

SCOMM

122:38



and Delivery of Government Services

Co-Chairs:
Representative John Cowdery
Senator Jerry Ward

Senator Al Adams
Bill Allen
Representative Tom Brice
Tom Fink
Michael Harper
William Prosser
Kathryn Thomas
Don Valesko
George Wuerch

Dear State of Alaska Employees:

You should have heard by now that Governor Knowles and legislators have formed a State Commission on Privatization and Delivery of Government Services.

As state employees, you have an intimate knowledge of where efficiencies can be implemented in your particular jobs.

We, the members of the commission, hope you will seriously consider submitting ideas you may have for making government run as efficiently as possible.

Your ideas for making government more cost-effective benefit you personally AND benefit your fellow Alaskans.

Changing the way we do business is vital to saving your jobs and balancing the budget.

Other states have implemented programs and have brought about efficiencies in their state governments.

Let's all work together towards resolving our fiscal crisis.

Please be advised that AS 39.90.100, the Protection for Whistleblowers Act, is in effect as you participate in this public process. Specifically, the law states that a public employer may not disqualify a public employee or other person who reports a matter of public concern or participates in a proceeding connected with a matter of public concern.

Go to the Commission of Privatization and Delivery of Government Services home page at <http://www.privatizealaska.org> and click on "CONTACT." The toll free number is 1(888) 562-7474; in Anchorage 269-0226; or e-mail "privatize@legis.state.ak.us."

We commend any and all efforts on your part to help us in our task.

Commission Members:
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Senator Jerry Ward, Co-chair
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Bill Allen
Tom Fink
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William Prosser
Kathryn Thomas
Don Valesko
George Wuerch

A large, stylized handwritten signature in black ink, which appears to read "George Wuerch".

715 W. 4th Ave., Anchorage, AK 99501
Senator Jerry Ward: 907-269-0107 Fax 907-269-0109
Representative John Cowdery: 907-269-0222 Fax 907-269-0223



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SEP-20-1999 MON 03:52 PM

FAX NO.

P. 02/02



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George Wuerch



September 29, 1999

DON VALESKO
Business Manager/
Secretary-Treasurer

VALERIE K. BAFFONE
Assistant Business Manager

HEADQUARTERS
2510 Arctic Blvd.
Anchorage, Alaska 99503
FAX (907) 279-7171
(907) 276-7211

2122 Airport Way
Fairbanks, Alaska 99701
FAX (907) 456-1771
(907) 452-5024

710 West 9th Street
Juneau, Alaska 99801
FAX (907) 586-5757
(907) 586-6993

Representative John Cowdery
Alaska State Legislature
716 W. 4th
Anchorage, AK 99501-2133

Dear Representative John Cowdery,

I object to your letter designed to ask state employees how they might help the Privatization Commission privatize their jobs. I believe that the commission should have brought up this letter idea and discussed it before any action by the Co-Chairs was taken.

As the lone labor representative on the committee that is charged with representing employees I ask that the letter not be sent without thoroughly discussing all possibilities during a commission meeting

If you intend to send the aforementioned letter after reading this, you can count on me not to sign it.

Sincerely,

Don Valesko,
Business Manager/Secretary-Treasurer

cc: Commission Members



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~ George Wuerch

MEMORANDUM

TO: Privatization Commission Members

FROM: Marco Pignalberi

DATE: September 20, 1999

RE: State Employee Solicitation of Ideas

CC: Cowdery, Ward, Adams, Brice, Allen, Fink, Harper, Prosser, Thomas, Valesko, Wuerch

Notes:

The attached letter needs to be signed and returned to Representative Cowdery's office, via fax, to be kept in our files. State employees will be given the opportunity to provide input to the commission by the attached.

Please sign and return ASAP to fax # 269-0223.

Thank you. Your attention to this matter is appreciated.

Legislative Research Services

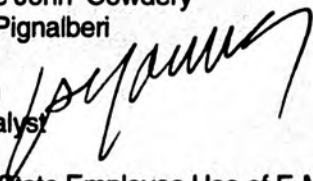
Alaska State Legislature
Legislative Affairs Agency
Division of Legal and Research Services

State Capitol
Juneau, AK 99801-1182
Phone: 907-465-3991
Fax: 907-465-3908

October 6, 1999

Memorandum

TO: Representative John Cowdery
Attn: Marco Pignalberi

FROM: Patricia Young 
Legislative Analyst

RE: Guidelines for State Employee Use of E-Mail

In addition to the packet of information I sent you last week, here are guidelines for use of e-mail by state employees in Arizona, Connecticut, and New York. I also have access to policies for legislative staff use of e-mail developed by a few states. If you are interested in those, let me know.

I hope this information is helpful.

James G. Natoli - Director of State Operations

***Governor's Task Force on
Information Resource Management
Technology Policy 96-14***

Subject: New York State Use of Electronic Mail

Date: June 11, 1996

RECEIVED By

OCT - 6 1999

Legislative Research Services

Introduction

Electronic mail (e-mail) refers to the electronic transfer of information typically in the form of electronic messages, memoranda, and attached documents from a sending party to one or more receiving parties via an intermediate telecommunications system. E-mail is helping State agencies improve the way they conduct business by providing a quick and cost-effective means to create, transmit, and respond to messages and documents electronically. Well-designed and properly managed e-mail systems expedite business communications, reduce paperwork, and automate routine office tasks thereby increasing productivity and reducing costs. These opportunities are, however, at risk if e-mail systems are not managed effectively.

Purpose and General Policy

The purpose of this policy is to promote the use of e-mail as an efficient communication and data gathering tool, and to ensure that State agencies have the information necessary to use e-mail to their best advantage in supporting agency business. By establishing and maintaining compliance with a policy for appropriate use of e-mail, risks and costs to agencies can be mitigated while the valuable potential of this communication tool is realized.

State agencies should ensure that e-mail is used for internal and external communications that serve legitimate government functions and purposes. The information communicated over agency e-mail systems is subject to the same laws, regulations, policies, and other requirements as information communicated in other written forms and formats. Each State agency is responsible for promulgating policies, establishing management practices, and designing e-mail applications that:

- support agency business;
- reduce legal and other potential risks;
- define managerial authority over e-mail communications;
- describe the appropriate use of e-mail communications;
- train employees in e-mail use and policies; and

- provide for necessary records retention, accessibility, and protection.

Agencies with special requirements for information confidentiality (for example, confidential client records) may be required to establish additional safeguards to protect this data.

Agency E-Mail Use Policy

Each agency is responsible for promulgating and insuring compliance with a policy governing the use of e-mail. Policies originally designed for paper correspondence or telephone use may not adequately apply to e-mail. This policy document should, at the minimum, include the following elements:

Proper Use By:

- Defining proper business use and limiting personal use of e-mail.
- Prohibiting the use of e-mail for illegal and unethical activities or to misrepresent, slander or, otherwise jeopardize the legitimate interests of the State.

