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**Internet and Electronic Mail Policy  
Administrative Regulation No. 43  
Portland, Maine**

Approved by: \_\_\_\_\_  
City Manager

Date: \_\_\_\_\_

## **I. Purpose**

Electronic mail, Internet and telecommunication access are resources made available to city employees to communicate with each other, other governmental entities, companies and individuals for the benefit of the city.

## **II. Policy**

The City of Portland Electronic Mail System (e-mail) is designed to facilitate city business communication among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail system is not intended to transmit sensitive materials, such as personnel decisions and other similar information which may be more appropriately communicated by written memorandum or personal conversation.

The e-mail system is city property and intended for city business. The system is not to be used for employee personal gain or to support or advocate for non-city related business or purposes. All data and other electronic messages within this system are the property of the City of Portland. E-mail messages have been found to be public records and may be subject to the right-to-know laws, depending on their content.

In addition, the city, through its managers and supervisors, reserves the right to review the contents of employees' e-mail communications when necessary for city business purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' e-mail messages without proper authorization.

The City of Portland, through its MIS division, purchases, owns and administers the necessary software and licenses to provide access to e-mail and Internet services. Employees may not rent, copy or loan the software, or its documentation. The city has invested much time and money to secure its electronic systems from intrusion and harmful viruses. Therefore, employees may not provide alternative software to access the system. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the city system. Department heads are responsible for the implementation and adherence of this policy within their departments.

## **III. Procedures**

### *General Information on Passwords*

While you may have a confidential password, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee. The use of the e-mail system is for city business. Passwords should be periodically changed to ensure security of the e-mail system. Users should not share their passwords with anyone else, other than as his or her managers may require.

## *Internet*

The Internet provides the city with significant access and dissemination of information to individuals outside of the city. The use of the Internet system for access and dissemination is intended to serve city business. Like all e-mail messages, Internet messages are capable of being forwarded without the express permission of the original author. Internet messages are also routinely passed through routers before they reach their final destination. A message is "touched" many times before it gets to its recipient, and the message author should be aware of this. Therefore, users must use caution in the transmission and dissemination of messages outside of the city, and must comply with all state and federal laws.

## *Prohibited Uses*

When sending e-mail messages, appropriateness and good judgment should be used. Following are examples of Internet and e-mail uses which are prohibited:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, or threatening.
- Communications of sexually explicit images or messages.
- Communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability or religious beliefs.
- Solicitation for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
- Access to Internet resources, including web sites and news groups, that are inappropriate in a business setting.
- Any other use that may compromise the integrity of the city and its business in any way.

## *Retention of E-mail*

Generally, e-mail messages are intended to be temporary communications which are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to a department's record retention schedules. As such, these e-mail messages are similar to printed communication and should be written with the same care. Each department head is responsible for establishing and maintaining department retention schedules for the information communicated through the e-mail system.

However, employees should be aware that when they have deleted a message from their workstation mailbox it may not have been deleted from the central e-mail system. The message may be residing in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Note that e-mail has been classified as "public" documents, i.e., available to the media, in at least one state. Keep that in mind when you create or store e-mail.

Employees should delete e-mail messages as soon as possible after reading. An accumulation of files will degrade system performance and response times. The MIS system will automatically delete all messages after 60 days, unless archived by the user. Contact MIS if you are unsure as to how to archive messages.

## *Web Site Development*

The Internet is developing into an effective channel for the city to share information with citizens, visitors and customers; departments are strongly encouraged to work with MIS to develop and keep up-to-date a departmental page as a link from the city's Home Page.

### *Applicability to Employees, Part-Time Employees, Contractors, and Other Users*

This e-mail policy applies to all employees, contractors, part-time employees, volunteers, and other individuals who are provided access to the city's e-mail system. Third parties should only be provided access to the e-mail system as necessary for their business purpose with the city, and only if they abide by all applicable rules.

### *Employee Termination, Leave of Absence, Vacation, and Other*

Employees who leave employment with the city have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Supervisors or management may access an employee's e-mail if employees are on leave of absence, vacation, or are transferred from one department to another department and it is necessary for the city's business purposes.

### *Penalties*

The misuse of the Internet or e-mail privileges may be considered sufficient cause for discipline in accordance with the Human Resource Personnel Policies and Procedures, and/or other applicable rules or laws. In addition, violations of this policy or misuse of the e-mail system may be referred for criminal prosecution.

## **IV. Acceptance**

The city may require employees to read and accept the terms of this policy before making electronic systems available.