

NAME: \_\_\_\_\_  
DEPARTMENT: \_\_\_\_\_

AR 15-02  
AN ADMINISTRATIVE REGULATION ESTABLISHING  
TECHNOLOGY POLICY

**Section 1. Purpose.**

This administrative regulation is established to regulate the use of technology, both hardware and software, provided by the City of Hobbs (City) to its employees (users).

**Section 2. Definitions.**

- 2.1 Technological Systems are comprised of, but not limited to, computer systems, portable devices, electronic mail, internet access, telephone and facsimile equipment, mobile/portable radios, and copy and replication equipment.
- 2.2 Computer Systems are comprised of, but not limited to, all desktop and server computers, peripherals such as printers, scanners, and external storage devices, network cabling and devices plus application software and data.
- 2.3 Portable Devices are comprised of, but not limited to, laptops, pocket PCs, tablets or other portable computing devices that are provided by the City for employee use.
- 2.4 Electronic Mail (E-mail) is the service(s) provided by the City for transmitting and receiving messages over its internal and external networking equipment.
- 2.5 Internet Access is the access to the World Wide Web by equipment connected to the City's local area network. Public access Wi-Fi provided by the City is not covered by this policy.
- 2.6 Telephone and Facsimile Equipment is comprised of, but not limited to, all wired and wireless telephone and facsimile (fax) equipment that is provided by the City for employee use.
- 2.7 Mobile/Portable Radios is comprised of, but not limited to, all two-way radio devices and control equipment that is provided by the City to employees.
- 2.8 Copy and Replication Equipment is comprised of, but not limited to, all duplication devices which can reproduce both visual and data information.

**Section 3. Policy.**

Various technological systems are made available to employees for the efficient completion of work-related tasks and remain the property of the City until properly disposed of. These systems and any information produced are to be used to conduct company business and may be monitored. The City reserves the right to extend, limit, or restrict access to all information technology resources.

- 3.1 All technological systems modifications or purchases shall be coordinated with the Information Technology Department (IT) unless exempted by the City Manager.
- 3.2 Personal electronic devices shall not be connected to the City's technological equipment or Local Area Network (LAN), excluding public Wi-Fi, without approval from the IT Department.
- 3.3 Users shall not deliberately perform any act that will impair the operation of any part of the technological system resources, or deny access to legitimate users.
- 3.4 Employees shall immediately report any activity which could adversely affect the City's technological systems to the I.T. Department to ensure reasonable mitigation of any potential harm to systems.
- 3.5 **COMPUTER SYSTEMS**
  - 3.5.1 IT is responsible for setting up and maintaining computer systems; however each user is responsible for its operations with ethical regard and within applicable policies and procedures.
  - 3.5.2 Users shall not record or process any information that knowingly infringes on any patent or breach any copyright. All licensing agreements and restrictions should be strictly adhered to and maintained for the life of the system or software use.

- 3.5.3** Users shall not knowingly possess, store on any City computer, or give access to any materials that are inconsistent with any City policy, violate any applicable license or contract, or violate any laws of the City of Hobbs, State of New Mexico, or Federal Government.
- 3.5.4** IT is responsible for providing data backup equipment and procedures; however, it is the responsibility of users to ensure that their data is safeguarded.
- 3.5.5** All data files generated on City computer equipment are and shall remain the property of the City. Files stored on external media must be made accessible to supervisors. Before any files may be locked or encoded in any manner, supervisors must be given passwords, keys, or encryption codes.
- 3.5.6** Upon termination, users will cease to formally be associated with the City and their information may be removed without notice.
- 3.5.7** The City reserves the right to periodically check and monitor the computing and networking equipment, to ensure appropriate use, and to safeguard the security and integrity of information.
- 3.5.8** All users shall avoid intentionally seeking information on, obtaining copies of, or modifying files or passwords in an attempt to invade the privacy of, or harass others.
- 3.5.9** The use of City computing or networking resources for compensated outside work or unauthorized benefits to organizations not related to City operations is prohibited.
- 3.5.10** System passwords are required, shall meet requirements, and are confidential to the user, or equipment administrators.
- 3.5.11** Users shall take all reasonable precautions to protect the integrity of all data and computer systems within the City from unauthorized access.

### **3.6 PORTABLE DEVICES**

- 3.6.1** All users issued any City owned portable device(s) are responsible for that equipment.
- 3.6.2** City issued portable devices are subject to the same restrictions as desktops.
- 3.6.3** Users are responsible for the safeguard of data on City issued portable devices.
- 3.6.4** Software licensing, network connectivity, internet access, and general usage are subject to the policies outlined for computer systems.

