



**MINUTES
Committee on Personnel
Tuesday, February 26, 2013
8:30 a.m.**

Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 8:30 a.m.

ROLL CALL

Councilmember A'Lynne Robinson, Chair – excused absence
Councilmember Carol Wood, Vice Chair
Councilmember Brian Jeffries, Member
Councilmember Jody Washington, Member

OTHERS PRESENT

Diana Bitely, Council Staff
Arnie Yerxa, Internal Audit
Don Kulhanek, Law
Kathie Dunbar, Councilmember
Andy Balaskowitz, City Pulse

APPROVAL OF MINUTES

Councilmember Washington indicated she had changes to the January 29, 2013 minutes and asked that they be amended to reflect the changes.

COUNCILMEMBER JEFFRIES MADE A MOTION TO APPROVE THE AMENDED MINUTES OF THE JANUARY 29, 2013 COMMITTEE MEETING, AS AMENDED. MOTION CARRIED, 3-0.

COUNCILMEMBER WASHINGTON MADE A MOTION TO APPROVE THE FEBRUARY 5, 2013 COMMITTEE MEETING, AS AMENDED. MOTION CARRIED, 3-0.

Council President Wood passed the gavel to Councilmember Jeffries.

COUNCIL PRESIDENT WOOD MADE A MOTION TO APPROVE THE INFORMATIONAL MINUTES OF THE FEBRUARY 12, 2013 COMMITTEE MEETING, AS SUBMITTED. MOTION CARRIED, 3-0.

PUBLIC COMMENT ON AGENDA ITEMS

None.

DISCUSSION/ACTION

Policies and Procedures

Council President Wood request that Mr. Yerxa review the charges from the Council accounts concerning purchases in technology.

Mr. Yerxa reported the figures from the miscellaneous, operating, and equipment accounts from 2007 through today. It appears that there are primarily routine costs for service. In 2007, Council purchased computers for the Councilmembers totaling \$6,390 out of the equipment account. In FY 2008, in January and February, we had licenses of \$2,500 in Dell UL and Dell QL Trash. Because Mr. Yerxa did not have the purchase order he was unable to identify what these charges were for.

Mr. Tumbarella indicated that he does not know what that expense covered.

Mr. Yerxa continued that in 2009, there was \$1,083 to Alltel and he has not yet been able to track down invoices or purchase orders to get more detail as to what it was for, but it sounds like phones.

Mr. Tumbarella confirmed that it would have been phones.

Mr. Yerxa further reported \$1,918 in 2009 also, but the Journal Entry provided no clues as to the expenditure.

Council President Wood suggested that Mr. Yerxa provide some further detail by pulling some of the purchases order to better identify the line items.

Mr. Tumbarella suggested the \$1,914 may have been for the installation of the new phones. Each department is charged an annual cost based upon the number of phones.

Councilmember Jeffries questioned the changeover from Groupwise to Outlook, did we pay for that?

Mr. Tumbarella indicated that Council was not charged for this; it came out of a CIP budget.

Councilmember Wood questioned the licensing fee in 2008.

Mr. Tumbarella suggested that it was likely Microsoft upgrade.

Mr. Yerxa will furnish the electronic copy of the information to Mr. Tumbarella and together they will determine what the purchases were for.

Mr. Tumbarella reviewed the IT Work Order Request Flow Chart and the IT Investigation Flow Diagram. He explained there is requested made by a supervisor or Department Head to investigate an employee's computer. There have been a few investigations where outside law enforcement has been involved. Aside from helping to interpret findings, IT does not typically become more involved in an investigation than that; it is up to the Department and/or the Human Resources Department to review the findings. IT is not made aware of whether an employee receives a warning, is disciplined, or let go because of the information they have provided. That is determined by the Department or HR.

Mr. Tumbarella stated if there is a cost associated with the repair, he is consulted to determine who would be charged for that service. If it is an infrastructure issue, then the department would not be charged. If it is damage to a "phone jack" for instance, the department would be charged for the repairs.

