

Board of County Commissioners

Leon County, Florida

Policy No. 01-01

Title: E-mail/Internet Use

Dated Adopted: September 10, 2013

Effective Date: September 10, 2013

Reference: Policy 96-4

Policy Superseded: Policy No. 01-01, "E-mail/Internet Use," adopted January 9, 2001; revised September 2, 2008

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 01-01, "E-mail/Internet Use", adopted on September 2, 2008, is hereby amended and a revised policy is hereby adopted in its place, to wit:

I. E-mail and Internet Usage Policy Statement

The purpose of this Policy is to set forth the policies and procedures with respect to E-mail and Internet usage, and to give specific and general authority to the Management Information Systems (MIS) Division with regard thereto. This Policy is designed to protect the County, its employees, and its resources from the risks associated with usage of the Internet and the worldwide web. To ensure that resources are available for work-related purposes, the goals of this Policy are to outline appropriate and inappropriate use of County Internet resources and the County Computer System, including the use of browsers, electronic mail (e-mail), instant messaging, social media/networking, file uploads and downloads, and voice communication. The provisions of this Policy are applicable to the County, its elected officials, officers, employees, and all Users of the County Computer System.

II. Definitions

As used in this Policy, the following terms shall have the following meanings:

1. "County Computer System" means Leon County's wired and wireless networks, servers, and end devices; including, but not limited to, desktops, laptops, smart phones, and other wired or wireless devices.
2. "Social Media/Networking" means internet-based technologies that enable individuals to communicate through the sharing of content, interacting, and collaborating through bi-directional applications or messaging, and developing communities around common interests.

3. "User" means any County elected official, officer, employee, and invitee, as well as all elected County Constitutional officers and their employees and invitees.

III. Prohibited Uses

Neither the County Computer System nor e-mail or Internet access systems shall be used in any of the following ways:

1. To harass, intimidate, or threaten another person.
2. To access or distribute obscene, abusive, libelous, or defamatory material.
3. To reproduce or distribute copyrighted materials that are not authorized for reproduction or distribution.
4. To impersonate another user or mislead a recipient about one's identity.
5. To access another person's e-mail, or social media/networking account/address, if not specifically authorized to do so.
6. To bypass the County Computer Systems' security mechanisms.
7. To distribute chain letters.
8. To communicate the County's official position on any matter, unless specifically authorized to make such statements on behalf of the County.
9. For any purpose which is illegal, against County policy, or contrary to the County's best interests.
10. To pursue an individual's private business interests that are unrelated to the County.
11. To conduct any type of non-County approved solicitation.

IV. Permissible Uses

E-mail and the Internet, as referenced in Section I, are to be used primarily to facilitate County or Constitutional Officer business. However, not all personal use of e-mail and the Internet is forbidden. Reasonable personal use is permitted consistent with the provisions of this Section. Non-County/Constitutional Officer business related e-mail and Internet usage is permitted, provided such use is brief, does not interfere with work, does not subject the County to any additional costs, and is otherwise consistent with requirements set forth in this Policy. With prior permission of his or her supervisor, an employee is permitted to briefly visit non-inappropriate Internet sites during non-work time; such as, break, lunch, and before or after work hours.

Additionally, employees who are victims or survivors of Domestic Violence, Sexual Violence or Stalking, as defined in Policy No. 13-2, "Domestic Violence, Sexual Violence and Stalking in the Workplace", may reasonably utilize County-owned phones, County Computer Systems, and County e-mail and Internet systems for safety planning, to conduct research or seek assistance regarding the violence they are experiencing. Such access is permitted to enable employees to use safe phone and computer systems that cannot be monitored or accessed by their abuser. If the employee's work area does not provide privacy, employees may ask Leon County's Employee Engagement & Performance Manager to coordinate the use of a private area for such purposes.

V. Privacy

No guarantee can be made for the privacy of any communication on the network. Computer passwords are for security purposes only and are no guarantee of the privacy or confidentiality of any user's utilization of the County Computer System.

VI. Logged and Blocked Access to Non-Work Related Internet Usage, Direct Monitoring and Computer Related Searches

1. Purpose

As a result of potential negative impact to network services, the MIS Division shall have the discretionary authority, as set forth herein, to audit, inspect, and/or log network resource utilization and block non work-related Internet access, consistent with this section.

2. Logged and Blocked Access

The County maintains the right to utilize software that makes it possible to identify and/or block access to Internet sites containing sexually explicit or other material deemed inappropriate for the workplace, and log any and all aspects of the County Computer System and network. Users who must access blocked sites for work-related purposes shall provide the MIS Division with prior written approval by the County Administrator, County Attorney, or Constitutional Officer.

3. Direct Monitoring and Computer-Related Searches

a. Investigation of Work-Related Misconduct

Direct monitoring of Internet and e-mail usage of any User of the County Computer System may only be conducted when a supervisor or County official has reasonable suspicion to believe that the User has violated this Policy. For purposes of this Policy, a reasonable suspicion exists when such suspicion is based upon specific, objective facts, derived from surrounding circumstances that are reasonable to infer or believe that a violation of this Policy has occurred and further investigation is warranted; provided that no such monitoring may be permitted, whenever reasonably possible, unless two persons (one of which shall be in a supervisory capacity) corroborate the facts supporting the reasonable suspicion and document same in writing. Written documentation, supporting a belief that reasonable suspicion exists that a User of the County Computer System has or is violating the provisions of this Policy, will be reviewed by the Human Resources Division and the County Attorney's Office, or the appropriate Constitutional Officer for legal sufficiency, prior to authorization being granted to the MIS Division to access, investigate, and directly monitor such User's network resource utilization of the County Computer System.

b. Non Investigatory, Work Related Search

In order to comply with the Public Records Law, e-discovery, and for the purpose of efficiency of document management, the County has implemented an e-mail archiving system. This system provides an easy process by which e-mail documents may be searched for and produced. A search of a User's County computer or files stored in the County Computer System, for a non-investigatory, work-related purpose, such as e-discovery, or in response to a public records request, may be conducted when a supervisor or County official has reason to believe that such documents exist, are located on the subject User's County computer, or files stored in the County Computer System and if the manner by which the search is conducted is reasonably related to the objectives of the search and not excessively intrusive in light of the circumstances giving rise to the search. In all instances, where practicable the subject User shall be given notice of any non-investigatory, work related search. Written documentation of any such non-investigatory work related search shall be made prior to such search.

VII. Violation of Policy.

Any County employee found to be in violation of any provision of this Policy shall be subject to disciplinary action up to and including dismissal, civil and criminal liability. Violation of this Policy by employees of Constitutional Officers who are users of the County Computer System shall, in addition to previously mentioned, be referred to their respective Constitutional Officer. Users of the County Computer System found to be in violation of this Policy may no longer be permitted use of the System and may be subject to civil and criminal liability.

VIII. Right to Appeal.

Any County employee who feels that he or she has not been treated fairly with regard to an application of this Policy may file a grievance pursuant to the County's Personnel Policies and Procedures. Constitutional Officer employees will follow their Office's internal policies for any right to appeal.

IX. Communication of the Policy to Employees and Users of the System.

The Human Resources Division shall be responsible for communicating this Policy to all County elected officials, officers, and employees, and providing copies of the Policy to newly hired employees (including seasonal, recreational program employees) and the MIS Division shall provide a copy of this Policy to all elected County Constitutional officers for dissemination to their employees.

All County Divisions shall be required to promptly display this Policy and any related informational material on employee bulletin boards.