

# RESOLUTION 07 595

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPROVAL OF THE UPDATED BENTON COUNTY ELECTRONIC MAIL POLICY AND RESCINDING RESOLUTION 02-436.

WHEREAS, the Board of Benton County Commissioners adopted an Electronic Mail Policy pursuant to Resolution 02-436 on September 9, 2002; and

WHEREAS, upon further consideration the Board of Commissioners deems it is in the best interest of the County and the public to revise said policy to reflect the archiving of Emails and other issues related to electronic mail; NOW THEREFORE

BE IT RESOLVED, that the Board of Benton County Commissioners hereby approves the attached updated electronic Mail Policy signed by County Officials and rescinds Resolution 02-436; and

BE IT FURTHER RESOLVED that copies of such policy shall be forwarded to all elected officials and department directors for dissemination to all county employees.

Dated this 27 day of Aug, 2007

Leo M. Brunner  
Chairman of the Board

**CLAUDE L. OLIVER - ABSENT**  
Member

My E. Bentley  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington.

Attest:

Came McKenzie  
Clerk of the Board

cc: All Departments, Policy Book, Intranet

REID

## **BENTON COUNTY ELECTRONIC MAIL POLICY**

In an effort to enhance communication among Benton County Elected Officials, Department Directors, employees, and all other related agencies, the Benton County Central Services Department maintains an Electronic Mail System (Email).

This system is available for any person authorized to use Benton County information technology resources.

### **EMAIL USAGE POLICY**

The following is the County's policy on the use of County Email :

- (1) Any information technology resource provided by the County for use by County employees is County property.
- (2) All uses of these resources, regardless of purpose, may be subject to internal and/or external review, audit, intercept, and recall in accordance with the law.
- (3) Email, like any County resource, must be used for official business only.
- (4) The County shall have the authority to monitor without prior notice to employees all County Email Servers, Post Offices, Firewalls, and Archives to ensure that County Email is operating correctly and is being used solely for its intended purpose. The monitoring will be conducted in a confidential manner by the Central Services Department. Monitoring County Email may include viewing the content of messages and attachments and reporting findings to Elected Officials and/or Department Directors.
- (5) In addition to the monitoring in section (4) above, each Elected Official or Department Director has the right to review the contents of their own employees' Email communications when there is a reasonable, articulable suspicion that the Email policy is being violated. If an investigation takes place, the investigating parties shall notify the employee(s) being investigated as soon as practicable, consistent with the needs of the investigation. Central Services may also initiate this type of investigation. If Central Services initiates the investigation, the Elected Official or Department Director of the individual under investigation shall be notified.

### **VIOLATION OF THE EMAIL POLICY**

The following uses and/or violations may be grounds for disciplinary action:

- (1) Any abuse or misuse of County Email, including use in violation of state, federal, or local laws;
- (2) Any violation of the County Email policy;
- (3) Any Email message sent or authored by a County employee containing derogatory remarks based upon a person's age, sex, marital status, sexual orientation, race, creed, color, national origin, disability or any other protected status;
- (4) Any forgery or attempt to forge Email document(s).

Disciplinary action, consistent with any labor agreement, if applicable, may result from a violation of this policy. Disciplinary action shall be determined by the employee's Elected Official or Department Director and may include, but is not limited to: revocation of Email usage rights and privileges and/or other disciplinary action up to and including termination of employment.

## **PRIVACY AND CONFIDENTIALITY OF EMAIL COMMUNICATIONS**

It is extremely difficult for a sender or author to control Email messages once they have been transmitted. Confidentiality of Email communications cannot be guaranteed. Users of County Email recognize that the County is not responsible for and cannot guarantee the privacy of any message. All users must exercise extreme caution when sending Email messages.

Since Email messages cannot be controlled once they have been transmitted, the County strongly recommends that confidential communications and matters of high sensitivity be handled through personal meetings or hard copy documentation.

All employee use of Email is subject to review by the County as described in the sections above.

## **EMAIL DISCLOSURE & RETENTION**

Email is simply a means of transmitting information, i.e., it is media like paper or film. It is the content of the message or attachment(s) that determines whether or not Email is subject to public disclosure or records retention statutes, rules, ordinances or policies. In order to facilitate the security of information that may be subject to public disclosure or records retention policies, all County Email messages and attachments are archived. This archive storage is separate from the active County Email system. No Email can be deleted from the active County Email system before it is archived. Once in archival storage, County Email messages and attachments will be retained for a minimum of seven years.

Employees, in consultation with the Records Officer for his or her department or office, shall print and preserve hard copies of any email and/or attachments containing important public records that, according to the Records Management Guidelines and General Records Retention Schedules approved by the Washington State Local Records Committee, need to be maintained for longer than seven years.


## **AMENDMENT/IMPLEMENTATION OF POLICY**

The County reserves the right to amend this policy. All existing employees subject to this policy shall be advised of their rights and responsibilities under the current policy, upon its implementation. If the policy is changed, they will be notified of any changes to those rights and responsibilities. All employees hired after implementation shall be advised of this policy at the time of hiring or orientation, depending upon the preference of the hiring Elected Official or Department Director. A signed and dated copy of the current policy shall be placed in the employee's personnel file, with a copy given to the employee.

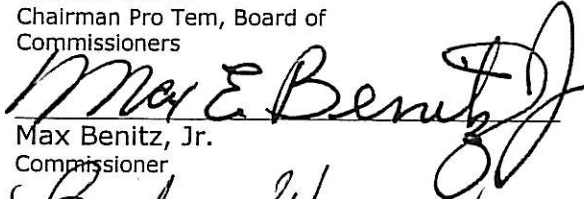
Approved and accepted by the undersigned Benton County Elected Officials:



Leo Bowman  
Chairman, Board of Commissioners



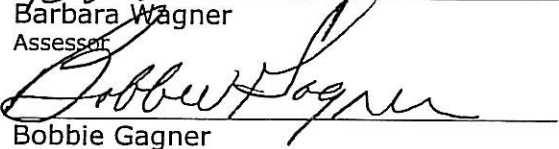
Claude Oliver  
Chairman Pro Tem, Board of Commissioners



Max Benitz, Jr.  
Commissioner



Barbara Wagner  
Assessor



Bobbie Gagner  
Auditor



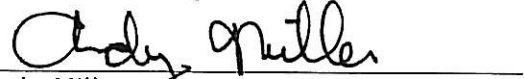
Hon. Vic L. VanderSchoor  
Presiding Superior Court Judge



Josie Delvin  
Clerk



Rick Corson  
Coroner



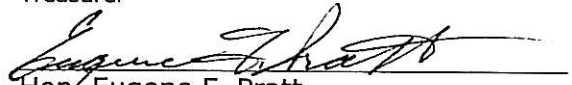
Andy Miller  
Prosecuting Attorney



Larry Taylor  
Sheriff



Duane Davidson  
Treasurer



Hon. Eugene F. Pratt  
Presiding District Court Judge

Approved as to form:



Deputy Prosecuting Attorney

I have read and understand the foregoing Benton County Electronic Mail Policy and have received a copy of it. I understand that my use of County Email is subject to this policy and that a violation of this policy may result in disciplinary action, up to and including, termination of my employment.

\_\_\_\_\_  
Employee Name (Print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date