Agency Responsibility By:

- Establishing agency control or ownership of e-mail communications.
- Informing employees that e-mail should not be considered private or personal and may be accessed by authorized staff for legitimate business purposes.
- Outlining the agency's general approach to the provision of e-mail services, as well as to the retention, maintenance and protection of e-mail communications to ensure that records needed to support agency business operations are identified and remain accessible, usable, and reliable as long as they are needed. (Records have a specific meaning under Law -- see SARA's **Managing Records in E-Mail Systems** and the attached sample agency policy for more information.)
- Clarifying roles and responsibilities of managers, technical staff, and users for retaining, maintaining, and protecting e-mail communications.
- ***Legal Considerations By:***
 - Providing that e-mail messages related to agency business are government records under the Arts and Cultural Affairs Law and are subject to the same laws and requirements as other agency records, including general records management and program specific requirements.
 - Providing that the Freedom of Information Law, Personal Privacy Protection Law, and discovery proceedings in legal actions apply to e-mail communications.

Each agency's e-mail policy should account for the agency's particular needs, mission, available technology, level of staff training, size, geographic diversity, and organizational culture. All policies should be clear and practical, and consistent with existing State information resource management, records management, and other policies. A copy of a sample agency e-mail use policy is attached.

Assistance and Support

If agencies need assistance in developing e-mail policies, they should contact the State Archives and Records Administration (SARA). SARA provides training and direct assistance on developing such policies and other records management issues raised by the use of advanced information

technologies. It has published *Managing Records in E-mail Systems* which provides agencies with guidelines for developing policies and establishing procedures for the effective management of records created and captured in e-mail systems. As agencies develop e-mail policies, they are encouraged to share them with SARA so it can provide other agencies with examples of existing agency policies that can serve as models of best practices.

Attachment A-1

E-Mail Use

Sample Agency Policy

Purpose and Goals

E-mail is one of [name of agency] core internal and external communication methods. The purpose of this policy is to ensure that e-mail systems used by agency staff support agency business functions to their fullest capacity. This policy advises staff and management of their responsibilities and provides guidance in managing information communicated by e-mail.

Access to E-mail Services

E-Mail services are provided to _____ (all staff? those staff deemed to require e-mail based on specific program areas? staff whose job functions require it? staff as resources allow?) To request access, contact _____.

Use of E-Mail

E-mail services, like other means of communication, are to be used to support agency business. Staff may use e-mail to communicate informally with others in the agency so long as the communication meets professional standards of conduct. Staff may use e-mail to communicate outside of the agency when such communications are related to legitimate business activities and are within their job assignments or responsibilities. Staff **will not use** e-mail for illegal, disruptive, unethical or unprofessional activities, or for personal gain, or for any purpose that would jeopardize the legitimate interests of the State.

Privacy and Access

E-mail messages are **not** personal and private. E-mail system administrators will **not** routinely monitor individual staff member's e-mail and will take reasonable precautions to protect the privacy of e-mail. However, program managers and technical staff may access an employee's e-mail:

- for a legitimate business purpose (e.g., the need to access information when an employee is absent for an extended period of time);
- to diagnose and resolve technical problems involving system hardware, software, or communications; and/or
- to investigate possible misuse of e-mail when a reasonable suspicion of abuse exists or in

conjunction with an approved investigation.

A staff member is prohibited from accessing another user's e-mail without his or her permission.

E-mail messages sent or received in conjunction with agency business may:

- be releasable to the public under the Freedom of Information Law;
- require special measures to comply with the Personal Privacy Protection Law.

All e-mail messages including personal communications may be subject to discovery proceedings in legal actions.

Security

E-mail security is a joint responsibility of agency technical staff and e-mail users. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of the account by unauthorized individuals.

Management and Retention of E-mail Communications

Applicable to all e-mail messages and attachments

Since e-mail is a communications system, messages should not be retained for extended periods of time. Users should remove all e-mail communications in a timely fashion. If a user needs to retain information in an e-mail message for an extended period, he or she should transfer it from the e-mail system to an appropriate electronic or other filing system. E-mail administrators are authorized to remove any information retained in an e-mail system that is more than ____ days old.

Applicable to records communicated via e-mail

E-mail created in the normal course of official business and retained as evidence of official policies, actions, decisions or transactions are records subject to records management requirements under the Arts and Cultural Affairs Law and specific program requirements.

Examples of messages sent by e-mail that typically *are records* include:

- policies and directives,
- correspondence or memoranda related to official business,
- work schedules and assignments,
- agendas and minutes of meetings,
- drafts of documents that are circulated for comment or approval,
- any document that initiates, authorizes, or completes a business transaction,
- final reports or recommendations.

Some examples of messages that *typically do not constitute records* are:

- personal messages and announcements,
- copies or extracts of documents distributed for convenience or reference,
- phone message slips,

- announcements of social events.

Record Retention

Records communicated using e-mail need to be identified, managed, protected, and retained as long as they are needed to meet operational, legal, audit, research or other requirements. Records needed to support program functions should be retained, managed, and accessible in existing filing system **outside the e-mail system** in accordance with the appropriate program unit's standard practices.

Records communicated via e-mail will be disposed of within the record keeping system in which they have been filed in accordance with a Records Disposition Authorization (RDA) approved by State Archives and Records Administration (SARA). Program managers should consult with the Agency Records Management Officer concerning RDAs applicable to their program's records.

Users should:

- dispose of copies of records in e-mail after they have been filed in a record keeping system;
- delete records of transitory or little value that are not normally retained in record keeping systems as evidence of agency activity.

Roles and Responsibilities

Agency executive management will insure that policies are implemented by program unit management and unit supervisors. **Program unit managers and supervisors** will develop and/or publicize record keeping practices in their area of responsibility including the routing, format, and filing of records communicated via e-mail. They will train staff in appropriate use and be responsible for ensuring the security of physical devices, passwords, and proper usage.

Agency network administrators and internal control (and/or internal audit) staff are responsible for e-mail security, backup, and disaster recovery.

All e-mail users should:

- Be courteous and follow accepted standards of etiquette.
- Protect others' privacy and confidentiality.
- Consider organizational access before sending, filing, or destroying e-mail messages.
- Protect their passwords.
- Remove personal messages, transient records, and reference copies in a timely manner.
- Comply with agency and unit policies, procedures, and standards.

Policy Review and Update

The _____ or designee will periodically review and update this policy as new technologies and organizational changes are planned and implemented. Questions concerning this policy should be directed to _____.

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Electronic Mail Acceptable Use Policy *for Connecticut*

State Government - Version 1.5

Last Revised: **July 29, 1999** (Policy Effective as of July 27, 1999)

[Introduction](#) | [Purpose](#) | [Scope](#) | [Authority](#) | [Records Management](#) | [Agency Responsibilities](#) | [User Responsibilities](#) | [Acceptable](#) | [Unacceptable](#) | [Security](#) | [Privacy](#)

RECEIVED By**OCT - 6 1999**

Introduction

Legislative Research Services

Electronic mail (E-mail) refers to the electronic transfer of information typically in the form of electronic messages, memoranda, and attached documents from a sending party to one or more receiving parties via an intermediate telecommunications system. Stated differently, electronic mail is a means of sending messages between computers using a computer network. Electronic mail services, as defined in this policy, not only consist of the use of state-provided electronic mail systems but also the act of sending and/or receiving electronic mail across the Internet.