### **3.7 ELECTRONIC MAIL**

- 3.7.1** City provided E-mail is intended for operations of the City of Hobbs. Users should explicitly recognize their responsibility for the content, dissemination and management of E-mail messages. Internal and external E-mail messages may be considered business records as defined by the State of New Mexico Inspection of Public Records Act, NMSA 1978, Chapter 14, Article 2 and may be subject to discovery in the event of litigation or upon an open records request. Users shall:
  - 3.7.1.1** Evaluate the E-mail message to decide if it is a record or non-record.
  - 3.7.1.2** Delete transitory and non-record E-mail from the mailbox Inbox/Drafts/Sent/Deleted Items; or move to personal folders.
  - 3.7.1.3** Respond to business E-mail as soon as possible.
  - 3.7.1.4** Save E-mail which are records as soon as possible in accordance with the State of New Mexico retention policy 1.13.4 NMAC Appendix A.
- 3.7.2** E-Mail users shall ensure that sent messages:
  - 3.7.2.1** Do not contain information that is detrimental to the City or its employees;
  - 3.7.2.2** Are courteous, polite, and respect the privacy and confidentiality of others;
  - 3.7.2.3** Do not contain obscene, disparaging, abusive, profane or offensive language;
  - 3.7.2.4** Do not contain slanderous language or materials;
  - 3.7.2.5** Do not contain messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, sexual preference or any other legally protected characteristic. Harassment of any kind is strictly prohibited;
  - 3.7.2.6** Are not used for purposes that conflict with the City's interests;
  - 3.7.2.7** Do not unnecessarily overload the E-mail system;
  - 3.7.2.8** Are not for commercial purposes, unless authorized by the City;
  - 3.7.2.9** Are consistent with all other City policies;

- 3.7.3 Employees should not use City E-mail accounts to receive, originate, or forward non-City related material.
- 3.7.4 Appropriate virus protection shall remain enabled to prevent damage to information or to applications on system equipment.
- 3.7.5 The City retains the right to monitor and inspect information contained in E-mail on City accounts.
- 3.7.6 Employees shall not attempt to access any E-mail account not their own. Gaining access to another's E-mail is grounds for significant discipline and may lead to criminal sanctions.

### **3.8 INTERNET USAGE**

- 3.8.1 World Wide Web (Internet) access is intended for the operations of the City. Personal use must be approved by the Department Head and should be kept to a minimum. The user activity may be monitored by IT.
- 3.8.2 All application software downloads from internet sites should be approved by IT and must be screened with virus detection software.
- 3.8.3 City proprietary or private information must not be sent over the internet unless approved by a supervisor.
- 3.8.4 Computer account names, login passwords, and other information that can be used to gain access to City networks and services must not be sent over the internet.
- 3.8.5 Unapproved use of internet bandwidth to run applications that require continuous downloading or streaming of live audio/video or the upload/download of large amounts of data are prohibited.
- 3.8.6 Unauthorized creation or maintenance of any presence on the internet representing the City is prohibited.
- 3.8.7 No user shall connect to the internet to view, acquire, store, or disseminate materials which are illegal, pornographic, or which negatively depicts race, sex, or any other legally protected characteristic.

### **3.9 TELEPHONE AND FACSIMILE EQUIPMENT**

- 3.9.1 The City's office telephones and Facsimile equipment should be used primarily for City business and all users are required to demonstrate professional and courteous conduct.
- 3.9.2 Personal calls on office telephones or personal cell phones shall at no time interfere with assisting citizens, answering of incoming calls, or completing normal business operations. If necessary for an employee to make or receive personal telephone calls/texts during working hours; they should be kept to a minimum and completed on authorized breaks.
- 3.9.3 All office telephones should be answered by identifying the user's department/division and the user's own name. Employees answering City telephones should make every effort to direct the caller to, or notify, the appropriate department with caller's contact information. Voice mail, if equipped, should be checked regularly.
- 3.9.4 Long distance calls shall be limited to official business and personal use is not a permitted practice. Calls to directory assistance should be avoided due to charges for each occurrence.
- 3.9.5 All policies for desktop telephones also apply to the use of city-owned cellular telephones. All phone calls on City furnished cell phones must be logged in accordance with established procedures.
- 3.9.6 Employee's personal telephone numbers should not be given out without their permission and the caller's contact information should be obtained if possible for purpose of returning calls.

### **3.10 MOBILE/PORTABLE RADIOS**

- 3.10.1 All two-way radio communications conducted by City employees shall demonstrate professional and courteous conduct and be done in accordance with Federal Communications Commission (FCC) procedures and requirements. Users must be thoroughly familiar with the rules that apply to the intended type of radio operations to assure the most efficient use of the radio network.
- 3.10.2 It is a violation of FCC rules to interrupt any distress call or emergency message. Personnel should always listen to insure that the radio system is clear before transmitting.
- 3.10.3 The use of profane or obscene language on two-way radios is prohibited by federal law.

- 3.10.4 It is against the law to transmit false distress calls or emergency messages.
- 3.10.5 FCC requires that conversations over a two-way radio be brief and confined to business. Transmitting personal messages, except in emergency, is a violation of FCC rules.
- 3.10.6 All users of radio equipment will have an assigned unit number which should be used when communicating with any other radio user.
- 3.10.7 No changes or adjustments shall be made to the equipment except by an authorized technician. IT will handle all radio equipment maintenance. Each person assigned a radio is responsible for the equipment.

