ARTICLE 46. INFORMATION SYSTEMS POLICIES

Section 46.01 Purpose and Source of Authority

The purpose of this policy is to provide guidance regarding the acceptable use of the County's computers, network systems, and electronic information systems, including acceptable Internet use and access to and disclosure of electronic information such as electronic mail (e-mail) and other computer files which are sent, received, stored, or processed by means of any County computer, network system, or electronic information system.

Like any tool, information technology can be used or misused. By adopting this policy, the County seeks to maximize the benefits of modern technology by striking an appropriate balance between the efficient use of electronic communications and the protection of County assets and interests.

Section 46.02 Definitions

A. **Computer Systems:** For the purposes of this policy, the term "computer system" means any and all (1) computer hardware or machinery owned or leased by the County including, but not limited to, desktop computers, laptops, mobile and central computers, modems, printers, computerized facsimile systems, connectors, switches, computer wires, routers, and servers; (2) internal and external network systems owned, leased, operated, or utilized by the County or its employees including, but not limited to, e-mail, other electronic information systems, and any system which allows Internet access; and (3) any software or operating system that is owned, leased, or utilized by the County.

B. **Computer System Data:** For purposes of this policy, the term "computer system data" means any and all information or data that are received, sent, stored, processed, transferred, or communicated in any way by or through and County computer system including, but not limited to, computer files, e-mail, and Internet access information.

C. **User:** For purposes of this policy, the term "user" means any person, including an employee, who directly uses any County computer system in any manner, accesses any information sent, received, stored, or processed by any of those systems, or directs another to use a County computer system to access data on such a system.

D. **Employee**: A person who holds a paid position within the County service for more than 67 working days per year and part-time employees whose service regularly exceeds 14 hours per week.

E. **Person:** For purposes of this policy, the term "person" means any user or employee as defined herein, and does, in the appropriate circumstance, include natural persons or individuals, corporations, partnerships, associations, government agencies and other governmental entities, and/or any other form of legal entity. It also includes any representative or agent of a person.

F. **Government Data:** For purposes of this policy, the term "government data" shall have the definition set forth in Minnesota Statutes section 13.02, subdivision 7. Thus, government data includes, but is not limited to, all data collected, created, received, maintained, or disseminated by any agent or employee of Wadena County.

G. **Internet:** For purposes of this policy, the term "Internet" means the network of systems including, but not limited to, the World Wide Web, Gopher, FTP, external e-mail, Internet Relay Chat, and Telnet, which connect computers in various locations around the world and provide users with the ability to access information and online services.

H. **Singular/Plural:** For purposes of this policy, the singular form of any word shall include the plural, and the plural form shall include the singular.

Section 46.03 Scope

The County owns and provides access to a variety of computers, network systems, electronic information systems, and software. These tools are collectively referred to as computer systems. The County's computer systems and computer system data are the exclusive property of the County. Users have no

expectation of privacy in using these systems. No communication or data used or maintained through these systems should be considered private or personal.

This policy governs all access to use of the County's computer systems and computer systems data. This policy also applies to equipment that is the property of another entity, but is used by County employees in the course of their employment with the County.

Union Use: In the interest of maintaining effective labor-management relationships and efficient use of County time and resources, County e-mail systems may be used by employee representatives of the union for certain union activities. Approved uses include posting of meeting notices, investigation and administration of grievances, contract interpretation questions, union election results, and notification of arbitration and unit determination decisions. County owned property or services including the e-mail system may not be used for political activities, fund-raising, campaigning for union office, union organizing activities, or solicitation of employees for union membership. Union use of electronic communication technology is subject to the same conditions as employee use of such technology, as set forth in the policy.

Although elected officials and department heads may adopt policies that are more restrictive than this policy, this policy establishes the minimum standards for use of any County computer system and any information sent, received, stored, or processed by a County computer system. In the event of a conflict between this policy and another policy, this policy controls.

Section 46.04 Individuals Who Are Subject To This Policy

This policy applies to any user of the County's computer systems or computer system data for any purpose. Such individuals may include, but are not limited to, County Board Members, elected officials, department heads, supervisors, employees, agents of the County, independent contractors doing work for the County, volunteers, and members of the public. By using any of the County's computer systems, user agrees to be bound by the terms and conditions of this policy. Each individual user is responsible for complying with this policy.

Each individual department head and elected official shall make a copy of this policy available to every employee in his or her department. In addition, each department head or supervisor is required to conspicuously post a copy of this policy in at least one location within the department. Additionally, upon request, a copy of this policy shall be made available within a reasonable period of time to any employee or member of the public. A copy of this policy will be posted to the County's web site.

