

9.5 Electronic Communications

Effective Date: February 9, 1999

This policy is intended to serve as a guide on the proper use of Lake County's electronic communication systems. This policy covers the use of all forms of electronic communications including but not limited to e-mail, voice mail, fax machines, external electronic bulletin boards, Intranet, and the Internet, and applies to all Lake County employees. Every employee is expected to read, understand and follow the provisions of this policy and will be held responsible for knowing its contents. Use of Lake County's electronic communication systems constitutes acceptance of this policy and its requirements.

~~(1) Use of Electronic Communications.~~ Lake County's electronic communication systems, including e-mail and the Internet, are intended for business use only. Incidental and occasional use of these systems for non-work purposes may be permitted at the discretion of the Department Head. Before using these systems for business or personal use, employees must understand that any information that is created, sent, received, accessed or stored in these systems will be the property of Lake County and will not be private. If employees are permitted to use electronic communication systems for non-work purposes, such use shall not violate any section of this policy or interfere with the employee's work performance.

Employees should use the same care and discretion when writing e-mail and other electronic communications as they would for any formal written communication. Any messages or information sent by employees to other individuals via electronic communication systems such as the Internet or e-mail are statements identifiable and attributable to Lake County. Consequently, all electronic communications sent by employees—whether business or personal—must be professional and comply with this policy and the Employee Policy and Procedures Ordinance.

~~(2) Prohibited Communications.~~ Under no circumstances may employees use the County's electronic communication systems for creating, possessing, uploading, downloading, accessing, transmitting or distributing material that is offensive, illegal, sexually explicit, discriminatory, defamatory or interferes with the productivity of co-workers. Employees may not use these systems for illegal activities; jokes; political causes; football pools or other sorts of gambling; the creation or distribution of chain letters; list servers for non-work purposes; or for solicitations or advertisements for non-work purposes. Employees may not engage in any use which violates copyright or trademark laws.

Employees are also prohibited from posting information, opinions, or comments to Internet discussion groups (for example: news groups, chat, list servers or electronic bulletin boards) without prior authorization from the employee's Department Head. Under no circumstances may employees represent their own views as those of Lake County.

Employees may not use e-mail or other electronic communications to disclose confidential or sensitive information. Personal information such as the home addresses, phone numbers and social security numbers of County employees should never be disclosed on the Internet.

~~(3) **No Presumption of Privacy.** Although employees may use passwords to access some electronic communication systems, these communications should not be considered private. Employees should always assume that any communications—whether business related or personal—created, sent, received or stored on the County’s electronic communication systems may be read or heard by someone other than the intended recipient.~~

~~Employees should also recognize that e-mail messages deleted from the system may still be retrieved from the computer’s back-up system when requested by authorized personnel. Consequently, messages that were previously deleted may be recreated, printed out, or forwarded to someone else without the employee’s knowledge.~~

~~(4) **Lake County’s Right to Monitor Use.** Lake County reserves the right to monitor, intercept, access and disclose all information created, sent, received, or stored on its electronic communication systems at any time, with or without employee notice. The contents of computers, voice mail, e-mail and other electronic communications will be inspected when there are allegations that there have been violations of law, breaches of confidentiality or security, violations of this Electronic Communications Policy or the Employee Policy and Procedure Ordinances. These inspections will also be conducted when it is necessary to locate substantive information that is not more readily available by less intrusive means.~~

~~Before providing access to stored electronic communications such as e-mail messages, written authorization will be required from either the County Administrator or the Director of Human Resources.~~

~~Internet use will be monitored in the same manner as other electronic communications. However, in addition, the County will regularly monitor and maintain a log of employees’ Internet access including the type of sites accessed, the name of the server and the time of day that access occurs. Department Heads will have access to this log upon request.~~

~~Information obtained through monitoring may be used as a basis for employee discipline or termination.~~

~~(5) **Prohibited Activities.** Employees may not without their Department Head’s authorization—upload, download, or otherwise transmit copyrighted, trademarked, or patented material; trade secrets; or confidential, private or proprietary information or materials. Employees may not upload, download or otherwise transmit any illegal information or materials. Employees may not use the County’s electronic communication systems to gain unauthorized access to remote computers or other systems or to damage, alter, or disrupt such computers or systems in any way, nor may employees without authorization from their Department Head use someone else’s code or password or disclose anyone’s code or password including their own. It is a violation of this policy for employees to intentionally intercept, eavesdrop, record, or alter another person’s Internet and e-mail messages. Employees may not enable unauthorized individuals to have access to or use the County’s electronic communication systems, or otherwise permit any use which would jeopardize the security of the County’s electronic communication systems.~~

~~Employees must use their real names when sending e-mail messages or other electronic communications and may not misrepresent, obscure or in any way attempt to subvert the information necessary to identify the real person responsible for the electronic communication. Sending an e-mail message under a fictitious or false name is a violation of this policy. Likewise, using another users account or login ID constitutes a violation of this policy.~~

