



PRACTICE

Approved by
The Commission

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ELECTRONIC COMMUNICATIONS POLICY

AUTHORITY

This Practice was approved by the Commission on June 16, 1999, and became effective July 1, 1999. This Practice was amended by the Commission on October 15, 2003. The Practice was updated for minor amendments on November 30, 2012.



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PURPOSE

This Practice was developed in 1999, to establish policy related to electronic communications and the use of electronic communication equipment. The Maryland-National Capital Park and Planning Commission maintains electronic communications systems, including but not limited to facsimile (fax) machines, computers, printers, electronic- mail (e-mail), telephone voice mail, computers usage including Internet, Intranet, World Wide Web access and searches, telephones including mobile phones, pagers and other electronic communication devices or tools. These systems are provided to assist in the conduct of the business of the Commission.

REFERENCES

- Merit System Rules and Regulations.
- Commission Practice 2-14, "Non-Commission Employment and Non-Commission Business."
- Commission Practice 2-15, "Employee Use of Commission Property."
- Commission Practice 2-16, "Seasonal/Intermittent, Temporary, and Term Employment."
- Commission Procedures 12-01, Mobile Technology
- Commission's Equal Employment Opportunity and Preventing Sexual Harassment Policies.

APPLICATION

This Practice applies to all employees including, Merit System and contract employees, volunteers, and appointed officers. In the event that any portion of this Practice conflicts with a Collective Bargaining Agreement, the Agreement shall prevail for members of the respective Collective Bargaining unit.

POLICY

All components of electronic communications including but not limited to computers, printers, e-mail, voice mail, fax systems, telephones, pagers and the data stored on them are and remain at all times the property of the Commission and all e-mail and voice mail messages composed, sent or received are and remain the property of the Commission. Computers, including conducting Internet, Intranet, World Wide Web access and searches, e-mail, fax systems, telephone and mobile phones, pagers and voice mail are provided for use in Commission business. The Commission reserves the right to access and disclose the contents of all messages created, sent, received or stored using any of its communications systems and monitoring access and use of these resources by employees.

1. Privacy and Security

Computer and telephone electronic message systems incorporate the use of passwords for security. Because these systems are used to conduct Commission business, they may need to be accessed by the Commission. Therefore, the Commission reserves the right to retrieve and read any message composed, sent received or stored. Furthermore, the Commission reserves the right to monitor employee access of Internet websites. It is important for employees to know that even when a message is “erased” or “deleted”, it may still be possible to re-create the message. Privacy in electronic communications should not be expected by employees. Employees should understand that it may be necessary for messages to be read by someone other than the intended recipient. Employees should understand that the amount of time spent browsing the Internet, as well as specific websites accessed may be monitored. Nevertheless, employees are prohibited from accessing or opening the e-mail or voice mail or Internet browsing data of any other employee without prior written approval by a Department Head or designee. The Commission does not guarantee the reliability for maintaining the confidentiality of passwords.

2. Usage

All telephone, facsimile, e-mail and voice mail communications are to be handled in the same professional manner as hard copy letters, memoranda or other business communications. Use of computers, including Internet, Intranet, World Wide Web access and searches, and other electronic communication devices and tools shall be used by the employee for performance of duties and responsibilities of her/his work program. No copyrighted or Commission proprietary information is to be distributed by Commission e-mail or electronically published unless approved by a Department Head or designee.

E-mail and voice communications, use of computers, Internet, Intranet, World Wide Web access and searches and other usage of electronic communication software, hardware, devices and tools shall be used for the Commission's business purposes as follows:

- Activities related to the Commission or Departmental missions,
- Activities related to official assignments and job responsibilities,
- Job-related communications, such as networking and collaboration,
- Research in connection with official duties, and
- Responding to approved public access mandates or directions.

