

**PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY**

Subject: Electronic Mail (E-Mail)

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Purpose

The purpose of this policy is to establish standards for the use of electronic mail (or E-mail) by all Pima County ("County") employees and affiliated individuals, including but not limited to, volunteers, and interns who are provided access to the Pima County E-mail system.

Policy

The E-mail system is intended to facilitate communications among employees and other internal and external business contacts and to assist in performance of job functions. Use of the E-mail system is limited to County business. Each employee or affiliated individual using the E-mail system has a responsibility to use the system in a productive and acceptable manner. To achieve these objectives, those employees utilizing the E-mail system shall adhere to, and be bound by the requirements of this policy.

Definitions

1. County Administrator: The County Administrator or designee.
2. E-mail (Electronic Mail): Text or data that is electronically transferred from sender to receiver through any data network. County E-mail includes, but is not limited to, commercial and electronic mail applications, operating systems, messaging capabilities and Internet mail. This includes any information sent as an attachment or imbedded in an E-mail.
3. E-mail system (or "System"): Any and all E-mail systems supported or used by Pima County personnel. E-mail systems may include, but are not limited to, all electronic systems, hardware, software, temporary or permanent files, and any related systems or devices used in the transmission, receipt or storage of E-mail.
4. Data Network: A configuration of electronic devices and software connected for information exchange.

Requirements

1. The E-mail system(s) and all E-mail composed, sent or received over the County data network are considered to be the property of Pima County (a subdivision of the State of Arizona).
2. The County Administrator shall determine the E-mail system(s) to be used within the County.

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3. The following uses of E-mail will be considered related to performance of County job duties: 1) scheduling of personal appointments as an effective extension of one's overall job time management (lunches, meetings, etc.); 2) sharing of county event information and planning of work-related social events approved by the Appointing Authority. No other personal use of County E-mail or the County E-mail system is allowed without the prior written consent of the applicable Appointing Authority.

4. The County E-mail system shall not be used at any time with or without the approval of the Appointing Authority for: 1) sending E-mail that contains content that is illegal, contrary to County or departmental policy or that may be discriminatory, harassing or disruptive to other employees, including, but not limited to, any sexually explicit, derogatory, abusive or threatening images, cartoons, jokes or other materials, or any inappropriate profane use of language; 2) sending and/or storing of documents, images, recordings or other materials that are copyrighted, without permission; 3) using the system for unapproved charitable endeavors, solicitation of funds, advertisements, political messages, private business activities, or other unapproved non-County business related purposes; 4) using County computer equipment and resources to influence the outcome of an elected office, referendum, initiative, or recall and; 5) forwarding chain letters, stories, E-mail petitions, warnings, pictures, programs or other non-County business related materials that could adversely affect system performance by slowing E-mail routing and/or increasing E-mail storage space; 6) any other E-mail that could create the appearance of inappropriate use. What is offensive, harassing, disruptive, illegal or contrary to policy is determined on an objective not a subjective basis: i.e., it is not an excuse that neither the sender(s) nor the recipient(s) was not offended or did not consider the contents harassing, disruptive, illegal or contrary to policy.

5. The E-mail system is not intended for the creation and transmission of sensitive, private, confidential or privileged materials such as personnel matters or personnel decisions, grievances or disciplinary actions, and no such materials should be distributed on the E-mail system, unless the system is specifically encrypted to protect such materials

6. Any E-mail created, sent or retrieved on the County E-mail system is, in most instances, a public record. Public records are subject to disclosure upon request pursuant to Arizona's Public Records law. No employee has a reasonable expectation of privacy for any information found or transmitted on the County E-mail system.

7. The County will without notice at its sole discretion, periodically monitor E-mail to verify employee conformance to this policy. The County Administrator may also direct departments to access and/or monitor messages and files on all such devices on the County data network. All communications, including text, images, and attachments may be disclosed to law enforcement or other third parties without the consent of the sender or the recipient.

8. Employees and affiliated individuals may not intercept, record, receive, access, read, or alter other person's E-mail without authorization. Misrepresenting, obscuring or concealing the sender, recipient or routing of E-mail or encrypting E-mail with the intent to disguise, hide or prevent detection or violation of this policy is prohibited.

9. E-mail system users may access their E-mail accounts only from authorized County connections as determined by the County Administrator. Sharing personal E-mail accounts or passwords is prohibited.

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10. All Emails that are not subject to litigation, a litigation hold or other directive from the County Attorney over 60 days old will be electronically removed from the E-mail System.

11. Public Records. Records retention for public records purposes is the responsibility of each County department. An E-mail, like any other document or file, may constitute a public record. Whether it is a public record, and what type of public record it is, depends upon the E-mail's content; and not its format. E-mail records should be preserved according to the applicable record series already established on a department's records retention schedule which should in turn comply with the [Arizona State Library, Archives and Public Records](#) requirements. E-mails can be saved to the server, in their electronic format or, in some cases, printed out for storage in a paper format according to the applicable records retention schedule. All department record retention schedules are subject to any litigation hold or other directive from the County Attorney. All departments must ascertain that a no hold directive from the County Attorney is in place before deleting E-mails from the E-mail system.

12. Litigation Hold. Records retention for litigation purposes is also the responsibility of County departments. If your department is involved in any litigation or claims that have been made against the County, some or all of the E-mails in your department may constitute "evidence" that must be preserved for possible disclosure in connection with the litigation or claim. It is important that these E-mails be retained in their electronic format, because court rules now require electronic disclosure.

13. Departments will collect, maintain, and share correct E-mail address information with other County departments to facilitate efficient addressing and delivery of E-mail throughout the County System.

14. Implementation and adherence to this policy resides at all levels of the County. Adherence to all Federal, State, or County Records Retention and Disposition Schedules is a Departmental responsibility. Any employee, volunteer, or intern of the County found in violation of this policy will be subject to appropriate disciplinary action, up to and including termination of employment or business relationship.

15. All employees are required to be familiar with this policy and the Computer Use policy (BOS Policy C 3.10) to understand their terms and to annually acknowledge in writing that an employee has read and understood these policies by signing the Computer Use Acknowledgement form. This form will remain in the employee's department personnel file.

Responsible Departments

The Office of the County Administrator and all employees, volunteers, contractors and other affiliated individuals who are provided access to the County E-mail system.