As with any state-provided resource, the use of electronic mail services should be dedicated to legitimate state business and is governed by rules of conduct similar to those applicable to the use of other information technology resources. Use of electronic mail services is a privilege, which imposes certain responsibilities and obligations on state users and is subject to state government policies and local, state, and federal laws.

Acceptable use must be legal, ethical, reflect honesty, and show restraint in the consumption of shared resources.

The user should not violate intellectual property rights, information ownership rights, system security mechanisms, and should not use electronic mail to intimidate, harass or annoy.

Purpose

The purpose of this "Electronic Mail Acceptable Use Policy" is to establish guidelines and minimum requirements governing the acceptable use of state-provided electronic mail (e-mail) services. By establishing and maintaining compliance with this policy, risks and costs to agencies can be minimized while the valuable potential of this communication tool can be maximized.

The objectives of this policy are to:

- ensure that the use of state-provided electronic mail services is related to, or for the benefit of, state government;
- inform users that electronic mail messages and documents are subject to the same

- laws, regulations, policies, and other requirements as information communicated in other written forms and formats;
- minimize disruptions to state government activities from inappropriate use of state-provided electronic mail services; and
- provide users with guidelines describing their personal responsibilities regarding confidentiality, privacy, and acceptable use of state-provided electronic mail services as defined by this policy.

Scope

This policy applies to any person(s) and/or contractor(s) (hereinafter referred to as "users") whose access to or use of electronic mail services is funded by the State or is available through equipment owned or leased by the State.

Authority

The Department of Information Technology (DOIT) is responsible for administering policies and procedures for the use of communications facilities and services by state government, and ensuring compliance with applicable laws and regulations. This policy has been developed to make users aware of acceptable uses of state electronic mail services and of prohibited or unacceptable uses. Final authority for the "Electronic Mail Acceptable Use Policy" lies with the Chief Information Officer of the Department of Information Technology (please see Public Act 97-9, June 18th Special Session).

Electronic Mail and Records Management

Please refer to "Electronic & Voice Mail Management and Retention Guide *for State and Municipal Government Agencies*" (revision of GL 95-1) at <http://www.cslib.org/email.htm>.

Agency Responsibilities

All branches of government, including Executive, Judicial and Legislative, are responsible for the electronic mail activities of their users. State agencies have the responsibility to ensure that state-provided electronic mail services are used for internal and external communications which serve legitimate government functions and purposes. Managerial authority over electronic mail services should be defined, and user training programs provided which address electronic mail usage and policies.

Agencies may consider providing additional restrictions and guidelines regarding the use of electronic mail within their local environments. In considering the need for additional restrictions and guidelines, each agency may take into account its particular needs, mission, available technology, level of staff training, size, geographic diversity, and organizational culture.

User Responsibilities

Electronic mail is not private communication. All information transmitted via the State's Internet/electronic mail system(s) can be reviewed at any time. Electronic mail communications may best be regarded as a postcard rather than as a sealed letter. Disclosure may occur intentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may also occur when electronic mail messages are forwarded to unauthorized users, directed to the wrong recipient, or printed in a common area where others can read them.

Because of the various security, legal, and productivity issues referenced in this policy, each user has the following responsibilities:

- As an electronic mail participant, each user must comply with this "Electronic Mail Acceptable Use Policy." By participating in the use of networks and systems provided by the State, users agree to comply with state and agency policies governing their usage.
- The content of anything exchanged (sent and/or received) via electronic mail communications must be appropriate and consistent with agency policy, subject to the same restrictions as any other correspondence.
- Electronic mail communications, if allowed to accumulate on a server, can quickly consume the server's disk space and may cause system problems. Although deletion of unnecessary email communications is encouraged, users should refer to an approved record retention schedule for proper procedure regarding disposition of electronic mail communications.
- Comply with state and agency policies, procedures, and standards.
- Be courteous and follow accepted standards of etiquette.
- Protect others' privacy and confidentiality.
- Be responsible for the use of their electronic mail accounts.
- Use information technology resources efficiently and productively.

Acceptable Use

Acceptable electronic mail activities are those that conform to the purpose, goals, and mission of the agency and to each user's job duties and responsibilities. The following list, although not all-inclusive, provides some examples of acceptable uses:

- Communications, including information exchange, for professional development or to maintain job knowledge or skills;
- Use in applying for or administering grants or contracts for state government research programs or work-related applications;
- Communications with other state agencies and business partners of state agencies providing document delivery or transferring working documents/drafts for comment;
- Announcements of state laws, procedures, hearings, policies, services, or activities;
- Use involving research and information gathering in support of advisory, standards, analysis, and professional development activities related to the user's state governmental duties; and
- Communications and information exchanges directly relating to the mission,

charter, and work tasks of the agency including electronic mail in direct support of work-related functions or collaborative projects.

This policy also incorporates by reference, the "Acceptable Use Policy for Telecommunication Network (CNET)" at <http://www.state.ct.us/cmac/policies/aup.htm>

Unacceptable Use

Unacceptable use can be defined generally as activities that do not conform to the purpose, goals, and mission of the agency and to each user's job duties and responsibilities. Any electronic mail usage in which acceptable use is questionable should be avoided. When in doubt, seek policy clarification prior to pursuing the activity.

Security Implications

Users should take all reasonable precautions, to prevent the use of their electronic mail account by unauthorized individuals.

Transmission of electronic mail to locations outside of the agency's local area network may require the use of the Internet for transport. Since the Internet and its tools adhere to open and documented standards and specifications, it is inherently an unsecured network that has no built-in security controls.

Although confidential and sensitive information should not be included in electronic mail communications unless proper, formalized security precautions have been established, certain electronic mail communications may be privileged or confidential. It is the responsibility of each state agency to protect confidential and sensitive information where intentional, inappropriate, or accidental disclosure of the information might expose the State or an individual to loss or harm.

No Presumption of Privacy

Electronic mail messages are not personal and private. The State reserves the right to monitor (please see Public Act 98-142) and/or log all electronic mail communications without notice. Therefore, users should have no expectation of privacy in the use of these resources.

This policy is based on the "State of Tennessee's Electronic Mail Acceptable Use Policy" dated August 1, 1997. The State of Connecticut gratefully acknowledges their permission and assistance in the development of this policy.

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STATE of ARIZONA

Government Information Technology Agency	POLICY P0401, Rev 0	TITLE: <u>Statewide E-Mail Use Policy</u> Date Effective: 1/13/1999 OWNER: <u>Director GITA</u>
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Reviewed by: John Abretske, Policy Task Group Chair/ date Approved by: John B. Kelly , State CIO/ date

RECEIVED By

OCT - 6 1999

Legislative Research Services

1. Summary of Policy Change

1. Initial Implementation - The purpose of state provided information technology (IT) resources, including E-mail, is to support state agencies in achieving their mission and goals, and to improve state government in general. These resources are intended to assist in the efficient and effective day to day operations of state agencies, branches of government and others.
2. E-mail allows work to be done more quickly and easily, but it does not allow conduct, that is in any way, short of full compliance with the public records law of the State, laws requiring non-discriminatory and non-harassing communication, and standards of professional conduct.
3. E-mail is a medium that mixes business records and transitory or non-business messages. In the absence of good records management this can lead to two adverse results:
 1. Destruction of messages that are records creates agency risk through inability to access information for business purposes or open records requests.
 2. Failure to routinely delete transitory messages clogs information systems, strains storage resources, and creates agency liability risks.
4. Sound management practices require:
 1. Agencies have in place policies to assist E-mail users to meet business needs for retaining and disposing of messages.
 2. End users be adequately informed of records retention policies and trained in the use of E-mail technology.
 3. Agencies have in place an audit procedure to ensure compliance with the established E-mail Use Policy.

