



## **ELECTRONIC COMMUNICATIONS POLICY**

### **Section: 601**

**Purpose:** The Department of Environmental Services (DES) has made a significant investment in technology to provide employees with management tools to facilitate business processes, enhance communication, and access and distribute information. These tools are an integral component of conducting DES business, and the need for their appropriate use and our understanding of potential consequences of misuse is paramount.

The Electronic Communications Policy is intended to provide guidance for the proper utilization of electronic communication tools, and to also protect the State of New Hampshire, DES and individual employees from the consequences of misuse. For purposes of this policy, all computer communications, including Internet use, will be referred to as "electronic communications". Also, it must be recognized that no specific policy could cover every issue that might arise with such emerging technologies.

**Policy:** The electronic communications system (hardware and software, electronic mail, voicemail and facsimile machine) is state property, and is reserved for the purpose of conducting state and DES business. Access to the Internet is provided to enhance the agency's ability to accomplish its mission. Employees have a responsibility to use the Internet in a productive and professional manner for state business. Internet access is not provided to employees for personal entertainment or personal business purposes.

The following are meant to provide clarity and direction, and are not intended to be all-inclusive:

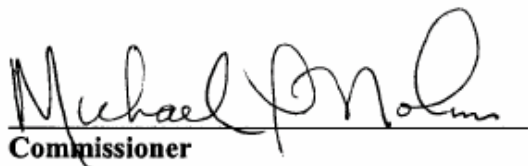
1. All electronic messages or information composed, sent, stored or received are and remain the property of the State. Employees do not have personal property rights in any information created, received, stored or sent via the electronic communications system.
2. The electronic communications system shall not be used to solicit or promote any personal or commercial venture.
3. The electronic communications system shall not be used to create, store, download, forward or transmit in other fashion, any offensive and/or disruptive messages. Messages considered to be offensive include, but are not limited to, those which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses age, marital status, sex, sexual orientation, religious or political beliefs, national origin or disability. Messages considered to be disruptive include, but are not limited to, chain letters.
4. Subscriptions to news groups and mailing lists are not permitted unless the subscription is for a work-related purpose.
5. The electronic communications system may not be used to store, download, send or forward copyrighted materials without express permission from the author or copyright holder. In addition, Executive Order 2000-4, relevant to preventing and combating computer software piracy, is attached and incorporated by reference into this policy.
6. Employees shall not use another employee's password, and an employee shall not allow the use of his/her password by another employee or any other person.

7. The Internet is an unsecured network. Employees should have no expectation of privacy in the use of Internet resources. Further, the electronic communications system provides for monitoring of Internet resource use and electronic mail. DES reserves and will exercise the right to monitor, review, access and disclose all messages and/or documents created, received or sent over the electronic communication system. Accordingly, employees should assume that Internet use is not private and may be monitored. Moreover, the communications are subject to release under RSA 91-A, the Right to Know Law, and are also potentially "discoverable" in any court action in which DES is a party. The confidentiality of any action using the electronic communications system should not be assumed, and employees should have no expectation of privacy with respect to electronic communications. Even when a message is erased, it is still possible to retrieve and read that message.

8. Notwithstanding DES's right to retrieve and read any electronic communications, such messages and/or documents must be treated as confidential by other employees and accessed only by the intended recipient. Unauthorized employees may not retrieve or read any electronic communications that are not sent to them, without the permission of the intended recipient. The use of passwords for security does not guarantee confidentiality.

9. Each employee shall review and sign the attached Employee Acknowledgement on the Use of the Electronic Communications Policy.

10. Improper use of the electronic communications system may result in disciplinary action up to and including termination of employment.



Commissioner

**This policy is subject to revision. It is the responsibility of all employees to ensure they are familiar with the most recent policy.**

**Date Established: 2/16/96**

**Revised: 08/15/05**

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