Councilmember Jeffries questioned if IT will seek confirmation or authorization for costs that will be incurred as a result of service or repairs.

Mr. Tumbarella indicated that if the cost is under say \$200, they would proceed with taking care of the issue; however, if the cost were atypical, they would seek approval.

Mr. Kulhanek was then asked review the document he had been working on with regards to a Technology Policy for Council. Council President Wood informed the committee members that after the last meeting Mr. Kulhanek stated Council needed a stand-alone policy. Mr. Kulhanek explained the draft we were working from showed the deleted lines and sections to side and new language to be inserted. The Committee began to review the document one page at a time to either accept the changes, make changes or delete.

Councilmember Wood questioned if the second statement in Section II and whether it should includes campaign use.

Councilmember Jeffries questioned Section II "may be subject to search consistent with law". Based upon Mr. Tumbarella's investigation, he wants to ensure that Council is consistent with the IT's policy for investigations.

Mr. Kulhanek believes that under the law of search and seizure, people at work have an expectation of privacy and it varies depending on who you are. With an elected official, they have a very high expectation of privacy.

Councilmember Jeffries stated that he has less expectation of privacy, due to his being a public figure and with the OPA and FOIA rules.

Mr. Kulhanek stated that those are factors to be considered. There is an expectation of privacy and you do have some privacy from your employer.

Councilmember Jeffries noted a disparity between the level of privacy expectations of employees and elected officials.

Mr. Kulhanek stated that any investigation is subject to coincidence and may require a search warrant.

Mr. Tumbarella stated that he is in the process of acquiring information on how other legislative bodies handle technology policies. He has found in his research thus far, that elected officials at the local level do seem to differ.

Councilmember Washington felt that the statement as “subject to search consistent with law” is a little vague and she would like some clarification.

Councilmember Jeffries commented that in the private sector, employees are bringing their own devices, and then there is a question of how to control that. There are applications that would monitor how much time is spent on personal use there is.

Mr. Tumbarella indicated that it is a model that is quickly developing. The “bring your own device” to work; to him it creates security issues. Protecting of the data and access to the data is not limited to city owned property; it could be applied to any device that it is believed there is work related items. The primary concern is with using employer property to run, for instance, a personal business on company time/equipment.

Councilmember Jeffries questioned if the city has looked into applications that would monitor personal use of equipment and charge the employee for the time spent doing personal business.

Mr. Tumbarella does expect that policies will change with the technology as needed in the future.

Councilmember Jeffries questioned “ a City Council may not authorize anyone to use his/her Technology Resources or access his/her database for any reason”. Does this mean that staff cannot assist with resetting a password.

Mr. Kulhanek indicated that is how it reads.

Council President Wood questioned how we should handle this.

Mr. Tumbarella stated that the staff member could request that once the password is reset that IT call the Council member directly to share the password as it was reset.

Councilmember Washington questioned if for the password reset should be addressed in the policy.

Councilmember Dunbar questioned how this would relate to interns who are assisting a Councilmember. Would they need to bring their own equipment?

Mr. Kulhanek stated that on his floor each intern has their own badge and password.

Mr. Tumbarella encouraged Council to reconsider the comments that "city computer equipment shall remain on City premises at all times".

Councilmember Jeffries commented that a sign out policy was suggested by the City Attorney.

Council President Wood stated that the computer ought to be signed out.

Councilmember Washington requested a broader definition of social media.

Mr. Kulhanek addressed "proper use" of social media on the dais during Council meetings. This body has suggested it would prefer no use of social media during meetings. This would fall under the Charter under the "orderly conduct of meetings". If that is the desire, it would need to be changed by resolution within the Council rules.

Councilmember Washington stated her support for barring social media at the dais.

Mr. Kulhanek questioned if this limitation would include texting.

Councilmember Jeffries questioned if this would be adopted as part of the Council rules.

