



Town of Berlin

Electronic Communications and Computer Usage Policy

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ELECTRONIC COMMUNICATIONS AND COMPUTER USAGE POLICY

I. Introduction

This Policy is intended to provide guidance on the appropriate use of the Town of Berlin's electronic communication and information equipment and systems ("Systems"). Such Systems include, but are not limited to, computer workstations, hardware and software, electronic mail ("e-mail"), telephones, cellular phones, pagers, "blackberry"-style devices, facsimile machines, and the Internet.

Use of the Town of Berlin's Systems by any employee, contractor, consultant, and/or volunteer ("user") shall constitute acceptance of the terms of this Policy and any such additional related policies that may be issued by the Town of Berlin.

Access and use of the Town of Berlin's Systems is intended for business-related purposes, including communication with co-workers and colleagues, and researching topics relevant to Town of Berlin business. All existing state, federal, and local laws and the Town of Berlin policies apply to your conduct while using the Town of Berlin's Systems, particularly those that govern intellectual property protection, sexual or other harassment, misuse of the Town of Berlin resources, privacy rights, and confidentiality. The use of town computer resources must not interfere with the employee's work or the work of their co-workers. Personal use must not interfere with the town's business needs in any way and must not violate the law or any other aspect of this policy.

This Policy sets forth general guidelines and examples of prohibited uses of the Town of Berlin's Systems for illustrative purposes, but does not attempt to identify all required or prohibited activities by users. Questions regarding whether a particular activity or use is acceptable should be directed to the Data Systems Coordinator, and/or your supervisor. These guidelines may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the Town of Berlin's Systems. Furthermore, this Policy may be amended from time to time, and is meant to be read in conjunction with all other applicable policies of the Town of Berlin.

II. Privacy

Users should not expect any right of privacy in said Systems, including electronic communications and information made or stored on the Town of Berlin's Systems. The Town of Berlin retains the right to inspect its Systems, including any Town of Berlin-owned or leased computer or electronic communications equipment, any data contained in such equipment, and any data sent or received by that equipment. The Town of Berlin will exercise that right when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace. Users should be aware that appropriately authorized network administrators may monitor

network traffic, and/or access all files, including e-mail files and Internet use history, stored on any equipment.

All electronic files and documents originating from or passing through the Town of Berlin's Systems are considered to be the property of the Town of Berlin.

III. Security

All usernames and passwords are for the exclusive use of the individual to whom they are assigned. The user is personally responsible and accountable for all activities carried out under his/her username, and should take all reasonable precautions to protect his/her password. The password associated with a particular username must not be given or divulged to another person (with the exception of the Data Systems Coordinator). No one may use, or attempt to use, a username or password assigned to another person, or pose as another user.

If the username is assigned to a committee, the Chair of that committee is responsible for the security of the password.

Users who will be leaving their PC's unattended for extended periods of time should either log off the network or otherwise protect access to the system.

IV. Internet Guidelines

While we increasingly use the Internet as a tool in the workplace, misuse or abuse of the Internet can result in wasted time, as well as potentially violate laws, bylaws, ordinances, regulations, or other Town of Berlin policies. Therefore, users should adhere to the following Internet Guidelines.

- A. Authorization. Authorization for Internet access must be obtained through the Data Systems Coordinator. Once authorization is approved, each user is responsible for the security of his or her account password and will be held responsible for all use or misuse of such account (see Section III, Security, above).
- B. Compliance with Laws. Users must not utilize the Internet to knowingly violate any state, federal or local law, or the laws of any other nation. United States copyright and patent laws may apply to information and material(s) accessed through the Internet, and care should be taken to not violate the copyrights or patents of others on or through the use of the Internet.

- C. Viruses. All appropriate precautions should be taken to detect viruses, including scanning all computer files (including attachments) that are downloaded and/or opened from the Internet, before installation or execution of such files/attachments. Users should direct any questions regarding the proper use of virus detection software to the Data Systems Coordinator prior to downloading and/or opening any computer files/attachments.
- D. Town of Berlin Monitoring. As noted above, users should not have any expectation of privacy as to their computer or Internet usage, including the receipt and sending of e-mail. It is possible for the Town of Berlin to monitor Internet usage histories and/or patterns, and the Town of Berlin may inspect, without limitation, any portion of its Systems, including files stored either on the computer hard drive or the Town of Berlin's server, to the extent necessary to ensure compliance with this Policy or any other applicable state, federal, or local law or Town of Berlin policy.
- E. Prohibited Practices.
- (1) Users shall not use Town of Berlin computers knowingly to download or distribute pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights. The downloading of games or other programs for amusement/entertainment purposes is strictly prohibited.
 - (2) Users shall not make an unauthorized attempt to enter into another employee's computer (commonly referred to as "hacking").
 - (3) All computer hardware and software shall at all times remain the property of the Town of Berlin, and may not be removed from their respective sites or downloaded onto personal computer equipment without the express written approval of the Data Systems Coordinator. The installation or upgrade of computer software programs on computer hardware, without the express written approval of the Data Systems Coordinator who will be consulted by the department supervisor, is strictly prohibited.
 - (4) Users must not utilize the Internet to deliberately propagate any virus, worm, "Trojan horse", trap-door or back-door program code, or knowingly disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of another user.

