

ELECTRONIC COMMUNICATIONS: E-MAIL /

INTERNET POLICY

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1. INTRODUCTIONⁱ

This policy describes the Municipality guidelines with regard to:-

- 1.1 Use of Municipality owned or sponsored personal computers, laptops, notebooks, and related hardware and Municipality owned software;
- 1.2 Access to and disclosure of electronic mail messages sent or received by employees or contractors of the Municipality with use of the Municipality e-mail system.

2. APPLICABILITY

This policy applies to all employees and contractors of the Municipality.

3. MANAGEMENT'S RIGHT TO ACCESS INFORMATION

The Municipality respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of Municipality-provided equipment or supplies. You should be aware that the following guidelines might affect your privacy in the workplace.

The electronic mail system has been installed by the Municipality to facilitate business communications. Although each employee has an individual password to access this system, it belongs to the Municipality and the contents of e-mail communications are accessible at all times by the Municipality management for any business purpose. These systems may be subject to periodic unannounced inspections, and should be treated like other shared filing systems. All system passwords and encryption keys must be available to Municipality management, and you may not use passwords that are unknown to your supervisor or install encryption programs without turning over encryption keys to your supervisor. All e-mail messages are Municipality records. The contents of e-mail, properly obtained for legitimate business purposes, may be disclosed within the Municipality without your permission. Therefore, you should not assume that messages are confidential. Back-up copies of e-mail may be maintained and referenced for business and legal reasons.

4. PERSONAL USE OF E-MAIL & INTERNET FACILITIES

Because the Municipality provides the electronic mail and internet system to assist you in the performance of your job, you should use it for official Municipality business. Incidental and occasional personal use of e-mail is permitted by the Municipality, but these messages will be treated the same as other messages. The Municipality reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content. Since your personal messages can be accessed by the Municipality management without prior notice, you should not use e-mail to transmit any messages you would not want read by a third party. For example, you should not use the Municipality e-mail for gossip, including personal information about yourself or others, for forwarding messages under circumstances likely to embarrass the sender, or for emotional responses to business correspondence or work situations. In any event, you should not use these systems for such purposes as soliciting or proselytizing for commercial ventures, religious or personal causes or outside organizations or other similar, non-job-related solicitations. If the Municipality discovers that you are misusing the e-mail system, you will be subject to disciplinary action, which may include dismissal.

5. FORBIDDEN CONTENT OF E-MAIL COMMUNICATIONS OR INTERNET

You may not use Municipality e-mail or internet system in any way that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale. Examples of forbidden transmissions, software, programmes or websites include sexually-explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment or disparagement of others based on, inter alia, their sex, race, sexual orientation, age, national origin, or religious or political beliefs. Use of the Municipality-provided electronic communication systems in violation of this guideline will result in disciplinary action, which may include dismissal.

6. PASSWORD AND ENCRYPTION KEY SECURITY AND INTEGRITY

Employees, other than designated Network Supervisors, are prohibited from the unauthorized use of the passwords and encryption keys of other

employees to gain access to the other employee's e-mail messages or access to a departments or employees computer contents.

7. CORPORATE POLICY GUIDELINE

7.1 ACCEPTABLE USES OF THE INTERNET AND MUNICIPALITY E-MAIL

The Municipality provided Internet and e-mail access is intended to be for business reasons only. The Municipality encourages the use of the Internet and e-mail because they make communication more efficient and effective. However, Internet services and e-mail are Municipality property, and their purpose is to facilitate Municipality business. Every staff member has a responsibility to maintain and enhance the Municipality's public image and to use Municipality e-mail and access to the Internet in a productive manner. To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the Internet. Any improper use of the Internet or e-mail is not acceptable and will not be permitted.

Employees acknowledge that:-

- ❑ The Municipality may be held to be vicariously liable for the acts of its employees, even where the employer is not at fault, for any damages caused by the employee's conduct;
- ❑ They may not access the internet or send or retrieve email using a stand-alone dial in facility (such as a modem) without the prior approval of the Municipal Manager;
- ❑ Employees may not make representations to third parties or the public beyond the scope of their normal responsibilities or actual authority;
- ❑ Methods other than email must be used to communicate sensitive or confidential communications.

7.2 UNACCEPTABLE USES OF THE INTERNET AND MUNICIPALITY E-MAIL

The Municipality e-mail and Internet access may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is to be transmitted through the Municipality's e-mail or Internet

system. Electronic media may also not be used for any other purpose, which is illegal, or against Municipality policy or contrary to the Municipality's best interest. Solicitation of non-Municipality business or any use of the Municipality e-mail or Internet for personal gain, is prohibited.