Mr. Kulhanek indicated that it is not, but it would be adopted by resolution.

Councilmember Washington questioned if there was more discussion on making any social media use public, such as showing the communication on screen for complete transparency.

Mr. Tumbarella indicated that anything that is not defined within the records retention policy must be kept forever. If you are the keeper of the record, then you would be responsible for keeping those records.

Council President Wood questioned then what records individual Councilmembers should retain.

Mr. Kulhanek suggested that should be part of the training Council member will get on March 4, 2013.

The Committee asked that next meeting be scheduled for 8:00 am instead of 8:30 am. Council President Wood stated that she would check with Council Vice President Boles Robinson on changing the time and would notify everyone. The Committee will resume their decision of the draft 4 of the document at the next meeting.

RECEIPT OF COMMUNICATIONS

None

OTHER

None

PENDING

Computer Usage Policy

ADJOURN

The meeting was adjourned at 9:36 a.m.
Submitted by,
Diana Bitely, Recording Secretary
Lansing City Council
Approved by the Committee on 3/5/2013.

Appropriate documents attached to original set of minutes.



AGENDA
Committee on Personnel
Tuesday, February 26, 2013 @ 8:30 a.m.
10th Floor Conference Room, City Hall

Councilmember A'Lynne Boles Robinson, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Brian Jeffries, Member
Jody Washington, Member

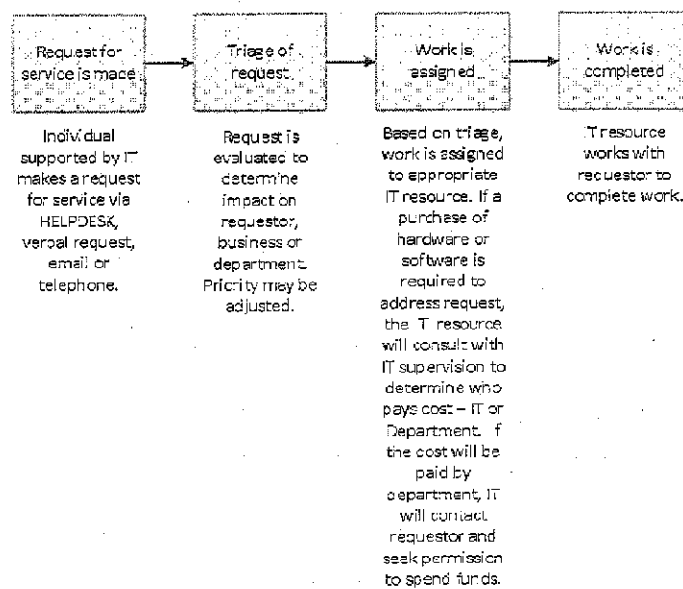
- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
 - February 12, 2013
- 4. Public Comment on Agenda Items**
- 5. Discussion/Action:**
 - A.) Policies and Procedures
- 6. Other**
- 7. Adjourn**
- 8. Pending**