2. Purpose

1. This policy sets forth the parameters for the proper use, preservation, disclosure and disposition of electronic mail within the State of Arizona.
 2. Each agency shall establish and distribute its own E-mail policy, based on the programmatic and technical environment of the agency, as well as on this statewide policy.
 3. This statewide policy will provide a foundation for the development of individual agency policies.
- 3. Scope**
1. This policy applies to all budget units.
- 4. Evidence of Compliance**
1. The following will demonstrate compliance with this policy:
 1. Agency E-mail Policy Statement - As a minimum, the policy may be a statement that the agency intends to comply with the Statewide E-mail Use Policy.
 2. Signed User Consent Forms
 3. Agency Policies and Procedures.
 4. Agency Audit, Compliance and Enforcement Procedures.
 5. End User Training.
- 5. Responsibilities**
1. The following have responsibilities under this policy:
 1. GITA - To develop a statewide E-mail Use Policy providing minimum requirements and suggested guidelines for state agency E-mail policy content to promote consistent statewide E-mail usage.
 2. Agency Director - To develop formal agency E-mail policies and procedures consistent with the statewide policy, and agency specific policies and business needs. These policies and procedures may be developed as stand-alone documents or be combined with other agency policies, but shall comply with the minimum requirements of the statewide policy. Consistent with these policies, the agency director or designee, is responsible for:
 - A. Training and assisting users in the management of agency records;
 - B. Creating and distributing E-mail records policies appropriate to the agency's business needs; and
 - C. For providing the technological means for implementing those policies.
 - D. For providing the means for auditing and enforcing these procedures.
 3. E-mail User - To follow all agency E-mail policies and procedures.

Users are responsible for managing E-mail messages and for properly identifying, classifying, retaining, and disposing of messages, consistent with records management laws and policies.

6. Definitions and Abbreviations
1. Definitions

1. **Agency** - As used in this policy, **agency** refers to any budget unit, as defined in ARS 41-3501.
 2. **Agency Director** - That person responsible for the fulfillment of the agency charter.
 3. **Budget Unit** - An organizational element of the state as defined by A.R.S. 41-3501.
 4. **Record** - As used in this policy, record is defined in A.R.S. 41-1350.
 5. **E-mail User** - As used in this policy, E-mail User refers to an agency employee, contract employee or other agency authorized person who accesses E-mail through the use of state/agency owned/controlled computer equipment.
2. **Abbreviations and Acronyms**
1. **GITA** - Government Information Technology Agency, as established by ARS 41-3501 et. seq.

7. POLICY/Agency Policy Requirements

1. **Purpose** - This policy sets forth the parameters for the proper use, preservation, disclosure and disposition of electronic mail.
2. **Scope** -E-mail is a communications tool that, when made available to state employees, is provided for performance of their duties. Its use should be limited to legitimate state business and managed by rules of conduct applicable to any other information technology resource. This document addresses policy, based on State law, concerning the use of electronic mail with special emphasis on records-related issues.
3. **Summary** - Some E-mail messages are records and others are not.
 1. When an E-mail message is a record, then the E-mail message and related transmission and receipt data shall be retained in accordance with State statutes and approved records disposition schedules for the applicable record series.
 2. E-mail messages of only transitory value need not be saved.
 3. Agency management is responsible for creating and distributing E-mail records policies, appropriate to the agency's business needs and for implementing those policies, including training.
 4. End users are responsible for managing E-mail messages they receive and properly identifying, classifying, retaining, and disposing of messages, in accordance with statewide and agency policies, as well as the technical means at their disposal.
4. **General Policy Statement** - The purpose of E-mail is to provide expeditious communication among agency employees and state employees generally, similar to oral conversation and voice mail. E-mail may be used to facilitate routine matters such as scheduling meetings and conference calls; notification of legal and policy issues to be resolved in more formal communication; requests for information; or directives to complete tasks; and notification of

employees' whereabouts (e.g., vacations, conference, out-of-office). Routine E-mail, of transitory value, may be deleted after the appropriate action is taken. No paper or computer record need be preserved unless the communication is subject to retention under Section 7.9 of this policy.

1. Creation of a **transitory message** in E-mail and creation of a **record**, are entirely different matters for records retention and deletion.
2. E-mail communications may be records. Any E-mail communication that meets the definition of a record under A.R.S § 41-1350, shall be preserved in accordance with Section 7.9 of this policy.
3. Privileged documents (e.g., confidential information, executive privileged communication, privileged work product, attorney-client privileged communications) may **only** be created or transmitted in compliance with agency policy regarding privileged and confidential communication.

5. Security

1. **E-mail is not secure.** E-mail transmitted inside the agency is more secure than E-mail transmitted to state agencies on the Multiple Agency Network (MAGNET), and far more secure than E-mail transmitted via the Internet.
2. The agency may establish additional levels of security. This may range from password protection to authentication and encryption.

6. No Privacy in E-mail

1. **Employees using E-mail shall have no expectation of privacy related to the use of this technology.**

7. Ownership - Property of the Agency and the State of Arizona

1. Agency E-mail systems are the property of the agency and the State of Arizona. All messages created in the system belong to the State, not employees, vendors or customers.
2. E-mail is an information technology/computer service and is the property of the agency and the State. The agency reserves the right to monitor E-mail use by any user at any time.

8. Guidelines for Use of E-mail

1. E-mail should be used for matters that pertain directly to agency business and the business of the State of Arizona.
2. E-mail communications shall be professional in content; appropriate to a government agency; in compliance with agency and statewide policy; and consistent with other agency policies and procedures.
3. Agency work rules governing use of State property, record keeping and communications with others, apply to the use of E-mail. Users should never send an E-mail communication they would not feel comfortable communicating face-to-face or over the phone.
4. No E-mail communications shall be created or sent that might constitute discriminatory, harassing, intimidating, hostile or offensive communications on the basis of gender, race, color, national origin, sexual orientation, disability, or other grounds.

