

# Electronic Mail and Electronic Documents Policy

## Introduction and background:

Use of e-mail and electronic documents for important government functions has increased dramatically in recent years. Open government laws, including the Utah Government Records Access and Management Act (GRAMA) and the related Salt Lake City ordinance, treat e-mail correspondence no differently than paper documents. However, retention and management of e-mail for media/public access has not been carefully monitored or regulated by many government entities. For example, Utah Governor Michael Leavitt was recently sued for purportedly deleting e-mails containing important information that was later sought by media outlets.

Employees are reminded that e-mail created or received on City-owned computers or sent over City-run networks is the property of the citizens of the State of Utah. Employees should have no expectation of e-mail privacy and should limit any personal use of e-mail.

## E-mail Retention and Deletion Policy

To ensure that important information is not lost because of improper deletion or management of e-mail correspondence, Salt Lake City employees are directed to adhere to the following e-mail use guidelines.

Broadly speaking, e-mails fall into two main categories: those that may be deleted and those that must be saved for future reference or public/media access.

- **E-mail that must be saved** (may not be deleted)

***Program, policy, or decision-making correspondence:*** Except for certain cc's described below, business-related messages that provide substantive information about City functions, policies, procedures, or programs must be saved. These e-mails document the discussions and decisions made regarding City interests.

- **E-mail that may be deleted**

All e-mail not falling into the above category may be deleted when the user's need for the e-mail has expired. Examples of e-mail messages that do not need to be saved are:

- Personal e-mail
- Routine correspondence
- Meeting agendas, broad e-mail announcements, and e-mails on which you are cc'd, if you have no use for them.

Note: the sender and direct recipient of program, policy, or decision-making e-mail must retain the message unless the sender already classified it as program, policy, or decision-making correspondence.

- **Attachment policy**

You are required to keep a copy of any attachments you send (e.g., Word, Excel or Powerpoint files) if they fall under the category of program, policy, or decision-making correspondence.

- **Responsibility of the sender**

Primary responsibility for retention of important e-mail rests with the sender. As such, when a person attempts to send an e-mail, a dialogue box will ask the sender to mark whether the e-mail is (1) program, policy, or decision-making correspondence, (2) confidential (e.g. attorney-client privileged), or (3) other. If an e-mail is marked as policy, program, or decision-making, or as confidential, a copy will be automatically saved.

- **Responsibility of the recipient**

If you are the direct recipient (not cc'd) of e-mail containing policy, program or decision-making information, you must save the email unless the sender already classified the e-mail as policy, program, or decision-making correspondence.

## **E-mail Management**

- The new Outlook process that will be installed on all city machines will in addition to the new folders for managing Program/Policy, Confidential, and "Other" messages, enforce a default that will accomplish the following:

- **Outlook SENT** files (outbox) will automatically be deleted from your e-mail files after **90 days**.
- **DELETED** files will automatically be deleted daily but can be recovered within 14 days.

**If you wish to change this default, contact the City Recorder's office (535-6225) and request a change to the default settings. They will log the change, and assist in immediate implementation.**

### **Electronic Documents policy**

All electronic documents produced by City employees are the property of the citizens of the State of Utah and must not be deleted randomly. All documents created in the course of City business that fall under the category of program, policy, or decision-making must be saved by the creator.

- **Preserving files on the City network**

All files must be saved on the City network and not on the local hard drive. Files saved on the network are considerably more secure, backed up daily and sent off-site to a disaster proof vault for safekeeping.

- **Preserving files when an employee terminates employment with the City or transfers positions within the City.**

As part of the exit interview process, the supervisor must ensure that all pertinent files are transferred to other staff or the employee's replacement.

### **Final Classification and Retention of Records**

The new categories of Other, Program/Policy and Confidential are preliminary categorizations of email by the originator, but this will not necessarily determine the final classification or retention.