7.3 GENERAL COMMUNICATIONS

Each employee is responsible for the content of all text, audio, programmes or images that they place, retrieve or send over the Municipality's e-mail/Internet system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another Municipality. All messages communicated on the Municipality's e-mail/Internet system should contain the employee's name.

Any messages or information sent by an employee to another individual outside of the Municipality via an electronic network (e.g., bulletin board, online service or Internet) are statements that reflect on the Municipality. While some users include personal "disclaimers" in electronic messages, there is still a connection to the Municipality, and the statements may be tied to the Municipality.

All communications sent by employees via the Municipality's e-mail/Internet system must comply with this and other Municipality policies and may not disclose any confidential or proprietary Municipality information.

Notices, announcements or other messages pertaining to Municipality products or services may not be posted on public discussion groups, notice boards or bulletin boards without the express prior approval of the employees line manager. Any unofficial communications found on the internet must be communicated to the employee's line manager where such information may be found to be damaging to the image of the Municipality or infringe any rights of the Municipality.

Each employee has a responsibility to use the electronic communication facilities and services in a lawful and informed and responsible way and in a manner, which conforms to network etiquette, custom, courtesy and corporate policy. Furthermore, each employee should use exactly the same standards

of care and professionalism when using electronic communication facilities and services.

Any private communication on the internet or any other electronic methods of communication (for example, WAP systems) must be clearly indicated by the sender as being those of the sender and not representing that of the Municipality, its suppliers, customers or distributors and must clearly display the following disclaimer:-

"The views expressed herein are those of the sender and do not reflect that of Municipality."

The Municipality has or is developing an official South African website. In most instances it would be unnecessary for employees to place information on third party websites or have an internet presence which does not form part of the Municipality's official website.

Municipality claims of copyright and trademark in intellectual property dissemination on the Internet should be identified clearly by the use of appropriate symbols and text such as "®" for a registered trademark, "™" for an unregistered trademark, and "© 2001 Municipality (Pty) Ltd." for materials in which a copyright is claimed. Likewise, materials to which third parties claim rights of copyright or trademark should be used on the Internet only with permission of the owner, and with appropriate disclosure of the claims of copyright and trademark.

Privileged communications with attorneys representing the Municipality or any of its affiliates should not be transmitted on the Internet unless a global standard for encryption is approved.

7.4 SOFTWARE

To prevent computer viruses from being transmitted through the Municipality's e-mail/Internet system, there will be no unauthorized downloading of any unauthorized software. All software downloaded must be registered to the Municipality. Employees should contact the designated Network Supervisor if they have any questions.

7.5 COPYRIGHT ISSUES

Copyrighted materials belonging to entities other than Municipality, may not be transmitted by employees on the Municipality's e-mail/Internet system. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission of the designated Network Supervisor. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

7.6 SECURITY

The Municipality routinely monitors usage patterns for its e-mail/Internet communications. The reasons for this monitoring are many, including cost analysis/allocation and the management of the Municipality's gateway to the Internet. All messages created, sent, or retrieved over the Municipality's e-mail/Internet are the property of the Municipality and should be considered public information. The Municipality reserves the right to access and monitor all messages and files on the Municipality's e-mail/Internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways.

7.7 VIOLATIONS

Any employee who abuses the privilege of Municipality facilitated access to e-mail or the Internet, will be subject to corrective action up to and including termination. If necessary, the Municipality also reserves the right to advise appropriate legal officials of any illegal violations.

The following general guidelines may be used for the purposes of taking disciplinary action against employees.

	Category	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
1.	Loading illegal software or offensive material onto a Municipality computer. Willful or negligent introduction of a virus into an employee's computer or any other computer system in the Municipality;	Final Written Warning / Dismissal			
2.	Use of electronic mail, online services, internet facilities and services, and the world wide web for unlawful or malicious activities. Use of abusive or objectionable language in either public or private communication. misrepresentation of oneself or inappropriate representation of HMR;	Final Written Warning / Dismissal			
3.	Negligent misconduct in relation to computers and software technology. intentional or grossly negligent damage to computer hardware or software of the Municipality or an employee.	Final Written Warning / Dismissal			

4.	Activities that cause congestion and disruption of HMR's networks and systems (e.g. large e-mail attachments, chain letters graphics). Spending unauthorised and/or extensive time on the internet, email or other communications systems for non business purposes;	Written Warning	Final Warning	Dismissal	
5.	Spending unauthorised and/or extensive time on the internet, email or other communications systems for non business purposes;	Written Warning	Final Warning	Dismissal	