5. Employees shall not read the E-mail of another employee without a legitimate business purpose consistent with the agency's policies and business communications practice.
6. No employee shall send E-mail under another person's name without that person's authorization, and the sender shall indicate their identity in the message.
7. Employees shall follow all security policies of the agency.
8. In general, employees shall be expected to use reasonable judgement in the performance of their duties and failure to do so may subject them to discipline consistent with the policies of the agency.
9. **Examples of Unacceptable Use**
 - A. E-mail shall not be used for personal business or personal gain.
 - B. E-mail shall not be used for soliciting.
 - C. E-mail shall not be used for political campaigning.
 - D. E-mail shall not be used for unethical, illegal, unprofessional or disruptive activities.
 - E. E-mail shall not be used for any activity that would jeopardize the legitimate interests of the State or the citizens of the State of Arizona.
9. **E-mail Records Retention and Disposition** - E-mail communications shall be preserved pursuant to this policy, the agency Records Retention and Disposition Schedule and the State schedule for E-mail.
 1. Employees who transmit E-mail shall determine whether to preserve or delete the E-mail communication, as follows:
 - A. Routine E-mail, communications of a transitory value such as those described in Section 7.4 of this policy may be deleted after being read and after the required action is taken, subject to the limitations set forth in Paragraph C of this subsection.
 - B. Communication that meets the definition of a record under A.R.S § 41-1350, transmitted inside the agency, or received from outside the agency, through the E-mail system, shall be printed and preserved in the appropriate file, in permanent paper format or preserved, unedited, in the E-mail system without printing. With every communication that qualifies as a record under A.R.S. § 41-1350 the sender shall, (if the E-mail system allows), ensure that:

1. the time and date the message was sent and received;
2. the complete sender and receiver identification, and;
3. the complete message,

are all either printed out, and preserved in the hardcopy file, or preserved in an electronic archive.

- A. Communications subject to an existing public records request, or to formal discovery in ongoing litigation, will be preserved in the appropriate file or the E-mail system.

1. E-mail systems, will be backed up regularly. Agency guidelines for E-mail data back-ups and deletion are incorporated into this policy under the **E-mail Administrator's Guidelines as Attachment - C**. The E-mail data backup will be deleted pursuant to the Department of Library, Archives and Public Records' approved Records Disposition Schedule for the agency.
2. Periodic record of E-mail system address books and distribution lists will be retained pursuant to the Department of Library, Archives and Public Records' approved Records Disposition Schedule for the agency.

1. E-mail Training and Auditing

1. The agency, shall, at least once per year, provide all employees with education regarding E-mail use policies. New employees shall not be granted access to the E-mail system until they have received training.
2. The agency, shall, at least once per year, perform a documented audit of employee E-mail use.
 - A. The audit shall, at a minimum, include review of E-mail messages transmitted and received by a reasonable percentage of agency employees, to be determined by the agency director. However, supervisors may access E-mail, at any time, to ensure compliance with this policy.
 - B. Guidelines for audit protocol are incorporated in this policy as **Attachment - D**. The audit shall be documented and records shall be retained in accordance with the Department of Library, Archives and Public Records' approved Records Disposition Schedule for the agency.
 - C. Agency employees with questions regarding records retention should contact their supervisor and A.R.S. § 41-1347, 41-1350, and 39-121.01(B).

2. Regulation & Enforcement - Agency directors (or their designee) shall be responsible for agency compliance with the provisions of this policy and for investigating suspected non-compliance. If in doubt, E-mail users should seek policy clarification from an appropriate agency supervisory authority.

1. **Consent - All state employees with access to the E-mail must acknowledge and consent that all network activity is the property of the State of Arizona, and therefore should not consider any E-mail activity to be private.**
 - A. A signed consent form is the recommended. Agencies may determine the method of distribution and maintaining these forms, consistent with agency policy.
 - B. As a minimum, anyone with E-mail access, must acknowledge and consent to state possession of, and access to, all network activity. A sample consent form is incorporated in this policy as **Attachment - A**.

1. References**1. Developmental References**

1. A.R.S. 39-121.01(B) Copies, Printouts or Photographs of Public Records
2. A.R.S. 41-1347 Preservation of Public Records
3. A.R.S. 41-1350 Definition of Records
4. A.R.S. 41-3501 Definitions

2. Replaced References

1. None

2. Attachments

1. Sample Consent Form - Attachment - A
2. E-Mail User's Guidelines - Attachment - B
3. E-Mail Administrator's Guidelines - Attachment - C
4. E-Mail Audit Guidelines - Attachment - D

Attachment - A**SAMPLE****E-Mail Use Policy****CONSENT FORM**

I, _____, have read and understand the E-mail Use Policy for _____ (Agency Name) _____. I agree to comply with all terms and conditions of this policy.

I understand and agree that all network and information systems activity, conducted with state/agency resources, is the property of the _____ (Agency Name) _____ and the State of Arizona.

I understand that _____ (Agency Name) _____ reserves the right to monitor and log all network activity, including E-mail, with or without notice. I have no expectation of privacy in the use of these resources.

Signed: _____

Date: _____

LIABILITY

_____(Agency Name)_____ makes no warranties of any kind, whether express or implied, for the use of the E-mail system or electronic information resources. Additionally, _____(Agency Name)_____ is not responsible for any damages, whatsoever, that employees may suffer arising from or are related to use of E-mail or electronic information resources.

Attachment - B

E-Mail User's Guidelines

What can I use electronic mail for?

E-mail is a communications tool and should be used for matters that pertain directly to agency business and the business of the State of Arizona. The purpose of E-mail is to provide expeditious communication among agency employees and state employees in general.

E-mail may be used to facilitate routine matters such as scheduling meetings and conference calls, policy notices, requests for information or directives to complete tasks, and notification of employees' whereabouts. Incidental purposes may include announcing work-related social events, or contacting others about work-related transportation, work hours, and so on.

You should not send any E-mail communication that you would not feel comfortable communicating face-to-face or over the phone.

Use good judgment when communicating via E-mail. *A good rule of thumb is to send only messages you would be comfortable with if seen by someone other than the intended receiver.*

Are my E-mail system and my e-messages private?

No, employees should have no expectation of privacy related to the use of E-mail technology. The state owns both the computer and the E-mail system. Usually, only you and your correspondent will see a message. Your correspondent, however, may share your message with others without your knowledge. Your message may again be forwarded to any number of people. As a result, a message you intended for one person may be the subject of general distribution.

Remember the state owns the E-mail system. All messages created in the system belong to the state as well. Appropriate supervisors have the right to inspect *any* E-mail message to insure compliance with established policy. The agency reserves the right to monitor use by any user at any time.

Employees should not read the E-mail of another unless a legitimate business purpose exists for obtaining access to the communication of that employee. This is simple business courtesy and should be followed consistent with agency policies and business communications practice.

Is E-mail communication secure?

E-mail should not be considered a secure method of communication. The agency may establish levels of security, however, confidential information should not be transmitted via E-mail. Any privileged or confidential communication should only be created or transmitted in compliance with agency policy.

You are expected to follow all security policies of the state and agency, including those relating to E-mail.

How can I tell what to delete and what to save?

Some E-mail messages are records and others are not. When an E-mail message is a record, then the E-mail message and related transmission and receipt data should be retained. E-mail messages of only transitory value do not need to be saved. As a guideline, consider what you would do if the message was standard/paper correspondence. *The content of the message, not the medium, determines whether and how long you save it.* Paper messages or notes you make about phone calls, post-its from colleagues, bulletins about agency social or recreational events, routine information requests, and so on are typically thrown away. E-mail messages on these topics should be deleted when you have acted on them. If you would save and file a message transmitted on paper, you should also save and file it if it is transmitted via E-mail. Each agency has a Department of Library and Archives approved Records Disposition Schedule. E-mails can be public records just like paper messages. If you have a question about records retention you should consult your supervisor.

