**PINAL COUNTY POLICY AND PROCEDURE** **2.50**

**Subject:** **ELECTRONIC MAIL, INSTANT MESSAGING, AND CALENDAR SYSTEMS**

**Date:** **December 1, 2024**

**Pages:** **1 of 4**

**Replaces Policy Dated: May 17, 2017**

**PURPOSE:** This policy establishes standards for the proper, secure and lawful use of electronic communications systems, including but not limited to: electronic mail (email), instant messaging (IM), and electronic calendars owned or leased by the County for use by Pinal County employees.

**STATEMENT OF POLICY:** The Pinal County electronic communications systems includes email, IM and electronic calendar systems are designed and maintained to facilitate business and professional communication for the efficient and effective delivery of County services. The contents of all communications created, sent or received using these systems are the property of Pinal County and are subject to applicable Public Records Law.

**SCOPE**: All Pinal County Employees, including Elected Officials, employees of the Superior Court, temporary employees, contractors, and any third parties who have been authorized to use Pinal County systems.

**DEFINITIONS:**

1. **Calendar** is part of the email system and is used to schedule, track, and store appointments, tasks, reminders, and other events electronically.
2. **Electronic Mail (Email)** is any transmission of communication and the content sent and received, including attachments and imbedded objects, through the County's enterprise computer network system.
3. **Electronic Communication Systems** means the County's IT devices and applications utilized by County personnel, whether owned or leased by the County, to communicate and/or transmit information necessary to perform job responsibilities and duties. Electronic communications systems, whether accessed from within County facilities or outside, include but are not limited to: electronic mail and messaging, cell/smart phones, radios, computers, tablets, and peripheral devices such as facsimile, printer, scanner, copier and other interfacing equipment or technologies.
4. **Formal Communications** are communications of any kind pertaining to County business, which must be preserved as a public record.
5. **Instant Message (IM)** is a form of text-based online communication transmitted in real-time.
6. **Instant Messaging (IM)** is a means for transmitting over the Internet or other network internal Instant Messages in real-time.
7. **Intellectual Property (IP)** means rights to, and/or products of the mind or intellect, arising under any law, including, but not limited to, trade secrets, trademarks, copyrights, and Unfair Competition. This includes any body of work developed by an employee working on County business.
8. **IT** is the Information Technology Department responsible for the maintenance and administration of the County's electronic mail, Instant Messaging, and calendaring systems.
9. **Public Record,** pursuant to Arizona Public Records Law (Arizona Revised Statutes (A.R.S.) §§ 39-101, *et seq*.), is a record that is made by a public official or employee when performing their duties, the immediate

purpose of which is to disseminate information to the public, or to serve as a memorial of official transactions for publicreference.

**PROCEDURES:**

**Use of Electronic Mail, Instant Messaging, and Calendar Systems**

A. Appropriate use of the County electronic communication systems includes activities that are relevant to the performance of County business. Such use includes:

1. Correspondence within County government;
2. Correspondence with entities doing business with or on behalf of the County;
3. Sharing of County event information;
4. Sharing information within the department, with the approval of the Appointing Authority, regarding work-related social events, and County approved charitable activities.
5. Using the County email address to register on professional websites or other registrations for work-related purposes.
6. Profile and IM Photos: Employees are authorized to include profile pictures and instant messenger photos. These photos must be actual photos of the employee in a professional/workplace setting.
7. Limited personal use, for example:
    a) Scheduling/managing of personal appointments (i.e., lunches, meetings, doctors' appointments, etc.);
    b) Sharing of event driven information, to include photographs and attachments (i.e., birthdays, marriage announcements, births, etc.)
    c) Participating in employer sponsored programs and activities

B. Prohibited use of the County email system includes, but is not limited to:

1. Using personal external email accounts (Yahoo, Gmail, Hotmail, etc.) to conduct County business.
2. Using County email addresses for personal, non-business registration.
3. Using the email system for personal gain, advancement of individual views that are unrelated to the performance of official County business.
4. Using the email system for solicitation of any activity not authorized by the County, to include:
    a) Funds,
    b) Advertisements,
    c) Private business activities,
    d) Charitable endeavors, or
    e) Other unauthorized non-County purposes.
5. Developing or retaining content which violates state or federal law including, but not limited to, violation of intellectual property and/or confidentiality laws.
6. Using the email system for political messages and/or attempting to influence the outcome of an election in violation of Arizona Revised Statutes (A.R.S.) § 11-410.
7. Forwarding chain letters, stories, email petitions, warnings, pictures, programs, or other non-

County materials.