Section 46.05 County's Right to Inspect and Monitor its Computer Systems and Computer Systems Data

The County is the sole and exclusive owner of the computer systems it provides and all computer system data. Use of the County's computer systems is a privilege, not a right. Accordingly, without further notice, the County and its individual department heads or supervisors reserve the right to use any means available to access, inspect, review, and monitor its computer systems and computer systems data including, but not limited to, computer files, e-mail, and Internet access information. In exercising this right, the County, its individual department heads and supervisors reserve the right to override any passwords and access codes that are on any of its computer systems. The County and its individuals department heads or supervisors, and their designees, may also use software that assists in monitoring its computer systems and data on those systems.

Employees and other users do not have a reasonable expectation of privacy in any computer systems data including, but not limited to, e-mail, and Internet access data. By using any of the County's computer systems, employees and other users consent to and understand that the County may access, monitor, and inspect any data that are received, sent, processed, stored, transferred, or communicated by means of any county computer system.

Users should consider e-mail and all other computer systems data to be a shared filing system which may

be accessed by and reviewed by the applicable department head at any time and without further notice. The County reserves the right to track and recover any computer systems data despite any attempt by a user to delete such data. Users are advised that nearly all data can be tracked and recovered. For example, the County can generally track which websites a user has visited, the time of day when the visits occurred, and how long each visit lasted. This information can generally be recovered even when the user has attempted to delete the information. The County may use any computer system data for any purpose directly or indirectly related to County business, including ensuring compliance with this policy and other professional and job related duties. Such data may also be used in deciding whether to impose discipline, and in disciplinary proceedings and civil and criminal litigation.

Section 46.06 System Integrity

A. Password Security. All employees are required to take reasonable precautions to protect the security of their passwords. Employees may not share passwords or user names, or use another person's password or user name when using a County computer system or accessing computer system data, unless prior permission has been received from the individual department head or supervisor, or the IT Manager. Absent prior permission, no employee may knowingly permit another individual to use the employee's password to log onto or use any County computer system.

If a Department Head or IT Staff directs an employee to provide his or her passwords or access codes, the employee must immediately provide current passwords and access codes. Reasonable precautions will be taken to keep the passwords and access codes secure. **DO NOT give out your password to ANYONE over the phone.**

Passwords are required to meet the following guidelines:

1) passwords will be 6 to 12 characters in length,
2) passwords will use 3 of the 4 possible types of characters to include lower or upper case alphabetical characters, numbers, and special characters($%&@!),
3) Users will not use simple passwords that can be easily guessed, such as names of family or dates. Passwords will expire every *120 days.*

B. Modification of User Names and Default Setting. Employees may not modify assigned user names without prior permission from the IT Manager. Users may not modify any default settings on any county computer system (including hardware and software) without prior consent from the IT Manager. Personal settings, such as background colors and schemes (screen savers) are permitted. *Screen savers must be password protected.*

C. Installation of Software. Employees may not install any software on a county computer system without prior written consent from the IT Manager. Before any software is installed, it will be scanned for viruses. Users may not download any executable software from Internet Sites. The County reserves the right to remove unauthorized software at any time and without prior notice. Software required by other government agencies is allowed.

D. Scanning for Viruses. Without exception, every employee must scan every computer file he or she receives from an outside source such as in the mail, including, but not limited to, diskettes, USB drives, DVDs and CDs from outside organizations. Software is in place to help with incoming emails and websites.

E. Approved Commercial Access Providers/Internet Service Provider (ISP). Particular use of an outside commercial access provider/Internet service provider must be approved by the IT Manager. If an employee has been granted permission to use and outside commercial access provider, the employee must:

1) disconnect his/her computer from all AS/400 sessions throughout the duration of the commercial connection;
2) disconnect his/her computer from any network session throughout the duration of the commercial connection;
3) scan his/her computer hard drive for computer viruses prior to re-connecting to the network or

AS/400.

F. End of Day Procedure. All users/employees will shut down their personal computer/workstation when they leave for the day.

Section 46.07 Electronic Mail ("E-Mail")

Application of Government Data Practices Act. All e-mail messages and attachments that are sent, received, or accessed by means of any County computer system, including any e-mail system, are County property and are subject to federal and state laws, such as the Minnesota Government Data Practices Act, which govern the collection, creation, storage, maintenance, dissemination, and access to data created or maintained by the County. All employees must exercise care in addressing messages to ensure that they are sent to the proper addressee.

Section 46.08 Personal Use of County Computer Systems by Employees

A. Limited Personal Use Permitted. The County's computer systems are provided to support County business and, accordingly, are intended to be used primarily for business related purposes. Unless prohibited by the applicable department head, employees may engage in incidental and occasional personal use of the County's computer systems. Individual department heads or supervisors may determine when an employee's personal use becomes excessive or otherwise violates this policy. All personal use must be limited such that it:

1) is done on the employees' personal time, and not on County time;
2) does not interfere with County business or the use of its computer systems;
3) does not interfere with the employee's job performance or activities;
4) does not interfere with the job performance or activities of any other employee;
5) is not for personal financial gain or other promotional activities;
6) is not for political or religious purposes that could suggest endorsement by the County;
7) does not damage any of the County's computer systems;
8) does not result in the unreasonable consumption of County resources;
9) does not result in any expense, financial loss, or obligation to the County;
10) does not violate any rule set forth in this policy;
11) does not violate any federal, state, or local law.