Recap City Council Expenditures for Tech Equipment
FY 2007 Thru FY 2012

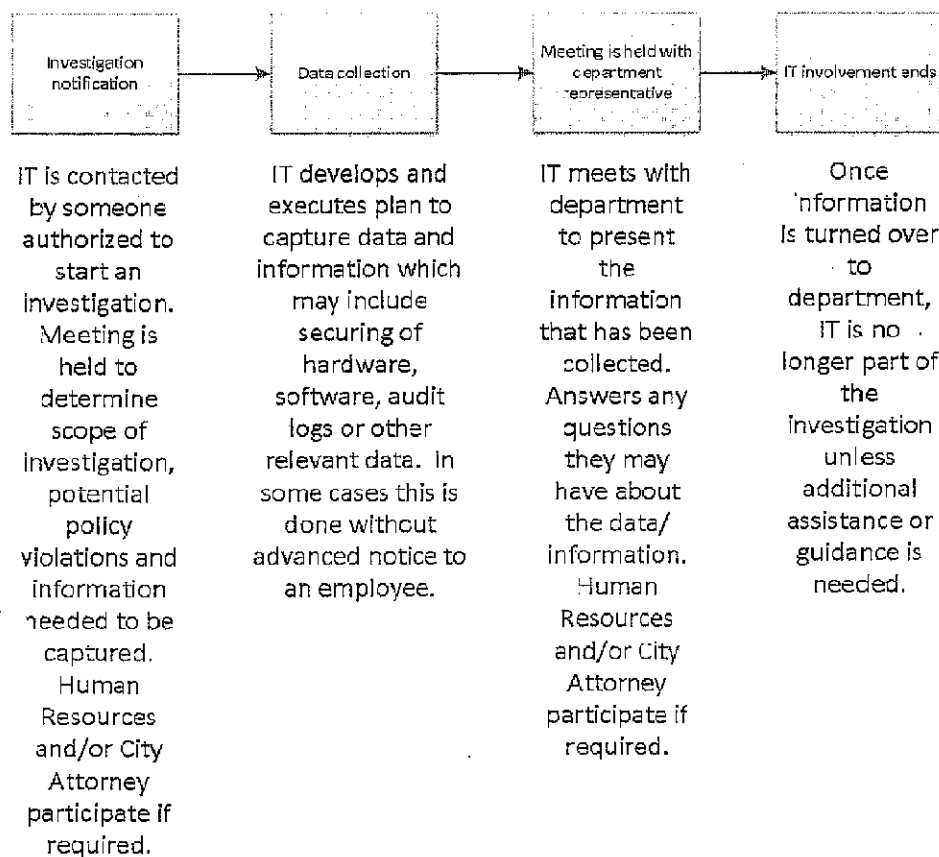
Prepared 2/12/13 acy

Date	Item/Company	Misc. Oper. 741000	Phone 744200	Equipment 977101
FY 2007				
7/31/2006	Metrocall Arch Wire	133.59		
1/31/2007	Metrocall Arch Wire	6.06		
3/31/2007	Mcphee Electric INV. #10394		522.18	
6/30/2007	Alltel		84.37	
6/29/2007	Dell-Latitude D820 P080363			6,390.28
6/30/2007	License			95.38
		139.65	606.55	6,485.66
FY 2008				
2/29/2008	Dalco Electronics	83.40		
10/3/2007	Alltel		23.99	
10/3/2007	Fulton Radio		22.11	
2/29/2008	Graybar Electric		17.69	
4/30/2008	Alltel		0.99	
6/30/2008	Wirelessground.com		115.45	
	EDS - Electronic Data Systems			
1/17/2008	Licenses P080920		-	2,582.48
2/15/2008	Dell Ultrash			2,240.64
2/15/2008	Dell L11-USB EN			154.72
2/15/2008	Dell PS2 Mou			130.40
3/31/2008	Reclass Equipment Purchase			(930.64)
		83.40	180.23	4,177.60
FY 2009				
10/31/2008	Alltel	cKutt P-Card	1,283.86	
11/30/2008	Verison		69.38	
12/31/2008	Alltel		243.97	
12/31/2008	Strategic Products/Services	cKutt P-Card	841.48	
1/31/2009	Verison air card		43.01	
1/31/2009	Verison air card		43.01	
2/27/2009	Verison air card		43.01	
2/27/2009	Metrocall LPD/ADM3		107.25	
2/27/2009	Avaya		117.72	
3/31/2009	Verison air card		43.01	
3/31/2009	Avaya	cKutt P-Card	1,918.14	
5/31/2009	Verison air card		43.01	
6/30/2009	Verison air card		43.01	
6/30/2009	Dell Inc. Cordless Laser Desktop			238.13
		-	4,839.86	238.13