How can I save E-mail agency business records that should be kept?

E-mail systems and their storage capabilities vary. Check with you supervisor and/or E-mail system administrator to determine if your agency has any limitations or organizational requirements. To retain records and keep them accessible, it's a good idea to create a set of E-mail folders that mirrors your paper filing system. Your agency *may* set up shared folders or other means to help you file E-mails. Records can come in a variety of media today and it's not always easy to keep together all materials on a subject or case. Your agency may adopt procedures for addressing this problem, such as printing out E-mail messages and filing them with related paper documents. Once an E-mail message, including its routing information, has been saved in another system, it may be deleted from the E-mail system.

Am I required to save every E-mail message that might be a useful business record, even when it's been sent to multiple people?

Check with your supervisor and/or E-mail system administrator to see if your agency has a policy on dealing with duplicate E-mails. If there is no policy, use your best judgment on what to save just as you would with paper duplicates. If you sent a message or if you acted on a received message in the course of your work, you should save and file it for potential retrieval. If its value to you was incidental or transitory, you do not need to save it.

What are some examples of E-mail messages that should be saved or deleted from the system?

Agency work rules governing the use of State property, record keeping and communications apply to the use of E-mail. Here are a few general examples:

- If you invite coworkers to a business meeting then the messages should be deleted as soon as they are not needed. They are business records of only limited, transitory, administrative value.
- Once you've responded to a request for a publication or routine information from an agency customer, delete the message. However, if an E-mail requires that you write a letter applying an agency policy to specific circumstances, you should save both the request and your reply.
- E-mail discussions with your colleagues on how to deal with an issue or case are part of the public record and should be saved. Typically the person in charge of an issue, project, or case will retain all the communications and the rest of the participants may delete them.
- E-mail messages between you and a supervisor about a memo you are drafting for his/her signature and the various drafts of the memo itself do not need to be saved. The supervisor should save a copy of the final signed memo.

Any final tips on using E-mail?

- Keep messages brief and to the point. Format messages for easy reading – use a specific subject heading, make your main point in the first paragraph, keep sentences and paragraphs short, and use paragraph headings in longer messages. Avoid the use of all caps.
- Reread your mail for spelling, grammar, content, and tone before you send it. A message can be softened by beginning with the person's first name ("John, I have some corrections for your report...") and ending with a "thank you". Avoid inappropriate informality – think of a business E-mail message as a memo.
- Don't make remarks about someone that you wouldn't want that person to see. Avoid abusive, offensive, or other inappropriate language. Remember that a "private" E-mail message can easily "go public."
- No E-mail communications shall be created or sent that might constitute discriminatory, harassing, intimidating, hostile or offensive communications on the basis of gender, race, color, national origin, sexual orientation, disability, or other grounds.
- Distribute messages only to selected staff with a need to know. Don't overuse "reply all."
- Don't distribute chain letters or jokes to multiple receivers. Avoid creating unnecessary E-mail management problems for your coworkers.
- Don't distribute non-business attachments or executables, such as electronic greeting cards, video clips and animated graphics. These consume resources and pose a security risk.
- No employee shall send E-mail under another person's name without that person's authorization, and the sender shall indicate their identity in the message.

Examples of Unacceptable Use

- E-mail shall not be used for personal business or personal gain.
- E-mail shall not be used for soliciting.
- E-mail shall not be used for political campaigning.
- E-mail shall not be used for unethical, illegal, unprofessional or disruptive activities.
- E-mail shall not be used for any activity that would jeopardize the legitimate interests of the State or the citizens of the State of Arizona.

Attachment - C**E-Mail Administrator's Guidelines****I. What is E-mail? ***

A. E-mail as an "official" record *

B. What do I do if I know or suspect a violation of E-mail policy or of the law? *

C. Does all E-mail need to be retained? *

D. What are the documentation requirements? *

II. How do I preserve E-mail? *

A. How do I make E-mail accessible? *

B. How should E-mail be stored? *

C. What e-mail features must be retained? *

D. Are there any security concerns? *

E. Where can I find retention and disposition information? *

F. How should E-mail be backed up? *

G. How can I ensure that all agency employees are aware of the E-mail retention program? *

H. How do you preserve retained E-mail records? *

Note that for clarity in this guideline, record (underlined) indicates record as defined by A.R.S. § 41-1350 while use of record will mean a record in any commonly used sense of the word.

Arizona's records laws offers challenges to maintaining E-mail in part because E-mail documents are both informal and efficient. Most E-mail users prefer to reduce or eliminate the handling, filing and archiving tasks often associated with hard copy. Given the differences in how E-mail and hard copy are used, many E-mail users do not have systems in place for periodically reviewing, storing or deleting E-mail. However, **E-mail records must be dealt with in the same way as their equivalent hard-copy records.** The originator of an E-mail message is the record copy holder, just as the creator of a paper document is the record copy holder, while E-mail received from others in the course of business may also constitute a record under the law.

State of Arizona records management policies do not distinguish among media with regard to the definition of records (as defined by A.R.S. § 41-1350). So E-mail records are subject to these policies and, in particular, such records are subject to state approved retention and disposition schedules which distinguishes among different categories of records, from the transient to the archival. Basically the content and not the medium determines the treatment of the message.

The E-mail User Guidelines serve as a minimum E-mail user policy and should be expanded by each agency to include agency specific policy regarding such matters as Agency records retention methods, schedules and archiving policy.

I. What is E-mail?

Electronic mail or E-mail is an information transfer system that utilizes computers and other electronic devices for sending and receiving messages. E-mail is used by many state agencies as an effective form of communication which, in some instances, replaces telephone calls and printed memos. Because E-mail is frequently used to conduct state government business, it is critical that records managers develop policies and procedures that ensure records created or received on E-mail systems are managed according to Arizona's records laws.

Confidential messages should never be sent electronically for two reasons:

1. messages can get sent to the wrong addressee; and
2. E-mail should always be used with the assumption that messages will be read by someone other than the intended recipient.

A. E-mail as an "official" record

E-mail, regardless whether created, received, or stored on State equipment, may constitute a record (as defined by A.R.S. § 41-1350); may be a public record subject to disclosure under the Arizona Public Records Law (A.R.S. §39-121); or may also be subject to disclosure or access under other laws or as a result of litigation.

Public records are much more broadly defined than records and may be considered to include, in certain circumstances, any information including all E-mail produced or received on State provided systems. Public records, including E-mail, may be subject to disclosure under state public records law; or other applicable law, including by subpoena.

B. What do I do if I know or suspect a violation of E-mail policy or of the law?

Suspected or known violations of policy or law should be confidentially reported to the appropriate supervisory level for the operational unit in which the violation occurs. Violations will be processed by the appropriate Agency authorities and/or law enforcement agencies. Violations may result in revocation of E-mail service privileges; disciplinary action up to and including

dismissal; referral to law enforcement agencies; or other legal action.