B. No Expectation of Privacy. Employees who use any County computer system for personal use have no expectation of privacy in any information that is stored, processed, or transferred by any County computer systems, including but not limited to e-mail and information from Internet access. Like any other data stored on the County's computer systems, data created from an employee's personal use is subject to periodic inspection and monitoring. By engaging in personal use of any County computer system, employees and other users consent to such inspection and monitoring.

Section 46.09 Unacceptable Uses of the County's Computer Systems

1) **Threatening or Fraudulent Messages.** No person may use any County computer system to intentionally threaten or offend another person or to send a fraudulent message.
2) **Harassment and Discrimination.** No person may use any County computer system to harass or discriminate against another person on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or age. County computer system may not be used to transmit, display, or distribute information of hate groups. All County policies on harassment and discrimination apply to conduct performed using any County computer system.
3) **Pornographic, Obscene, Vulgar, Lewd, and Sexually Explicit Material.** No person may use any County computer system to seek out, access, upload, download, store, transmit, display, or distribute pornographic, obscene, vulgar, lewd, or sexually explicit language or material.
4) **Harm to Reputation.** No person may use any County computer system to defame another or in a manner that harms the reputation of the County.
5) **Disruption.** No person may use any County computer system in a manner that damages, disrupts, or interferes with any County operation, service, equipment, or the job performance of

an employee. Such disruption or interference includes, but is not limited to, distribution of unsolicited or personal advertising and excessive downloading or transmission of programs or data.

6) **Vandalism.** No person may use any County computer system to directly or indirectly vandalize, damage, or disable the personal, real, or intellectual property of another person or organization, or to make unauthorized modifications to the property of another (including information owned by the County). By way of example, this rule prohibits "hacking" into a County computer system or a private party's system, as well as the propagation of computer worms or viruses.
7) **Unauthorized Interception or Access.** No user may override another person's passwords or access codes or take any other action to intercept or access another person's materials, electronic information, or files (including e-mail) without the prior permission of that person. The exception to this rule is that a department head, supervisor, IT Manager, or a person acting at the request of a department head, supervisor, or IT Manager, may override passwords and may access, inspect, and monitor computer systems data including, but not limited to, e-mail and information on Internet access.
8) **Copyright Infringement.** No person may use any County computer system to violate any copyright law or otherwise use the intellectual property of another person or entity without prior authorization. The unauthorized duplication of computer software constitutes copyright infringement and is strictly prohibited by this policy. Many software companies will allow a single copy of the software to be made for backup or archival purposes. Before making such a copy, employees must verify that such action is permitted under the term and conditions of the software license.
9) **Commercial Use and Private Causes.** No person may use any County computer system for private commercial use, for personal financial gain, to promote any private cause (including but not limited to political or religious causes), or to enter into any contractual relationship without obtaining prior written permission from the department head or supervisor. Similarly, no person may use any County computer system in a manner that could reasonably result in any expense, financial loss, or obligation for the County. The County hereby disclaims any liability for any unauthorized financial obligation incurred by unacceptable use of its computer systems in violation of this rule.
10) **Gambling.** No person may use any County computer system to gamble or engage in a game of chance for money or other valuable consideration.
11) **Disguising Identity.** No person may disguise or attempt to disguise their identity while using any County computer system. For example, individuals may not disguise their identity while using a County computer system to send or receive information via e-mail or the Internet.
12) **Conducting Job Searches.** Employees may not use any County computer system to conduct job searches for employment with an entity other than Wadena County.
13) **Violating the Law.** No person may use any County computer system in a manner that violates any local, state, or federal law.
14) **Conduct Unbecoming.** No person may use any County computer system to engage in conduct unbecoming a County employee.
15) **Chat Rooms**. Engaging in chat room discussions IS NOT permitted, unless required and approved by the department head to accomplish County work.
16) **Disclosing Confidential Information**. All employees must guard against the disclosure of confidential information through the use of social media, email, news groups, or others.

Section 46.10 Consequences for Violation of this Policy

The IT Manager and the individual department head or supervisor will review alleged violations of this policy on a case-by-case basis. Any employee's failure to comply with any part of this policy may result in disciplinary action up to and including termination of employment with the County, subject to Wadena County Personnel Rules and Regulations and any applicable collective bargaining agreement. In addition to any penalty or discipline imposed, any user's failure to comply with this policy may result in loss of the privilege to continue using the County's computer systems and, if the violation is criminal in nature, referral to law enforcement.