6.	Accessing pornographic or discriminatory material, use of electronic mail for communications that contain improper or unlawful statements including but not limited to ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability or religious beliefs; or communications that contain sexually explicit or offensive images, cartoons, graphics, sound or text. Viewing, downloading, copying, storing and/or distributing undesirable, indecent and/or obscene graphics, images, cartoons, sound or text from email, the internet, the world wide web or any data storing utility on the Municipality's computer system and/or network.	Verbal Warning	Written Warning	Final Warning	Dismissal
7.	Changing the configuration of computer hardware or software without proper authorisation	Verbal Warning	Written Warning	Final Warning	Dismissal
8.	Removing a computer, software or hardware from Municipality premises without authorisation	As per the Municipality's disciplinary code on theft / unauthorised possession			

9.	Purchasing computer equipment without proper authorisation	Written Warning	Final Warning	Dismissal	
10.	Contracting for the development of computer software or related services without proper authorisation	Written Warning	Final Warning	Dismissal	
11.	<p>Accessing information available on Municipality computers or networks to which you are not properly authorised. For example, attempts to "hack" into other systems or another person's login, "crack" passwords, breach computer or network security measures, or monitor electronic files or communications of other employees or third parties except by the explicit direction of management..</p> <p>Divulging of allocated user names and/or password to any third party or co-employee or allowing a co-employee or third party to use the user name and/or password;</p> <p>unauthorised use of an employee's terminal or a co-employee's terminal;</p> <p>unauthorised use of private software on Municipality PCs, downloading and unauthorised copying of Municipality and other software for home and external use.</p>	Final Warning / Dismissal			

7.8 EMAIL SIGNATURES

All email messages are required to have the following standard signature and disclaimer attached to all outgoing messages.

Name of Sender	_____
Designation of Sender	_____
Telephone Number	_____
Facsimile Number	_____
Email address	_____

"The information contained in this communication is confidential and may be legally privileged. It is intended solely for the use of the individual or entity to whom it is addressed and others authorised to receive it. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Municipality is neither liable for the proper, complete transmission of the information contained in this communication nor any delay in its receipt."

7.9 QUERIES AND CLARIFICATION OF POLICY

Where an employee is uncertain as to the content of this policy, or requests further clarification issues which are addressed in this policy they are required to contact the designated Network Supervisor for clarification.

7.10 VIRUS PROTECTION

All employees are to ensure that their computer is enabled with the Municipality approved virus protection software where applicable. To avoid the transmission of viruses, employees should first scan diskettes or CD-ROM's for resident viruses prior to accessing information on the diskettes or CD-ROM's.

Where an employee suspects that an email message or an attachment, diskette or CD-ROM may contain a virus he/she is required to contact the supervisor.

8. USE OF PERSONAL COMPUTERS, HARDWARE AND RELATED MUNICIPALITY ASSETS

Personal computers, hardware, software and related Municipality assets, must be safeguarded against environmental hazards (dust, excessive heat, damp, lightning etc) and unauthorised use at all times.

As with other Municipality assets, no computer hardware or software may be removed from the Municipality's premises without authorisation from the employee's supervisor.

Laptops and other moveable computer devices must be locked away or secured when the employee is away from his/her work area. While an employee is away on extended absence from the workplace, not making use of such devices, or on leave must be handed to the supervisor for safekeeping.

Purchases of all computer hardware, software, and peripheral hardware must be approved by the employee's Departmental Manager and the Municipal Manager in accordance with Municipality purchasing procedures.

All computer, hardware and software problems must be reported to the Municipal Manager for resolution.

Appendix: Corporate E-mail and Internet User Agreement Employee / Contractor Agreement

I have received a copy of Municipality's Corporate Policy Guideline on e-mail/Internet acceptable use, policy #____, dated, _____. I recognize and understand that the Municipality's e-mail, Internet and/or intranet systems are to be used for conducting the Municipality's business only. I understand that use of this equipment for private purposes is strictly prohibited.

As part of the Municipality's organization and use of Municipality's gateway to the Internet and e-mail system, I understand that this e-mail/Internet corporate guideline applies to me.

I have read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment / contract with the Municipality.

I am aware that violations of this corporate guideline on e-mail/Internet acceptable use may subject me to disciplinary action, up to and including discharge from employment.

I further understand that my communications on the Internet and e-mail reflect the Municipality, to our competitors, consumers, customers and suppliers. Furthermore, I understand that this document can be amended at any time.

Employee / Contractor Signature

Date

Employee / Contractor Printed Name

Municipal Manager Signature
