

 Corrections and Community Supervision DIRECTIVE	TITLE Use of Electronic Mail (E-Mail)		NO. 2824
			DATE 5/12/2015
SUPERSEDES DIR #2824 Dtd. 10/23/2013	DISTRIBUTION A	PAGES PAGE 1 OF 5	DATE LAST REVISED
REFERENCES (Include but are not limited to)	APPROVING AUTHORITY 		

- I. PURPOSE AND GOALS:** E-mail is one of the Department’s core internal and external communication methods. The purpose of this policy is to ensure that e-mail systems used by Department 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.
- II. ACCESS TO E-MAIL SERVICES:** E-mail services are requested by the direct supervisor for a new or current employee by contacting the Computer Security Coordinator (CSC) responsible for reviewing and authorizing this access. The supervisor may request internal DOCCS mail access and/or, if appropriate, e-mail access that allows for outside communications via the ITS NYSE-mail system.

Requests that are processed by the CSC and approved by the Facility Superintendent, Department Head, or Area Supervisor will be forwarded to Central Office Information Technology Services (ITS) Account Access Services (AAS) Unit for final review and processing. Additional information and guidelines relating to the access of all available DOCCS computer resources is available by referencing Directive #2810, “Information Security Policy.”

III. USE OF E-MAIL

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

Pursuant to Governor Cuomo’s Executive Order No. 2, “Review, Continuation and Expiration of Prior Executive Orders,” one of the Executive Orders issued by former Governor David A. Patterson that is being continued is Executive Order No. 7, issued June 18, 2008, “Prohibition against Personal Use of State Property and Campaign Contributions to the Governor,” employees should make themselves familiar with this mandate, in particular, the section pertaining to the personal use of State property as contained in Section B, “Prohibition Against the Personal Use of State Property;” paragraph (d), which states; *“State computers shall be used only for official business, except that state computers may be used for incidental and necessary personal purposes, such as sending personal electronic messages, provided that such use is in a limited amount and duration and does not conflict with the proper exercise of the duties of the State employee.”*

- B. E-mail may be used for limited communications between local union representatives for specific union business and for local union representatives to communicate with management about issues related to the labor management process, provided they have an existing e-mail account. E-mail may not be used to promote union issues or for union campaign purposes. E-mail accounts are established to meet Agency operational needs. E-mail accounts will not be established to facilitate union representative communications.
- C. E-mail may not be addressed and transmitted to all correctional facilities (other than job postings and directive distributions) unless it has been reviewed and approved by the appropriate Central Office Executive Staff member.
- D. All employees with e-mail access should check for incoming messages on a regular basis. Outlook e-mail accounts, maintained by the Office of Information Technology Services (ITS), are considered "stale" when not accessed for more than 90 days. Facility Superintendents and Community Supervision Regional Directors will be notified on a monthly basis of "stale" mailboxes and provided instructions for retaining mailboxes if necessary.
- E. All e-mail communication will be in Arial font, size 12, color black.

IV. ELECTRONIC E-MAIL SIGNATURE

- A. An employee signature is not required for all e-mail communication;
- B. All employees with e-mail access who choose to utilize an electronic signature will create a signature that will be identical in format as other account holders;
- C. E-mail signatures will contain the employee's name, title, agency, division (optional), facility, area office, address, contacts and website address.

Sample: Central Office/Division/Facility/Area Office/Board of Parole

Name (Arial, bold, size 12, color black)

Title (Arial, regular, size 10, color black)

Department of Corrections and Community Supervision (Arial, bold, size 10, Grey 93/126/149)

Division Name/Facility/Area Office/Board of Parole (Arial, regular, size 10, color black)

Address (one line) (Arial, regular, size 10, color black)

Phone Number 1 | Phone Number 2 | E-mail Address (Arial, regular, size 10, color black)

www.doccs.ny.gov (Arial, regular, size 10, Grey 93/126/149)

- V. **VIOLATIONS OF E-MAIL USE:** Non-compliance with this policy may result in a violation of the Department's Employee's Manual and/or other related directives. Staff should report any misuse of the Department's e-mail system or violations of this policy to their Supervisor or appropriate Department staff.