C. Does all E-mail need to be retained?

E-mail records can be deleted after they have been retained for the correct time period as determined by the Agency's state approved retention schedules. The Agency originator or receiver is responsible for retaining the record copy of E-mail records under the records retention schedules approved for the Agency by the state.

A record that is stored and accessible is potentially a public record that may need to be produced upon request. A systematic deletion program not only eliminates obsolete documents from the file, but also saves resources by not indefinitely and unnecessarily storing information beyond appropriate time lines.

Forwarded mail is not considered a valid record as the contents are subject to manipulation. If a forwarded document is a record that must be retained, then the receiver must contact the original sender and have the message sent directly to the receiver.

Remember that in accordance with Arizona law, Agency business documents created or received on E-mail must be saved for the same length of time as their hard copy equivalents. There are two ways to comply with this:

1. Print the E-mail (with all transmission, receipt information, and attachments - see *What features of E-mail need to be retained?* below) and store the hard copy in the relevant subject matter file as one would any other hard-copy communication. Printing E-mail permits the user to keep all information on a particular subject matter in one central location, enhancing its historical and archival value. The user must also determine if incoming E-mail is a record and must also be printed and retained before being deleted from the users' electronic E-mail system.
2. Electronically store the user's record E-mail according to the conventions of the user's E-mail system and retain it electronically pursuant to Agency policy.

A. What are the documentation requirements?

Because records may be created or received via an E-mail system, each agency using an E-mail system or service should provide, or have provided, records management training and guidance for employees that includes criteria for determining which E-mail messages are records.

I. How do I preserve E-mail?

Several issues should be addressed when developing an E-mail retention program. E-mail systems in different agencies have a wide range of capabilities and characteristics. In order to determine what will ensure the most accurate, complete, and practical method of managing records transmitted by E-mail, agencies need to develop procedures that fit their specific situations. Understanding the capabilities of an agency's E-mail system is a prerequisite to determining how the records will be identified, organized and stored. An agency's LAN administrator is the best reference for understanding agency E-mail software and can suggest possible options for E-mail retention.

A. How do I make E-mail accessible?

Agency staffs need to be aware that requests for access to non-confidential E-mail must be treated in the same manner as requests for other public records. The difficulty of retrieval is not a legitimate reason to deny access, so throughout the required retention period, it is in the interest of all concerned that E-mail records remain reasonably accessible.

Every effort should be made to systematically file E-mail records for convenient retrieval following standardized filing rules within the agency. Electronic mail files should be indexed in an organized and consistent pattern, and reflect the way the files will be used and referenced. For example, correspondence is often indexed by one or more of the following: the date sent or received, the name of the sender or recipient, and/or by subject. If the correspondence is related to a particular type of record, such as a personnel file, the primary index point will be what is used for that file (the name and/or social security number of the employee). E-mail records maintained electronically have the potential advantage of supplying multiple access or index points.

B. How should E-mail be stored?

Many computer systems have storage limitations, so that only 60 to 90 days of messages may be stored before operational problems are experienced. E-mail records that must be maintained in electronic format past that time can be downloaded to some other magnetic storage medium, such as hard disk, tape, diskette or optical disks. The retention period for the particular series is the best indicator of which storage media to choose.

Agencies that do not have the technical capability to maintain E-mail records for the full retention period in an electronic format should create a hard copy

printout of their E-mail records. But agencies with computers capable of maintaining E-mail records in an electronic format for the required retention may also decide that current agency use is best served by printing E-mail records to paper.

State law requires that if an E-mail system is not designed for or adaptable to use as a records keeping system, the E-mail records must be copied or moved to an appropriate records keeping system for maintenance. Agencies may use off-line electronic storage formats (optical disk, magnetic tape, etc.) for an E-mail records keeping system which will permit transfer of permanent records to the agency's archives in a media appropriate for permanent preservation [they may print the E-mail, along with transmission and receipt data, to paper or computer output microform (COM)].

Records managers should be aware that recent federal court decisions in the case of *Armstrong v. the Executive Office of the President* has raised questions about the adequacy of using paper printouts of E-mail as the record. The court ruled that in the particular situation involving E-mail created by the Reagan and Bush White House on the PROFS system, the paper printout was not adequate for preserving E-mail records because fundamental pieces of information were omitted on the printout that were an integral part of the electronic records, such as the identity of the sender and/or recipient and the time of receipt. If a hard copy printout of E-mail is to be preserved as the record, it is essential that procedures be implemented for routinely printing E-mail records, including all transmission and receipt data in the system, and filing the printouts in the normal course of business.

Agencies should develop a naming convention for E-mail files which allow for filing messages to and from a single agency into a designated E-mail folder. A single system is easier to learn and allows for all mail from an agency to another, regardless of recipient, to be retained and accessed through a single file name.

C. What E-mail features must be retained?

Any email system messages, logs and records that are subject to all records requirements described above should be retained with all available features of E-mail systems including:

- ◆ messages,
- ◆ calendars,
- ◆ directories,
- ◆ distribution lists,
- ◆ attachments such as word processing documents, and
- ◆ messages sent or received over external communications systems such as the Internet.

Agencies must find a method to ensure the unaltered integrity of the records.

The following are components which must be included in the retention and disposition schedule where applicable to E-mail systems and services (when E-mail records are maintained in electronic format):

1. The name of the records keeping system. List both the formal name and any "code" names or acronyms.
2. The hardware upon which the system resides. Include the name of the manufacturer (s) and the equipment model(s) used, the CPU employed and the storage devices holding the software and the data.
3. The operating system used. The specific name and version of the operating system.
4. The User interface employed. This is required when the user interface is NOT an integral part of the operating system.
5. The applications software used. Include software name and version and any customization to the application including the vendor providing the customization and the version employed. Indicate if the application was developed internally, and the location of the system documentation.
6. The external environment interface employed including details on any external environment interface used including version. The external environment the system connected to including who uses or has access to that environment.
7. The purging criteria, including when is a record purged, what part of the record is purged and how is purging accomplished.
8. Reports or other internal documents output from the system. These may be in either paper, computer output microform (COM) or other media. Specific retention periods of these reports or internal documents shall also be listed.

A. Are there any security concerns?

E-mail users and operators must follow sound professional practices in providing for the security of E-mail records, data, applications programs, and systems programs under their jurisdiction. Security measures should be taken to protect E-mail records from unauthorized alterations or deletions.

B. Where can I find retention and disposition information?

Each agency should have a specific retention schedule covering the unique records it produces. E-mail records are correspondence and should be retained for the same period as their paper counterparts. Agency records, including E-mail records, may not be deleted or otherwise destroyed without the authority of an approved records retention schedule describing the records and their disposition.

C. How should E-mail be backed up?

Agencies should regularly back up messages stored on-line to off-line media to guard against system failures or inadvertent erasures. Procedures for backing up electronic mail systems should be coordinated with the destruction of E-mail records so that no copies are maintained after the retention period has ended.

