

**CITY OF CHEAPEAKE, VIRGINIA**

**NUMBER: 1.13 (11.3)**

**ADMINISTRATIVE REGULATION**

**EFFECTIVE DATE: 05/22/00**

**SUBJECT: INFORMATION TECHNOLOGY  
ELECTRONIC COMMUNICATIONS USE  
AND RETENTION POLICY**

**SUPERCEDES: N/A**

## **I. PURPOSE**

The City of Chesapeake provides electronic communications (“e-mail”, Internet services, FAX and voicemail) to City employees at City expense for use in conducting the City’s business. The purpose of this administrative regulation is to establish policies for the appropriate use of electronic communications and provide guidelines for the retention of records.

## **II. GENERAL PRINCIPLES**

Electronic communications services are provided by the City of Chesapeake to support open communications and research through the exchange of information and to provide the opportunity for collaborative government-related work. The City of Chesapeake encourages the use of electronic communications systems by its departments and employees.

Although access to information and information technology is essential to the missions of City departments and their users, **use of electronic communications services is a revocable privilege**. Conformance with acceptable use, as expressed in this policy statement, is required. All City departments are expected to maintain and enforce this policy.

## **III. APPLICABILITY**

All City of Chesapeake employees shall be covered by this policy.

## **IV. POLICY**

### **A. General**

1. This policy applies to all electronic and telephonic communications systems and all communications and information transmitted by, received from, or stored in these systems. These systems are the property of the City of Chesapeake, and as such, are to be used for job-related communications.
2. Electronic communications are “public records” governed by the Virginia Freedom of Information Act (VFOIA) and the Virginia Privacy Protection Act of 1976 (“Privacy Act”). As a result, electronic communications are potentially subject to disclosure and/or restrictions under either or both acts.
3. Electronic communications sent or received on City equipment is the property of the City of Chesapeake and is intended for use in carrying out government

business. The City of Chesapeake retains all personal property rights in any matter created, received or sent via the City's electronic communications systems and such matter is not the property of the employees. Employees should not expect their electronic communications (e-mail, voice mail or Internet services) to be private.

4. All electronic communications shall be courteous, professional and businesslike.
5. Although access to information and information technology is essential to the missions of City government and its users, use of electronic communications and e-mail services are a revocable privilege.
6. The use of the City's e-mail, Internet services and FAX must be work related. The only exception would be a personal emergency where no other means of communications was available.
7. Department Directors or their designated representatives are responsible for disseminating and enforcing their employees' compliance with the provisions of this policy and for investigating non-compliance. When an instance of non-compliance with this policy is discovered or suspected, the department shall proceed in accordance with departmental and City of Chesapeake personnel policies. Suspension of service to users may occur when deemed necessary to maintain the operations and integrity of the City of Chesapeake information systems; users access, accounts, passwords, software and hardware may be withdrawn without notice if a user is suspected of violating this acceptable use policy. Discipline may be appropriate in cases of non-compliance with this policy. Criminal or civil action against users may be appropriate where laws or rights are violated.

#### **B. Use of E-Mail, Voice Mail, FAX and Internet Services**

1. The following actions are specifically prohibited:
  - a) Purposes which violate the laws of the U.S., Commonwealth of Virginia or the City of Chesapeake.
  - b) For profit or commercial activities unless specific to the mission, or duties of a City department.
  - c) Composing or sending e-mail, FAX or voice mail which contains racial or sexual slurs or jokes, or harassing, intimidating, abusive, or offensive material to or about others.
  - d) Unauthorized or improperly downloading, accessing or sending of copyrighted information, documents or software.
  - e) Intentionally developing programs designed to harass other users or infiltrate a computer, computing systems, or communications network and/or damage or alter the software components of same.
  - f) Fund raising or public relations or political activities not specifically related to City government activities.

- g) Sending unauthorized system-wide e-mail messages. All mass e-mail must be approved by the Director of Information Technology.
- 2. Specifically acceptable Uses of E-mail, FAX, Voice Mail and Internet Services:
  - a) Communication and information exchange directly related to the mission or work tasks of the City government.
  - b) Communication and exchange for professional development, to maintain currency of training or education, or to discuss issues related to the user's agency activities.
  - c) Applying for or administering grants or contracts for City research or programs.
  - d) Advisory, standards, research, analysis, and professional society activities related to the City governmental work tasks and duties.
  - e) Announcement of new laws, procedures, policies, rules, services, programs, information, or activities.

### **C. Retention of E-Mail, FAX and Voice Mail**

- 1. Electronic communication systems are temporary media to transmit data. All records required to be maintained by any state or federal law or rule shall be maintained separate from the electronic communication systems.
- 2. The receiving party of an e-mail, FAX or voice mail message bears the primary responsibility whether or not a particular message should be printed out or stored in a computer document folder. Employees should take appropriate steps to retain important messages.
- 3. Messages on the electronic communication systems are subject to the Commonwealth of Virginia laws. If a message contains information that is not public, access to the message should be restricted.
- 4. Because of space limitation on the City's communications server, non-archived e-mail is erased after 20 working days.
- 5. Regularly, but no longer than every two weeks, employees should purge all e-mail, Internet and voice mail files, deleting those messages which need not be retained and printing out or storing those messages which should be kept .

## **IV. REQUESTS**

Routine requests for information from electronic communication systems should be handled pursuant to Administrative Regulation 1.08 (90.1), the Virginia Freedom of Information Act – Public Records.

**CITY OF CHESAPEAKE, VIRGINIA**

**ELECTRONIC COMMUNICATIONS USE  
EMPLOYEE AGREEMENT**

I hereby acknowledge that I have been provided a copy of the City's Electronic Communications Policy. I fully understand and agree to comply with the provisions of the Policy.

I further understand that compliance with this policy is a specific condition of my continued employment with the City of Chesapeake and that my violation of this policy will subject me to disciplinary action, including termination.

\_\_\_\_\_  
Employee Name – Printed

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Function Number