IT Work order request flow



Information Technology Investigation Flow Diagram





Lansing City Council

Computer, Phone and Technology Usage Policy

I. INTRODUCTION

The City of Lansing maintains its computer system and network for official purposes only. This computer hardware, software and data protection policy reflects the position of the Lansing City Council regarding the use of hardware, software,

Scope

This policy applies to members of Lansing City Council. It refers to all information resources owned or under control of the City, whether individually controlled or shared. Information resources include any information in electronic or audio-visual format, or any hardware or software that makes possible the storage and use of information, including electronic mail, local databases, externally-accessed databases, all city controlled web sites, CD-ROM, cellular communications devices, and digitized video and photographs and all other digitized information (collectively, "Technology Resources").

II. DATA PROTECTION POLICY STATEMENT

The Lansing City Council depends heavily on Technology Resources to conduct its business. It is essential that this information be accurate and protected from unauthorized destruction, modification, or disclosure.

When using City Technology Resources, City Council members must adhere to the same code of ethics and personnel policies that govern all other aspects of City government. Any actions performed or initiated through City Technology Resources must be done with integrity, honesty, and compliance with the City's rule of conduct.

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Deleted: officers, **OFFICERS INCLUDE, BUT ARE NOT LIMITED TO, ELECTED OFFICIALS OF THE CITY, THE MEMBERS OF BOARDS AND COMMISSIONS, AND THEIR EXECUTIVE STAFF, AND ALL HEADS OF DEPARTMENTS AND DIVISIONS**, and employees working for the City of Lansing on a permanent or temporary basis

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Any and all electronic information on Technology Resources, including email, texts, and computer files, may be considered the property of the City of Lansing. Technology Resources may be subject to search consistent with law.

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Deleted: ANY AND ALL INFORMATION, STATISTICS, AND OTHER INFORMATION SYSTEM DATA INCLUDING EMAIL, INTERNET LOGS, TEXTS, COMPUTER FILES, AND SO ON ARE PROPERTY OF THE CITY OF LANSING AND ARE SUBJECT TO MONITORING BY THE CITY.

III. AUTHORIZED USE

Technology Resources are provided by the City to accomplish tasks related to the City's mission. These include communications both within and external to the City, record keeping, administrative support activities, database access, maintenance, and other uses related to the City's mission ("Authorized Use"). Personal, business, or campaign uses are not Authorized Uses.

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Deleted: VIOLATIONS OF THE RIGHTS OF ANY PERSON OR COMPANY PROTECTED BY COPYRIGHT, TRADE SECRET, PATENT OR OTHER INTELLECTUAL PROPERTY, OR SIMILAR LAWS OR REGULATIONS, INCLUDING, BUT NOT LIMITED TO, THE INSTALLATION OR DISTRIBUTION OF "PIRATED" OR OTHER SOFTWARE PRODUCTS THAT ARE NOT APPROPRIATELY LICENSED FOR USE BY THE CITY OF LANSING.¹ THE CITY OF LANSING RESERVES THE RIGHT TO AUDIT NETWORKS AND SYSTEMS ON A PERIODIC BASIS TO ENSURE COMPLIANCE WITH THIS POLICY.¹

IV. RESTRICTIONS

All City Council members must use City Technology Resources solely for purposes for Authorized Uses. Technology Resources may be connected to the Internet or City network for the performance of Authorized Uses. Accessing or attempting to access Technology Resources, the Internet or network to perform unauthorized uses is not permitted.

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Using Technology Resources to access the accounts and files of others or to alter the work product of others without permission is prohibited.

Attempting to subvert network, security, impair functionality of the network, or bypass restrictions set by administrators is prohibited. Assisting others in violating these rules by sharing information or passwords is also prohibited.

The improper use or distribution of city owned data or information is prohibited.

The unauthorized use of Technology Resources, as well as providing false or misleading information for obtaining access to computing facilities, is prohibited. City Council members shall not gain unauthorized access to City Technology Resources or use City Technology Resources to gain unauthorized access to other institutions, organizations, or individual computers.