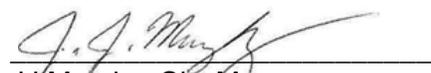
**3.11 COPY AND OTHER REPLICATION EQUIPMENT**

- 3.11.1 The copyright law of the United States (Title 17, U.S. Code) governs the making of photocopies and other replications of copyrighted materials; those using replication equipment are liable for any infringement of this law.
- 3.11.2 Photocopy machines, printers, CD/DVD writers, and other replication equipment shall only be used for copying City business materials unless approved by division/department heads. Personal use is subject to the same fees charged for public copies.

**4.0 INFORMATION TECHNOLOGY POLICY VIOLATIONS**

- 4.0.1 Violations of the City of Hobbs Information Technology Policy should be reported to the user's department head or I.T. Department.
- 4.0.2 Upon determination of a violation of these policies, the user's privileges may be suspended immediately and the user may be subject to discipline, up to and including termination.
- 4.0.3 The City reserves the right, upon employee notification and acknowledgement, to change and/or modify this policy as deemed necessary to ensure efficient operations and/or to remain in compliance with any applicable city, state or Federal laws.
- 4.0.4 Departments may have stricter or additional restrictions on the use of technology resources that will be provided to applicable employees in writing for their acknowledgment.
- 4.0.5 Nothing contained herein should be construed as protecting a user who has been found to have violated this policy from civil or criminal liability.

Approved by:

  
 JJ Murphy, City Manager

06/01/2015  
 Date

By signing below, I acknowledge that I have read AR 15-02. I was given the opportunity to ask questions to ensure my full understanding.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

# AR 15-02 Supplement

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## E-mail Retention Guidelines

E-mail has become the communication method of choice for city government and is often used to communicate substantive information previously committed to paper and transmitted by regular land mail. E-mail messages are replacing phone conversations and face to face meetings that in the past would not have been documented or included in files. Electronic messages that document decisions, policies, procedures, operations or delivery of services are evidence of official city business and need to be managed as records. The E-mail server is a transport device and should not be used to maintain records of any kind. In order to minimize risks and cost associated with record management and preserve storage resources, The City of Hobbs in accordance with 1.13.4 NMAC Appendix A, offer the following guidelines.

Upon receipt of an E-mail users shall:

### 1. Evaluate the E-mail to decide if it is a record or non-record.

- Examples of Public Record E-mail include:
  - correspondence regarding management, financial, operating procedures or policy matters;
  - messages containing minutes of meetings, or transcripts of hearings;
  - messages regarding vital public information such as environmental reports;
  - messages that are relied upon in the development of management, financial, operating procedures or policy; or
  - final reports or recommendations;
- Examples of Non-record E-mail include:
  - personal Correspondence;
  - promotional material;
  - duplicate copies of messages sent to multiple people;
  - copies of documents distributed for convenience or reference;
  - announcements of social events, such as retirement parties;
  - junk mail (spam, advertisements, etc.); or
  - messages to or from e-mail distribution lists not directly related to City business;
- Examples of Transitory E-mail:
  - Much of the communication via e-mail has a very limited administrative value. For instance, an e-mail message notifying employees of an upcoming meeting would only have value until the meeting has been attended or the employee receiving the message has marked the date and time in his or her calendar.
  - E-mail messages may have an official context but not be part of a business transaction. The following examples illustrate e-mail with an official context, but of no value beyond reference:
    - general departmental correspondence regarding routine business activities (transmittal messages and responses to routine questions); or

- inter-office messages regarding employee activities (holiday parties, etc.), phone calls or invitations and responses to work related events (meetings, etc.);
2. **Delete transitory and non-record e-mail** from the e-mail server mailbox Inbox/Drafts/Sent Items/Deleted Items; or move to personal folders. E-mail messages left in the inbox will be deleted after 30 days.
  3. **Respond to business e-mail.** Employees should act on business correspondence immediately. Although the filing and maintenance of the e-mail records is important, it is more important to conduct the central work of the city or department and respond promptly to business e-mail.
  4. **Save e-mails which are records as soon as possible.** Employees should file any correspondence including attachments that is directly related to the business functions of the City or Department. Retention requirements are dependent on type of record.
    - E-mail concerning a contract or agreement must be retained for the minimum retention period, prescribed by that record series, of six years after termination of contract or agreement.
    - E-mail correspondence regarding administration of the city or departments including coordination of programs, policy, regulations and procedures that impact the City of Hobbs; must be retained for two years after close of fiscal year in which created then transferred to archives for appraisal and final disposal.
    - Options for retention are to:
      - Print the e-mail and store in a manual filing system or store e-mail in an electronic filing system for long term retention.
      - Electronically archive the e-mail using the message archiver button on outlook. Messages and attachments will be retained for 2 years then deleted.
      - Move e-mail to an outlook personal folder on local computer where they will be retained until deleted.

# E-mail Retention Flowchart