Section 46.11 Questions Regarding this Policy

Employees who have questions about this policy or the acceptable use of the County's computer systems are required to present their questions to their department head or supervisor. If the department head or supervisor cannot answer the question, then the question will be submitted to the IT Manager for resolution.

In consultation with the involved department head or supervisor, the IT Manager will answer any questions about this policy and the acceptable use of the County's computer systems. Until the question is answered, the questionable use should be considered inappropriate and unacceptable. The Wadena County Board of Commissioners has final authority regarding the implementation and interpretation of this policy.

ARTICLE 47. ELECTRONIC DEVICES/CELL PHONE USE POLICY

47.01 Personal Electronic Devices/Cellular Phones. While at work employees are expected to exercise the same discretion in using personal electronic devices and cellular phones as is expected for the use of County devices and phones. Excessive personal calls, texts, posts, e-mail, etc. during the work day, regardless of the device or phone used, can interfere with employee productivity and be distracting to others. Unless prohibited by the applicable department head, employees may engage in incidental and occasional personal use of personal electronic devices/cellular phones. Individual department heads or supervisors may determine when an employee's personal use becomes excessive or otherwise violates this policy.

All personal use must be limited such that it:

1) is done on the employees' personal time, and not on County time;
2) does not interfere with County business;
3) does not interfere with the employee's job performance or activities;
4) does not interfere with the job performance or activities of any other employee;
5) does not result in the unreasonable consumption of County resources;
6) does not violate any rule set forth in this policy;
7) does not violate any federal or state data privacy laws and that violations of the same are subject to both criminal and/or civil sanctions;
8) does not violate any additional federal, state, or local law.

Wadena County will not be liable for the loss of personal electronic devices and cellular phones brought into the workplace.

47.02 Distracted Driver Safety. While engaged in work related travel, all employees are expected to follow applicable state or federal laws or regulations regarding the use of electronic devices and cellular phones at all times, including but not limited to driver refraining from using any wireless electronic devices or cellular phones to compose, read or send an electronic message while the vehicle is in motion or a part of traffic. These restrictions do not apply in emergency situations including obtaining emergency assistance, reasonable belief that life or safety in immediate danger, or for authorized emergency vehicle while in performance of official duties.

ADDENDUM TO PERSONNEL POLICY ARTICLE 46 – INFORMATION SYSTEMS POLICIES

This Addendum defines Wadena County's process in exercising County's rights as defined in the Personnel Policy, Article 46, Section 46.05:

Section 46.05 County's Right to Inspect and Monitor its Computer Systems and Computer Systems Data

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Employees and other users do not have a reasonable expectation of privacy in any computer systems data including, but not limited to, e-mail, and Internet access data. By using any of the County's computer systems, employees and other users consent to and understand that the County may access, monitor, and inspect any data that are received, sent, processed, stored, transferred, or communicated by means of any county computer system.

Users should consider e-mail and all other computer systems data to be a shared filing system which may be accessed by and reviewed by the applicable department head at any time and without further notice. The County reserves the right to track and recover any computer systems data despite any attempt by a user to delete such data. Users are advised that nearly all data can be tracked and recovered. For example, the County can generally track which websites a user has visited, the time of day when the visits occurred, and how long each visit lasted. This information can generally be recovered even when the user has attempted to delete the information. The County may use any computer system data for any purpose directly or indirectly related to County business, including ensuring compliance with this policy and other professional and job related duties. Such data may also be used in deciding whether to impose discipline, and in disciplinary proceedings and civil and criminal litigation.

Process for accessing Security Camera Footage/Email Archiver/Web Logs:

When a Department Head identifies the need to access security camera footage/email archives/web activity logs they will complete the Wadena County Security Camera Footage/Electronic Data Request Form and submit to the County Coordinator with all required fields completed. The Coordinator, in consultation with the County Attorney will approve the scope and necessity of the request. At this point, the Coordinator will submit the request to the appropriate Law Enforcement or Information Technology staff to fulfill the request. Once the information has been collected, the Coordinator and County Attorney will review and determine the disposition of the information collected; which may include providing the Department Head a summary, providing the Department Head with the raw data originally requested or referral to Law Enforcement, depending upon the content of the information gathered.

PERSONNEL POLICY ARTICLE 46 – INFORMATION SYSTEMS POLICIES

EMPLOYEE ACKNOWLEDGEMENT

I have read Article 46, Information Systems Policies, and Addendum to Article 46. I agree to comply with these policies. I am aware that any violation of these policies may result in disciplinary action up to and including termination. I also understand that any failure to comply with these policies may result in loss of access to the county's information systems and, if the violation is criminal in nature, referral to law enforcement.

_____ _____

Employee Signature Date