

promoting safety in the workplace or compliance with state or federal laws. Such inspections may be conducted during or outside of business hours.

The Employer's computer systems and other technical resources, including any voicemail or e-mail systems, are provided for use in the pursuit of the Employer's business and are to be reviewed, monitored, and used only in that pursuit, except as otherwise provided in this policy. As a result, computer data, voicemail, and e-mail are readily available to numerous persons. During the course of employment as you perform or transmit work on computer systems or other technical resources, your work may be subject to investigation, search and review in accordance with this policy. In addition, any electronically stored communications that employees either send to, or receive from, others may be retrieved and reviewed whenever; the Employer chooses to do so, with or without the employee present.

Employees have no right of privacy as to any information or file maintained in or on the Employer's property or transmitted or stored through the Employer's computer systems, voicemail, e-mail or other technical resources. While e-mail and voicemail may accommodate the use of passwords for security, the reliability of passwords for maintaining confidentiality is not guaranteed. Moreover, all passwords/user ID's must be made known to the City Administrator for access to files. Failure to do so violates this policy and may result in discipline up to and including discharge. Passwords/user ID's not known by the City Administrator will be terminated and further access denied to the end user until a proper, known password is established.

Privacy, Electronic Media and Internet Use

Basic Policy

The City currently uses a variety of electronic forms of communications and information exchange. City employees have access to one or more forms of electronic media and services such as computers, e-mail, telephones, voice mail, fax machines, external electronic bulletin boards, on-line services, wire services, and the internet.

The City encourages the use of these media and associated services because these communications and access to information are very useful in conducting City business. It remains, however, that the electronic media and services provided on or through City devices are City property and their purpose is to facilitate City business.

With the rapidly changing nature of electronic media, this policy cannot establish rules to cover or anticipate every possible situation. This policy is intended to express the City's philosophy and establish general principals to be applied in the use of electronic media and services on City property or with City-owned devices.

The following procedures apply to all electronic media and services that are accessed on or from City premises; accessed using City computer equipment, or via City-paid access methods or facilities; and/or are used in a manner which identifies the individual user with the City.

The City Administrator is responsible for the implementation and enforcement of the policy including designating City personnel and/or consultants who are authorized to manage the City's computer resources.

Only persons presently employed by or serving in an official capacity with the City of Polk City are permitted to use computer resources owned, rented, leased or otherwise under the control of the City with the exception of the computer resources offered to the public by the library. The use of the computer resources offered to the public by the library is controlled by the library's computer use policy.

Unless expressly authorized, installing computer hardware and/or software on the City's computer systems or on City Property is strictly prohibited.

Authorized is defined as any person(s) and/or consultant(s) given express approval by the City Administrator or Mayor.

Procedures

Electronic Media/Cell Phones may not be used for knowingly transmitting, retrieving, or storage of any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters," or for any other purpose which is illegal or against City policy or contrary to the City's interests.

Electronic media and service are primarily for City business use. Limited, occasional or incidental use of electronic media (sending or receiving) for personal, non-City purposes is understandable and acceptable, as is the case with the occasional receipt or placement of personal phone calls.

Electronic information created and/or received by an employee using e-mail, word processing, utility programs, spreadsheets, databases, voice-mail, Internet/BBS access, or any such similar means, is the sole property of, and may be monitored by the City. The following conditions should be noted, however:

The City routinely monitors usage patterns for both voice and data communications for a variety of purposes including cost analysis/allocation and the management of our connection to the internet.

The City also reserves the right, in its discretion, to review any employee's electronic files and message and usage to the extent necessary to ensure that

electronic media services are being used in compliance with the law and with this and other City policies.

Since electronic communications are not secure from possible intentional or inadvertent misdirection and interception, sensitive information about personnel or municipal business should be sent utilizing other, and more secure, forms of communications.

Employees must respect the confidentiality of other people's electronic communications and may not attempt to read, access other employee's communications, or breach computer or network security measures, or monitor electronic files or communication of other employees or third parties except by explicit direction of the City Administrator or Mayor.

Each employee who uses any security measures must provide his/her supervisor with a sealed hard copy record of all his/her passwords and encryption keys, if any, including all log-in names and passwords to access the computer and any internet site which is accessed by the employee using City equipment or services, or from the City's premises.

No e-mail or other electronic communications may be sent which attempts to hide the identity of the sender, or represent the sender as someone else or as being from another city or business.

Electronic media and services should not be used in a manner which is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

Any messages or information sent by an employee through the internet or any other electronic media are statements identifiable and attributable to the City. Even personal "disclaimers" in such messages that still identify the individual as being connected with the City and the statement could still be legally imputed to the City. All such communications sent by employees must comply with this and other City policies, and may not disclose any confidential or proprietary City information.

Any employee who violates this policy or is found to be abusing the privilege of City-facilitated access to electronic media or services will be subject to corrective action including termination and/or may risk having the privilege of access and use of electronic media removed for him/her and possibly other employees.

Files downloaded from the Internet or any other device must be scanned with virus detection software before installation or execution.

All appropriate precautions should be taken to detect for a virus and, if necessary, to prevent its spread.

E-Mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others and may be subject to state law and City policy pertaining to record retention and destruction.

Employees are obligated to cooperate with any investigation regarding the use of the City's computer equipment.

This policy is subject to revision from time to time as deemed appropriate by the City Council.

Change of Address

Employees must advise their department head of any changes in their address or telephone number and advise the Payroll Department of any changes in their name, marital status or number of dependents.

Contact with the Media

A City employee shall not give any statements, written or oral, or any City documents or papers to a member of the press or broadcast media without permission of the department head. A department head may give an employee permission to speak with the media on certain matters without prior approval.

Access to Files

Employees have the right to review their own personnel files by making an appointment with the City Clerk.

Employees may not see any written employment reference.

If an employee disagrees with something in his/her file or wants to add any information to the file, the information should be submitted to the City Clerk in writing. Employees may not remove any information from their files.

Copies of an employee's file will be provided to the employee within a reasonable period of time after the employee requests the information.

with interesting news and helpful information that will keep you up-to-date on the events here at Polk City.

City and Department Meetings

On occasion, we may request that you attend a City sponsored meeting. If this is scheduled during your regular working hours, your attendance is required. If you are a non-exempt employee, and attend a meeting held during your non-working hours, you will be paid for the time you spend traveling to and from the meeting as well as for time spent at the meeting.

Computer Software (Unauthorized Copying)

The City of Polk City, Iowa, does not condone the illegal duplication of software. The copyright law is clear. The copyright holder is given certain exclusive rights, including the right to make and distribute copies. Title 17 of the U.S. Code states that "it is illegal to make or distribute copies of copyrighted material without authorization" (Section 106). The only exception is the users' right to make a backup copy for archival purposes (Section 117).

The law protects the exclusive rights of the copyright holder and does not give users the right to copy software unless the manufacturer does not provide a backup copy. Unauthorized duplication of software is a federal crime. Penalties include fines up to and including \$250,000, and jail terms of up to five (5) years.

Even the users of unlawful copies suffer from their own illegal actions. They receive no documentation, no customer support and no information about product updates.

1. The City licenses the use of computer software from a variety of outside companies. The City does not own this software or its related documentation and, unless authorized by the software manufacturer, does not have the right to reproduce it.
2. With regard to use on local area networks or on multiple machines, the City employees shall use the software only in accordance with the software publisher's license agreement.
3. City employees learning of any misuse of software or related documentation within the City must notify their supervisor or the City legal counsel immediately.
4. According to the U.S. Copyright Law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. The City employees who make, acquire or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Such discipline may include termination.