8. Distributing content which is discriminatory, harassing, or disruptive which includes, but is not limited to, content that is sexually explicit, derogatory or abusive; threatening images; cartoons, jokes, or inappropriate or profane language.
9. Misrepresenting, obscuring or concealing the identity of sender or recipient, or routing of email or encrypting email with the intent to disguise, hide, or prevent detection of violation of this policy.
10. Sending or receiving copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.
11. Using the County electronic communication systems for personal use, other than as described in Section Seven (7) above, without the prior consent of the employee's Appointing Authority.
12. Accessing, attempting to gain unauthorized access, and/or sharing any electronic communication for which you are not the intended recipient.
13. Archiving or storing electronic communication to any personal storage device (i.e. thumb drives, portable hard drive, etc.).

C. Compliance

1. It is the user's responsibility to stay within the set limit.
2. Electronic communication systems should not be used for document storage.

**Security, Confidentiality/Privacy**

D. Security:

1. Since no computer system is completely secure, these systems are not intended to transmit sensitive materials, such as evidence, personal identifying, financial or other similar information that may be more appropriately transferred by other secure transfer methods.
2. Every device that accesses the County email system must be security/passcode enabled.
3. Passwords and security codes shall be periodically changed to ensure security of the email system.
4. Employees shall not share password/security codes with anyone.

E. Confidentiality/Privacy:

1. Employees shall not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' electronic communication without authorization.
2. Unless covered by a legal privilege, all communications, including text, images, and attachments may be subject to disclosure without the consent of the sender or the receiver.
3. Secure File Share shall be used for the transmission of private/sensitive information such as Social Security Numbers or Protected Health Information (PHI).
4. Employees shall not transmit confidential information regarding personnel matters, personnel decisions, progressive discipline, or grievances, within the body of an email, or as an attachment, to anyone who does not have a need to know.

**Retention**

F. Retention

1. IT will enforce email mailbox size limits in order to maintain the overall health and recoverability of the email system and will retain electronic communications for a period of two years.
2. Electronic Communications will be preserved pursuant to this policy, applicable federal and state laws, and relevant Pinal County and departmental record retention and disposition schedules.
3. Formal communications transmitted or received through email shall be either printed, and preserved in the appropriate department file in permanent paper format pursuant to each department's records retention and disposition schedule, or saved to an electronic file and preserved pursuant to each department's records retention and disposition schedule and policies. Once communications have been preserved as documents in the appropriate format, the documents shall be deleted from the electronic mail system.
4. Records retention for litigation purposes is the responsibility of County departments, in consultation with the County Attorney's Office. If your department is involved in any litigation or claims against the County, the emails in your department may constitute evidence, or have other legal value, and must be preserved for possible disclosure in connection with the litigation or claim. Such emails shall be preserved in hard copy form or in another electronic database or format to ensure retention.
5. IMs are not logged or retained by IT.
6. Communications subject to an existing public records request, a litigation hold requested by the County Attorney's Office or an attorney representing the County, or subject to formal discovery in ongoing litigation will be preserved in the appropriate file or word processing system.
7. Records maintained by public entities are presumed to be public records and are subject to inspection on request. There are, however, exceptions to the disclosure requirement where nondisclosure of public records may be necessary to protect important public or privacy interests. In addition, privileged information such as attorney-client records maintained by the Public Defender, County Attorney or other County legal counsel are privileged and may not be subject to inspection or disclosure.
8. These systems are not to be used as a long term document management, retention, or storage solution. All messages, attachments and imbedded objects that meet the criteria of being a public record shall be preserved in accordance with the specific departmental document retention policy.

**ELECTRONIC COMMUNICATIONS MONITORING**

The County Manager may authorize requests from managers and supervisors to review or monitor the contents of electronic communications for business continuity reasons for employees or former employees under their purview. Requests shall be routed to the Human Resources Director. Access may be granted with written authorization from the County Manager or his or her designee.

Requests for the review or monitoring of electronic communications for potential violations of policy shall be referred to the Director of Human Resources and handled in accordance with Pinal County Policy 3.65. No electronic messages may be monitored, reviewed, audited, intercepted, accessed, or disclosed without written authorization of the County Manager or his/her designee.