Under Department Head authorization and approval, Departmental Intranets and electronic bulletin boards may be provided for employee use. Employees should use caution to avoid introduction of viruses through Internet use, diskettes or other equipment. Employees should inform appropriate computer support resources at the first indication of a virus and discontinue computer use until the virus has been eliminated.

3. Prohibited Uses or Conduct

E-mail, voice mail or fax messages may not be of an offensive content. Offensive content includes but is not limited to abusive, obscene or harassing language or images, racial, ethnic, sexual or gender specific comments or images or other comments or images that are false, inflammatory or disparaging or are negatively based on religious or political

beliefs, sexual orientation, national origin, age or disability. Accordingly, employees are prohibited from accessing Internet websites containing the same type of material or any material for personal use.

Use of the electronic communications systems for activities unrelated to Commission or Department missions or official assignments or job responsibilities is prohibited. This includes but is not limited to:

- Activities of a personal, commercial, religious or political nature,
- Unauthorized advertising, broadcasting, or message sending,
- Use for private enterprise, including marketing of products or services, business transactions, personal financial gain for self or others, and
- Solicitation for religious and/or political causes.

Prohibited conduct related to electronic communications systems include but are not limited to:

- Unauthorized access or attempted access to computer-based records or services,
- Unauthorized use or disclosure of data protected by federal, state or county laws or Commission regulations,
- Violations of federal, state, local or Commission laws or regulations with regard to copyright, software license agreements, and information services contracts, including unauthorized duplication of software, files operating instructions or reference manuals,
- Propagation of computer viruses,
- Installation of Commission-owned software, or accessing contracted information services, on personal computing equipment except as authorized by a Department Head or designee,
- Removal of Commission-owned electronic communication equipment or devices from assigned locations except as authorized by a Department Head or designee, and
- Encryption of any sort on Commission equipment or devices except as authorized by a Department Head or designee.

It is recognized that occasional and incidental personal use may be permitted; however, such messages are subject to the scrutiny consistent with the intent of policy and shall not interfere with performance of employee's duties and responsibilities. Such use would include electronic mail and/or voice mail to communicate employee news such as births and deaths, or Commission-sponsored activities.

4. Internet, Intranet, World Wide Web Accesses and Searches

The Commission assumes responsibilities only for the information provided on its own Web pages. Employees authorized to make Internet, Intranet, World Wide Web accesses and searches should be aware that the resources change rapidly and unpredictably and that they are responsible for the sites they reach. Employees are prohibited from working on Commission property or using Commission resources equipment and software to access websites that contain content unsuitable or unrelated to their work effort. Care should be given as to reliability of Web sites reached. Employees should note that once a Web site is reached, and an e-mail address given, it may be used for unintended purposes.

RESPONSIBILITIES

Department Heads and designees are responsible for employee access to electronic communication systems and for all determinations required by this Practice.

Department Heads are responsible for establishing a plan to monitor usage of the electronic communications system to assure compliance with this policy.

Managers/Supervisors must monitor usage of electronic communications systems and report any violations to their Department Head or designees, for resolution of the problem.

Employees must comply with this Practice.

VIOLATIONS OF POLICY

Employees who violate any portion of this Practice are subject to disciplinary action, up to and including termination of employment. Disciplinary actions shall be handled in accordance with the Merit System Rules and Regulations, Discipline Chapter; applicable Collective Bargaining Agreements; and Commission Practice 2-16, "Seasonal/Intermittent, Temporary, and Term Employment," Discipline Section. Violations of policy also may result in criminal prosecution.

The Commission reserves the right to recover costs attributable to the unauthorized or inappropriate use of the electronic communications system from the responsible employee. Any expenses incurred will be recovered by the Commission through direct repayment of such expenses by the employee, or collection of such expenses through payroll deduction. The Commission reserves the right to determine the method of recovery of such expenses. In addition, the Commission reserves the right to take legal action if so warranted.

Violations of this policy should be reported by employees to their supervisors. Questions regarding appropriate uses should be directed to supervisors.