, distribution or redistribution of obscene, profane or offensive material is prohibited.

H. Legal Issues

1. **Copyrights** - It is illegal to reproduce or distribute copyrighted information regardless of its source. It is the user's responsibility to ensure that copyright laws are not violated.
2. **Discrimination** - Harassing messages, derogatory comments or other forms of discrimination based upon race, national origin, gender, color, sex, religion or creed are against the law. The user is responsible for ensuring that his or her behavior while accessing the Internet is not discriminatory.

3. **Privacy** - A user's rights while accessing the Internet with County property or through the use of County resources does not include the right to privacy. The County reserves the express right to monitor all activities pertaining to its users' Internet access or usage.

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