- (5) Users shall not disclose confidential information or promote personal political beliefs, discriminations, sexual harassment, and any unlawful activity; nor shall the Town of Berlin's computers be used for private financial gain, or commercial, advertising or solicitation purposes.
- (6) Use of the Town of Berlin's Systems, including computers, to display any kind of image or document that is obscene, pornographic, sexually explicit or sexually suggestive, is prohibited. Additionally, these materials may not be archived, stored, distributed, edited, or recorded using Town of Berlin network, printing, or computing resources.
- (7) Users shall not maliciously use or disrupt the Town of Berlin's computers, networks, Internet services; nor breach the Systems' security features; nor misuse or damage the Town of Berlin's equipment; nor misuse passwords or accounts; nor attempt to access unauthorized sites; nor use the Town of Berlin's Systems after such access has been denied or revoked; nor attempt to delete, erase or otherwise conceal any information stored on any portion of the Town of Berlin's Systems.
- (8) Users shall not utilize the Town of Berlin Systems for the purpose of private commercial use.
- (9) Telnet connection to external computers or networks are prohibited without specific authorization of the Data Systems Coordinator. The use of FTP (file transfer protocol) or visits to ftp web sites is restricted to updating approved applications in use by the Town of Berlin.

V. Electronic Mail ("E-MAIL") Guidelines

- A. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third party. Users must exercise caution and care when transferring such material in any form. Please note that the Massachusetts Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. For more information please refer to <http://www.sec.state.ma.us/pre/preidx.htm>.
- B. The Secretary of State's Office of the Commonwealth has determined that e-mail qualifies as "public records", as defined in Chapter 4, section 7(26) of the Massachusetts General Laws. Therefore, all e-mail mail sent by or received through the Town of Berlin's Systems shall be archived by the Data Systems Coordinator. All users shall retain either a printed or digital record of e-mail sent by or received through the Town of Berlin's Systems, in the same manner that

other paper records are kept by their departments, and in accordance with the Record Retention requirements.

- C. Users should be aware that opening programs or files attached to email messages may cause computer viruses to infect the Town of Berlin's Systems, and thus should only open such attachments from anticipated and trusted sources.
- D. Employees shall not broadcast messages to all employees via e-mail without permission from the Data Coordinator.

VI. Telephone Usage

- A. Landline Telephones are provided for official use. Personal telephone calls may be permitted, but users should exercise good judgment in making such calls. Managers/department heads are responsible for monitoring their employees' telephone usage. Use for private commercial purposes is strictly prohibited. Excessive usage for non-business related purposes, as well as misuse of telephones, such as to make harassing or threatening calls, may result in discipline, up to and including termination from employment.
- B. Facsimile (Fax) machines and copy machines are provided for official use only. Managers/department heads are responsible for monitoring their employees' Fax usage. Use for private commercial purposes is strictly prohibited. Usage for non-business related purposes, as well as misuse may result in discipline, up to and including termination from employment.
- C. Mobile and Cellular Telephones are provided for official use only. Personal telephone calls should be limited to emergency calls only. The cellular telephone number should only be provided to those parties needing immediate access to the user. Users should exercise good judgment in making such calls. Managers/department heads are responsible for monitoring their employees' telephone usage. Use for private commercial purposes is strictly prohibited. Excessive usage for non-business related purposes, as well as misuse of cellular telephones, such as to make harassing or threatening calls, may result in discipline, up to and including termination from employment.

Use while driving, including texting, is strictly prohibited and is against the law in the state of Massachusetts.
- D. Wireless radios official use only. Use for personal or private commercial purposes is strictly prohibited. The issuing authority will establish radio protocols to be followed for official use. Misuse of radios, may result in discipline, up to and including termination from employment. Managers/department heads are responsible for monitoring their employees'

VII. Violation of Policy

Violation/violations of this Policy may result in either the suspension or permanent loss of the privilege to use the Town of Berlin's systems. It may also result in disciplinary action being taken against the employee, up to and including termination from employment. Additionally, users shall be personally liable for any losses, costs or damages incurred by the Town of Berlin related to violations of this Policy. Similarly, the illegal use of the Town of Berlin's Systems may result in referral to law enforcement authorities. Employees shall report violations of this Policy to their supervisor, or in the case of department heads, directly to the authorizing authority. Retaliation against another user for reporting a violation or violations of this Policy, including the use of e-mail or the Internet in a retaliatory manner, is strictly prohibited by the Town of Berlin.

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VIII Acknowledgement Form



ELECTRONIC COMMUNICATIONS AND COMPUTER USAGE POLICY

This acknowledges that I have received and reviewed the Electronic Communications and Computer Usage Policy of the Town of Berlin (“Policy”). By signing this form, I agree to abide by the Policy and any Guidelines promulgated there under, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding the use of Internet, electronic mail and the Town of Berlin’s electronic communications and information systems are continually evolving. Therefore, I understand that my regular review of policy is required.

Print

Name: _____

Signature: _____

Date: _____

This signed document will be included in employee’s personnel file. If a town employee works for more than one town department, only one (1) signed form is required.