

**CITY OF GOLD BAR, WASHINGTON
RESOLUTION NO. 20-03**

**A RESOLUTION OF THE CITY OF GOLD BAR, WASHINGTON AMENDING TITLES 38, 43,
AND 49 OF THE PERSONNEL MANUAL RELATING TO TEXT AND EMAIL POLICIES**

WHEREAS, the volume of electronic mail (email) received by the City creates burdensome numbers that must be maintained; and,

WHEREAS, the City must follow the State's record retention laws; and

WHEREAS, the City must follow the State's Public Record Act; and

WHEREAS, email must be organized in a manner that facilitates the City's ability to act under both regulations; and

WHEREAS, new City cell phones create the ability to send and receive text messages; and

WHEREAS, the City's cell phone policy needs to be updated regarding texting;

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Gold Bar that the City's Personnel Manual shall be amended as follows.

Section I	Title 38, Cell Phone and Telephone Use Policy
Section II	Title 43, Internet Use Policy
Section III	Title 49, Electronic Mail Policy
Section IV	Severability
Section V	Effective Date

Section I, Title 38, Cell Phone and Telephone Use Policy

H. Text messaging on City cell phones is allowed with the following restrictions.

1. Due to the difficulty in retaining and archiving records created by text messaging, for purposes of compliance with the Public Records Act, employees shall not use cell phones to send any text messaging relating to City business unless the employee has been previously authorized to do so in writing by the employee's supervisor or the Mayor.

2. Text messages related to City business are City records. These records therefore will be managed according to the applicable retention schedule and may be subject to disclosure under the Public Records Act. Accordingly, the following requirements must be met in order for an authorized employee to send or receive text messages.

a. Employees may use text messaging only for routine or transitory messages that do not need to be retained by the City. Examples include informal notices of meetings, directions, scheduling information, messages related to maintenance work, and other routine messages that would not be kept in a file if they were in paper format.

b. Text messages may not be used to send policy, contract, formal correspondence, personnel-related data, or sensitive or confidential information.

c. Employees must delete transitory, business-related text messages as soon as possible after the purpose of the text message is completed, and must not retain transitory text messages on their cell phones. Employees must delete old messages at a minimum of once per week. Supervisors will periodically monitor employee text records.

d. If a text message needs to be retained pursuant to a public records request, the clerk/treasurer will notify employees what actions need to be taken.

e. Employees who fail to follow the text messaging guidelines will be subject to disciplinary action as outline in the City's personnel policy.

f. Should the City use a 3rd party vendor for text message archival, the PRR officer shall monitor the archives.

Section II, Title 43, Internet Use Policy

~~D. Emails with no retention value should be deleted after the information has been received and examined. Email that constitutes a public record must be retained in its original form for the required record retention time period.~~

~~E. All email is subject to public records request laws, including any email sent from an employee's personal computer pertaining to city business.~~

Section III, Title 49, Electronic Mail (Email) Policy

A. Each employee is responsible for organizing emails received, sent, forwarded, etc. related to City business and individual job responsibilities.

1. Each employee may set up their preferred organizational system as long as that system creates one that easily searchable. The employee utilizing this option shall be required to demonstrate the system and its ease of finding records, to the clerk/treasurer, their supervisor, and the Mayor if needed. The clerk/treasurer and supervisor must approve the employee's organizational method.

2. Each employee may utilize the clerk/treasurer or their supervisor to set up an organizational system. Only the method will be set up. It will be the employee's responsibility to organize and maintain all emails.

B. Each employee is responsible for complying with record retention laws governing email. The clerk/treasurer may train employees on record retention relevant to their specific job duties, or the employee may choose to attend a more all-encompassing record retention training offered by an outside agency.

1. Emails with no retention value will be deleted after the information has been received and examined. Employees will be instructed on the use of destruction logs and when such logs are required.

2. Email that constitutes a public record must be retained in its original form for the required record retention time period.

C. The Public Records Officer (PRO) and/or designee, shall have access to each employee's email system in order to respond to public records requests.

1. The PRO shall maintain confidentiality.

2. The PRO may, at times, request access to the employee's 'inbox' if the PRO is unable to access emails through the remote access process.

D. No employee shall utilize personal devices for email relating to the conducting of City business except in the event of emergencies. All email relating to city business is subject to public records request laws, including any email sent from an employee's personal computer during an emergency. Such emergency records must be retained according to the appropriate retention regulation.

Section IV, Severability

This resolution is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Section V, Effective Date

This Resolution shall take effect from, and after, its passage and approval, as provided by law.

Resolved this 5th day of May, 2020.

APPROVED:



Bill Clem, Mayor

ATTEST/AUTHENTICATED:



Lisa Stowe, Clerk/Treasurer