

# CITY OF ROCHELLE

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**CATEGORY:** HUMAN RESOURCES **PAGE:** 1

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**TITLE:** ELECTRONIC COMMUNICATIONS AND TECHNOLOGY

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**EFF. DATE:** 5/17 **REVISION DATE:** **SUPERCEDES:** none

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## ELECTRONIC COMMUNICATIONS AND TECHNOLOGY

It is the policy of the City to maximize the cost-effective use of computer systems as a means of improving productivity. The City provides communication resources including computing resources, electronic mail (email), internet access, personal digital assistants, and other electronic communications devices (collectively referred to as the City Technology Resources) to employees and elected officials to assist in and facilitate City's business and communications.

The primary purpose of the City's network and systems is to provide service to the public as part of City business, in a manner that is consistent with the City's vision and values. *De minimis*, incidental personal use of the City Technology Resources by employees and elected officials is permitted if accomplished in compliance with the provisions of this policy, as set forth below.

This policy does not address all required, allowed, or prohibited behaviors by employees and elected officials, but covers common examples. In general, the City relies on the good judgment of its employees and elected officials to ensure that City Technology Resources are used in the public's best interest.

### 1. No Expectation of Privacy

There shall be no expected right of privacy for any matter related to using equipment provided, including no personal privacy right in any matter passing through, viewed, downloaded, printed, created, stored, received, sent or otherwise transmitted from City- provided technology and equipment. All employees and elected officials should understand that the City reserves and intends to exercise the rights:

- a. to monitor, review, intercept, access and disclose all Internet usage, email communications sent or received, and electronic devices usage;
- b. to ensure that the system is being used for business purposes in compliance with this policy;
- c. to ensure that all other policies (including for instance those related to harassment and discrimination) are being followed;
- d. to be able to access information in an employee's email or other electronic communications system in the event that the employee is unavailable to do so; and
- e. to implement electronic audits of internet activity and other electronic communications by City employees and elected officials to identify and properly deal with unauthorized activity.

### 2. Public Record

Email messages, other electronic communications, and documents created on City of Rochelle computer systems may be considered a public record subject to disclosure, pursuant to Illinois

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Freedom of Information Act, 5 ILCS 140/1, et seq. and/or subject to discovery in the event of litigation. See, <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&ChapterID=2>

All records, regardless of format, related to the conduct of City business reviewed, created or altered must be retained per the State and Federal Laws.

All communications and/or information related to City business shall be conducted on approved electronic equipment and communications systems for valid business purposes only.

All employees and elected officials shall not conduct City business using private email accounts. If an employee receives an email that qualifies as a public record, the employee shall forward the email to his/her City email and respond using the City account so as to preserve the record on the City system. Upon request of the City Clerk or City Attorney, employees and elected officials shall conduct a good faith search of personal devices for public records and shall sign an affidavit detailing the search and its results. Employees and elected officials shall not store any records containing personal or confidential information from the City or any City Employee on his or her personal device or personal computer.

### **3. Acceptable Uses of City of Rochelle Technology Resources**

City Technology Resources are to be used by employees or elected officials for City of Rochelle business. Incidental, *de minimis* personal use may be permitted where, in the judgment of the employee's supervisor or department director, such use does not interfere with employee or department productivity, nor distract/take time away from the worker or co-workers assigned work. Generally speaking, incidental, *de minimis* personal use means:

- a. it is occasional and of short duration;
- b. it is done on an employee's personal time, such as on a lunch break;
- c. it does not interfere with job responsibilities;
- d. it does not result in any expense to the City of Rochelle;
- e. it does not solicit for or promote commercial ventures;
- f. it does not utilize excessive network resources; and
- g. it does not constitute any prohibited use, as discussed below.

### **4. Permitted Uses of City of Rochelle Technology Resources.**

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The Internet and electronic communications services are intended for the purposes of conducting City business. Valid business purposes include, but are not limited to:

- a. Locating, retrieving, collecting and/or disseminating information in connection with business;
- b. Communicating with other departments, employees and elected officials, as well as with outside contractors, businesses, individuals or organizations currently or potentially doing business with or assisting with the business of the City; and
- c. Conducting research to obtain information and material related to City issues.

**5. Prohibited Uses of City of Rochelle Technology Resources.** Use of the City Technology Resources to engage in any communication that violates federal, state, or local laws or regulations, or any City policy, is strictly prohibited at all times. In addition, the following uses of the City Technology Resources are inappropriate and are prohibited at all times, unless specifically exempted:

- a. Personal commercial use (use that benefits an employee's outside employment or commercial business);
- b. Accessing, receiving or sending pornographic, sexually explicit or indecent materials, including materials of an offensive nature (unless as part of a law enforcement investigation conducted by authorized Police personnel);
- c. Usage for any type of unlawful harassment or discrimination, including the transmission of obscene or harassing messages to any individual or group because of sex, race, religion, color, national origin, or other protected class status;
- d. Gambling or recreational purposes, including the loading and playing of computer games or playing online games;
- e. Usage that precludes or hampers City of Rochelle network performance; such as viewing or listening to streaming audio and/or video (unless for City of Rochelle business, such as for online training);
- f. Unauthorized copying or downloading of copyrighted material;
- g. Usage that violates software license agreements;
- h. Downloading of software programs (unless specifically approved by applicable Director and coordinated with the Information Technology Department);

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- i. Usage for political purposes, including partisan campaigning, unless on the employees' and elected officials' personal social media site and only indicating that the comments are not made on behalf of the City;
- j. Sending anonymous messages and/or misrepresenting an employee's name, position, or job description;
- i. Deliberately propagating any virus, worm, Trojan horse, malware, spyware, or other code or file designed to disrupt, disable, impair, or otherwise harm either the (Member's) networks or systems, or those of any other individual or entity;
- k. Releasing misleading, distorted, untrue or confidential materials regarding City of Rochelle business, views or actions;
- l. Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- m. Use of Technology Resources in an excessive manner so as to deprive others of system use or resources, including the sending of bulk email for other than official business or forwarding "chain letter" emails of any kind;
- n. Connecting to the City of Rochelle network, or any specific software package, utilizing somebody else's security identification login information to gain alternate security permissions; and
- o. Any personal use, even if incidental, that results in expense to the City of Rochelle.

## 6. Violations

If it is determined that an employee has violated any of the policy guidelines, the employee will be considered to have misused City property and could be subject to immediate loss of electronic communications privileges and/or disciplinary action, up to and including termination. In addition, employees and elected officials may be held personally liable for damages incurred as a result of copyright and licensing infringement. The City reserves the right to advise appropriate legal authorities of any illegal activities.