VI. PRIVACY, CONFIDENTIALITY, AND ACCESS

- A. E-mail messages are not personal and private. The Department can neither assure the privacy nor the confidentiality of e-mail messages that may be created, sent, or stored. 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:
 - 1. For a legitimate business purpose (e.g., the need to access information when an employee is absent for an extended period of time);
 - 2. To diagnose and resolve technical problems involving system hardware, software, or communications; or
 - 3. To investigate possible misuse of e-mail when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.
- B. A staff member is prohibited from accessing another user's e-mail without his or her permission.
- C. E-mail messages sent or received in conjunction with Agency business may:
 - 1. Be releasable to the public under the Freedom of Information Law (FOIL); and
 - 2. Require special measures to comply with the Personal Privacy Protection Law.
- D. All e-mail messages including personal communications may be subject to discovery proceedings in legal actions.

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

VIII. MANAGEMENT AND RETENTION OF E-MAIL COMMUNICATION

Department IP-based email is administered by the NYS Office of Information Technology Services (ITS). ITS utilizes a 90-day e-mail management system for all State agencies, including DOCCS. E-mail sent and received is automatically deleted 90 days after the date on which it is sent or received. Deleted e-mail is automatically removed from the "Deleted Items" folder after 2 days. This helps to maintain the operating efficiency of the e-mail system and helps to minimize the cost of providing and maintaining the e-mail system.

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 under the Arts and Cultural Affairs Law and specific program requirements and may be subject to disclosure under NYS FOIL Law. See Directive #2011, "Disposition of Departmental Records."

Any e-mail message that requires retention beyond 90 days due to records retention schedules and/or other operational needs is to be saved in either the user's "Retain" folder or in a file share maintained on the network, or printed and filed in the official related record. The ITS Service Desk can answer users' questions regarding saving e-mail communications and corresponding attachments.

Mainframe e-mail is not archived and the retrieval of deleted messages from this system is a costly and unreliable process. Therefore, any user of the mainframe e-mail system is required to print and retain any e-mail that is to be included as part of an official record. Such e-mails include policies/directives, official correspondence, work schedules and assignments, meeting agendas, drafts circulated for review, and final reports/recommendations.

IX. RECORD RETENTION

- A. Any e-mail message (mainframe or IP-based) that is needed to meet operational, legal, audit, research, or other requirements shall be printed and filed with related paper records and other documentary materials. Such e-mail records shall be retained and managed in an existing, accessible filing system, outside the e-mail system, in accordance with the appropriate program unit's standard practices.
- B. Records communicated via e-mail will be disposed of within the recordkeeping 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 RDA's applicable to their program's records. See Directive #2011, "Disposition of Departmental Records."

Users should:

1. Dispose of copies of records in e-mail after they have been filed in a recordkeeping system;
2. Delete records of transitory or little value that are not normally retained in recordkeeping systems as evidence of Agency activity.

E-mail is not archived. Any user of the system is required to print and retain any e-mails that are required to be included as part of an official record including policies/directives, official correspondence, work schedules and assignments, meeting agendas, drafts circulated for review, and final reports/recommendations.

X. ROLES AND RESPONSIBILITIES

- A. Agency Executive Management: Will ensure that policies are implemented by program unit management and unit supervisors. Program unit managers and supervisors will develop and/or publicize recordkeeping practices in their area of responsibility including the routing and format 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.
- B. State Office for Information Technology Services: Are responsible for e-mail security, backup, and disaster recovery.
- C. Superintendent, Division Heads, or Area Supervisor: Are responsible for notifying the CSC when an employee leaves (is transferred, retires, resigns, etc.) and no longer requires e-mail access at their particular facility or office. The CSC is then responsible for notifying ITS.
- D. All E-mail Users Should:
 1. Be courteous and follow accepted standards of etiquette;
 2. Protect others' privacy and confidentiality;
 3. Protect their passwords;
 4. Remove personal messages, transient records, and reference copies in a timely manner; and
 5. Comply with Agency and unit policies, procedures, and standards regarding Departmental communications.

XI. POLICY REVIEW AND UPDATE: The Deputy Commissioner for Administrative Services 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 the Deputy Commissioner for Administrative Services.