D. How can I ensure that all agency employees are aware of the E-mail retention program?

Agencies are responsible for ensuring that employees are familiar with the legal requirements for creation, maintenance, and disposition of records on E-mail systems. Because records may be created or received via an E-mail system, each agency using electronic mail should provide records management training and guidance for employees that includes criteria for determining which E-mail messages must be retained. Records management officers and records custodians should emphasize to users that electronic mail is a record subject to retention. As such, standards of personal and professional courtesy and conduct should be defined.

As public employees, everyone has an obligation to apply the appropriate retention to E-mail sent and received and to provide access to E-mail in compliance with public records law.

Under state law E-mail records may not be deleted or otherwise disposed of without proper authority. Disposition authority for all records comes from the state (A.R.S. section 41-1347 and 41-1351) through each Agency's records management and archives manager. Each agency will have an approved general records retention and disposition schedule that will include email.

E. How do you preserve retained E-mail records?

Each agency should establish:

1. Standards for E-mail records identification and file organization.
2. Measures for protecting sensitive E-mail records stored electronically.
3. Procedures for file back-up.

Users and operators must guard against storage media deterioration and E-mail record inaccessibility due to hardware or software obsolescence. To eliminate these situations, users must make provision for future accessibility by:

1. Migrating all E-mail records to the next generation of hardware or software; or
2. Migrating only current E-mail records to new hardware or software, or converting E-mail records not migrated to other media (e.g., optical disk, COM) for short term storage or to "eye readable form" (i.e., paper or microfilm) for long term storage and preservation.

Attachment - D

E-Mail Audit Guidelines

1. The Agency Director will determine an appropriate number of users to be audited and then the Agency Director or designee will select users for an Annual E-mail audit. It is suggested that these audits occur throughout the course of the year without being done in a predictable pattern.
2. One or more auditors will be designated. An auditor should have a full understanding of the Agency's E-mail use policy including what is a record to be retained, how that is determined and how it should be preserved. An auditor should also have an understanding of what the Agency considers to be appropriate and professional E-mail in terms of style and content. Ideally, the auditor should have some understanding of the technical side of the Agency's email system and what can and cannot be done with it to preserve records.
3. The auditor may review the E-mail with the user or remotely by contacting the administrator of the E-mail system to gain access to the E-mail of the employees to be audited. Review with the user present is preferred.
4. The auditor shall review all incoming and outgoing mail and any marked for deletion to ensure the mail complies with the Agency E-mail use policy. Of particular interest is whether the E-mail is being appropriately recorded according to Agency retention guidelines and that it is appropriate and professional in style and content.

5. The auditor will ensure confidential communications are not being sent by means contrary to Agency policy.
6. The auditor will ask each user to produce preserved E-mail in hard copy form or from any electronic E-mail archiving system in use to demonstrate that the user is properly and adequately preserving formal communications sent by E-mail.
7. Users not following the E-mail policy will be disciplined according to Agency policy.

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Section III

After Announcement

2-8. Briefing the Work Force

a. The affected work force should be briefed immediately after or as part of the local announcement. This meeting should take place before any announcement is made to the general public. Appropriate question and answer (Q&A) pamphlets and other handouts should be provided to further advise the affected work center.

(1) At this meeting, advise the attendees of the exact scope of the study. This is done to inform all employees exactly where they stand in relation to the study '

(2) Since a great deal of study preparation requires input from the in-house staff, they will also be advised at this time on what information they will be required to submit to the CA team throughout the course of the study. Workforce input includes valid, up-to-date workload data to be used in the PWS and operational data, which will be used in performing the management study. Since much of the information is either procurement sensitive or important for the preparation of the in-house staff's competitive bid, affected employees should be strongly cautioned about talking with persons who have no official "need to know" or who could seriously compromise the fairness of the process.

b. At this meeting, the study team must make clear to the work force that there may be a change in the alignment of the activity, and some reorganization, regardless of whether it is decided to operate the function in-house, contract or IGS. Once the in-house staff realizes the benefits that can be achieved, they will be more likely to take an active interest in preparation of the study (especially in the case of the PWS and management study).

c. All members of the affected activity should be strongly encouraged to attend this briefing. Representatives from the installation commander's office, appropriate union offices, and other offices should also attend. The team leader must provide for all logistical support at these briefings. This includes adequate facilities, confirmation of the exact date and time; transportation for attendees, when required; and provision of appropriate Q&A's and other documents.

2-9. Work Force Involvement

The initial meeting with the affected work force, made immediately after the announcement of the CA study serves as the initial step in preparing this function for change. Affected personnel are advised by the study team at that time on the study's scope and what duties they will be expected to perform. You are required by law (10 USC 2467) to consult with the affected work force at least monthly throughout the course of the study and to consider their views on the development and preparation of the PWS and management study. You might also want to establish a "hot line" telephone number that can be used by affected staff to ask questions on the status of the study. Through the use of such a system, in-house staff can find out about the status of the study while maintaining anonymity. Information about this service should be published in

the post newspaper or special weekly newsletter developed especially to address CA issues and concerns. Also, you could develop suggestion boxes to allow individuals to provide input on how the study could be improved, and employee questionnaires (developed by qualified personnel) to gather appropriate ideas, comments, and suggestions relating to the CA study.

2-10. RIF Planning and Other Personnel Actions

a. Organizational changes. As stated earlier, the form and content of the organization undergoing a CA study will probably change, regardless of whether it results in a contract decision or an in-house decision. If it is determined that a function can be operated more economically through the use of a contractor, the changes will be obvious. But even if the cost comparison favors the in-house work force, significant changes will probably occur to bring the organization in line with the requirements of the most efficient organization (MEO). The greatest potential for savings in preparation of the in-house bid almost always relate to reductions in personnel costs. Therefore, it is vitally important that the CPAC members of the study team remain fully informed throughout the entire course of the study. These representatives have the responsibility of coordinating with the CPOC concerning RIF actions and providing suggestions regarding hiring actions that may arise while the function is under study. CPAC representatives are also extremely important in assisting affected personnel in reviewing and updating individual employee personnel files (201 Files).

(1) All RIF and RIF-planning actions should begin early in the study process and must be completed prior to implementation of the final decision. RIF-planning actions include position classification to determine the area the RIF will cover. An extremely important part of the RIF planning are the actions that go into RIFs. Planning actions include an assessment of possible conversion costs, as well as development of retraining, placement, and possible retirement estimates. RIF planning entails the development of mock-RIF schedules. This planning must be conducted so that the installation commander will know well in advance of the study's completion the amount of turmoil the decision may cause among the entire installation population and can estimate the amount of funds to allocate for retraining, placement, retirement, and severance pay.

(2) Timely completion of these steps will ensure that the conduct of any actual RIF actions will not be held up. This will help to minimize the amount of uneasiness among the entire installation work force, and will ensure that the final decision is implemented in a timely fashion.

b. Safeguarding documentation. It cannot be stressed too strongly that all RIF documentation must be safeguarded at all times to ensure that the rights of all affected parties are secured.

2-11. Summary of Chapter 2. Planning and Organizing the CA Study

a. You must determine the scope of your study and how it will be packaged as a function early in your planning stage.