~~**6. Licensing Fees.** Employees may not install any software for which Lake County has not paid the appropriate licensing fee. Additional licensing fees may be incurred every time software is installed for a new user. Consequently, before software is installed on their computer, employees have a duty to ensure that all appropriate licensing fees have been paid. Employees should notify their Department Head if they discover unlicensed software in their department.~~

~~Employees may not copy software for distribution to any third party or for home use unless such copying is permitted by the software's license agreement.~~

~~The installation of software for trial periods authorized by the vendor would not be a violation of this policy.~~

~~**(7) Encryption.** Employees may not password protect or otherwise privately code their files without prior authorization from their Department Head. Use of encryption software must be specifically approved by the employee's Department Head prior to using such software for the storage, receipt and transmission of data. If encryption software is used, the employee must give the password to his or her Department Head.~~

~~**(8) Viruses and Tampering.** Any files downloaded from the Internet must be scanned with virus detection software before installation and execution. The intentional introduction of viruses, attempts to breach system security, or other malicious tampering with any of the County's electronic communication systems are expressly prohibited. Employees must immediately report any viruses, tampering, or other system breaches to their Department Head and Management Services.~~

~~**(9) Disclaimer of Liability for Use of the Internet.** Lake County is not responsible for material viewed or downloaded by users from the Internet. The Internet provides access to a significant amount of information, some of which contains offensive, sexually explicit and inappropriate material. It is difficult to avoid contact with this material, therefore users of the Internet do so at their own risk.~~

~~**(10) Duty Not to Waste Electronic Communications Resources.** Users must not deliberately perform actions that waste electronic communication resources or unfairly monopolize resources to the exclusion of other employees. This includes, but is not limited to, subscribing to list servers, mailing lists or web sites not directly related to the employee's job responsibilities; spending extensive non-productive time on the Internet; and doing large non-work related file downloads, or mass mailings. Electronic communication resources are limited and employees have a duty to conserve these resources.~~

~~(11) E-mail Addresses.~~ Lake County reserves the right to keep an employee's e-mail address active for a reasonable period of time following an employee's departure to ensure that important business communications reach the County.

~~(12) Record Retention.~~ Generally, e-mail messages are 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 schedule. It is important to note that the Local Records Act, 50 ILCS 205/1 et seq. defines "public record" to include digitized electronic material. Therefore, for purposes of this Act, Lake County employees should treat e-mail messages and other electronic records in the same manner as if these messages had originated on paper. Employees should consult their supervisor or Department Head for guidance in determining what records are subject to retention.

~~(13) Freedom of Information Act Requests.~~ Lake County will not accept Freedom of Information Act (F.O.I.A.) requests from the public via the Internet. If a citizen e-mails a F.O.I.A. request to an employee, the employee should notify the citizen that these requests must be made in writing pursuant to Lake County's Administrative Procedures Manual. "Lake County Freedom of Information Act Request" forms are available from any Lake County government office.

~~(14) Use of Credit Cards on the Internet.~~ Before making purchases on the Internet, employees who are authorized to use Lake County credit cards must ensure that they are using a secured site.

~~(15) Violations.~~ Violations of this policy may subject employees to disciplinary action from the removal of privileges up to and including dismissal from employment and, if applicable, any criminal or civil penalties or other legal action.

Employees who observe violations of this policy are obligated to report those violations to their Department Head or to Human Resources.

The Director of Human Resources or the County Administrator may authorize individuals, for investigative purposes, to engage in activities otherwise prohibited by this policy.

~~(16) Policy Changes.~~ Lake County reserves the right to change this policy at any time without notice. Nothing in this policy is intended or should be construed as an agreement and/or a contract, express or implied.

Definitions

Definitions applicable to this policy:

~~a. — **Electronic Mail (e-mail):** Electronic mail may include non-interactive communication of text, data, image or voice messages between a sender and designated recipient(s) by systems utilizing telecommunications links. It may also include correspondence — transmitted and stored electronically using software facilities called "mail," "facsimile,"~~

- ~~—— or “messaging” systems; or voice messages transmitted and stored for later retrieval from~~
~~—— a computer system.~~
- ~~b. **Internet:** A worldwide network of networks, connecting informational networks—~~
~~—— communicating through a common communications language, or “protocol.”~~
- ~~c. **Intranet:** An in-house web site that serves the employees of the enterprise. Although~~
~~—— intranet pages may link to the Internet, an intranet is not a site accessed by the general~~
~~—— public.~~
- ~~d. **Encryption Software:** Proprietary software that changes information from its native~~
~~—— state to an unrecognizable coded state which can only be returned to its native state with~~
~~—— special software.~~
- ~~e. **List Servers:** An e-mail discussion group.~~
- ~~f. **World Wide Web:** An Internet client-server distributed information and retrieval system~~
~~based upon hypertext transfer protocol (http) that transfers hypertext documents that can~~
~~contain text, graphics, audio, video, and other multimedia file types across a varied array~~
~~of computer systems.~~
- ~~g. **File Transfer Protocol (FTP):** A program that allows you to transfer data between~~
~~different computers on a network or between networks.~~
- ~~h. **USENET:** A collection of computer discussion groups that are read all over the world.~~
- ~~i. **Newsgroups:** The computer discussion groups of USENET.~~