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A City Council member may not authorize anyone to use his/her Technology Resources or access his/her database for any reason. City Council members must take all reasonable precautions, such as password maintenance and file protection measures, to prevent the use of his/her Technology Resources by unauthorized persons. City Council members must not, for example, share a password or dial-in access number with any other person.

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Any use of external networks connected to the city's network must comply with the policies of acceptable use promulgated by this policy statement.

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City Technology Resources may not be used for non-work purposes, commercial activities, financial gain, political campaigning, or entertainment. However, games, entertainment or other programs may be used for education or training purposes.

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All City Council members shall regard all personal or proprietary information, which may thereby become available to him/her, as confidential.

City Council members shall not copy system files or attempt to access or modify such files or software or computer management programs and data.

City computer equipment shall remain on City premises at all times unless signed out for an Authorized Use with an expected return date noted.

No City Council member shall install or use any encryption program.

V. SOCIAL MEDIA

Social Media is defined as Facebook, Twitter, or Linked In.

The use of Social Media on Technology Resources is prohibited unless it is an Authorized Use. Use of Social Media by Council members on the dais is subject to any Council Rule regarding the orderly conduct of meetings.

VI. SPECIFIC POLICY ELEMENTS

A. Physical Protection of Information and Equipment

All computer equipment is to be secured as securely as possible when not in use or left unattended. Laptop computers shall not be left in unlocked vehicles.

City Council members who will be out of the office shall secure their assigned laptop computer.

The security of computers shall be protected by logging off upon completion of use.

B. Deleting Data or Information

All information or data shall be retained in compliance with the City's record retention policy.

C. Remote Access Policy

Remote access to city computers is allowed for Authorized Uses.

D. Email

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Email on Technology Resources is to be used for Authorized Uses. Email is not to be used as a form of entertainment or as a forum for political, religious or any other personal expression inconsistent with Authorized Uses.

The email system and its contents are the property of the City of Lansing and City Council members have no expectation of privacy in its use or content. For example, a single email sent to just one person can be forwarded, without the permission of the sender, to hundreds of others either intentionally or inadvertently. City Council members should also be aware that deleted messages are not always deleted completely. They may appear on backup tapes, on other computers or in employee's email boxes. In addition, email exchanges are subject to release under the Freedom of Information Act.

Even though there is no expectation of privacy in City email, no City Council member is to use his or her position or access right to read another person's email or personal files.

E. Privacy Rights and Limitations

No privacy rights exist to any personal files or email created or received on city Technology Resources. City Technology Resources are to be used to conduct City business and therefore personal information should not be stored or created on this equipment.

The City of Lansing is subject to Freedom of Information Act (FOIA). As such, electronic information and email created in the performance of City Council member's duties may be considered a public record as defined in FOIA. Therefore, all electronic files generated by City Council members are subject to review and possible release. Even personal email or files not related to the specific issue discussed in the FOIA request may be examined in the course of responding to a FOIA request.

System administrators or other city personnel may also need to gather information from Technology Resources to ensure the continued function of Technology Resources or to investigate complaints. This may require the examination of Technology Resources.

Privacy policies contained in other city documents should also be followed when working with electronic data.

F. Password

The purpose of passwords is to protect the City's database and information from corruption or use by unauthorized individuals. The issuance of a password to a City Council member is not consent to develop or protect personal files.

All passwords are considered confidential information and may not be disclosed. A password may not be used by anyone other than the person(s) who has been authorized to use it.

All Council members should seek the assistance of the Office of Information Technology, if they believe their password is being used or has been compromised by others.

G. Virus Protection

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City Technology Resources should be protected by software that scans for viruses. Virus detection helps avoid destruction of computer files and hard drives. However, since virus protection software is not 100% effective, it is extremely important to follow procedures to protect computer data. This is an important issue and if a damaging virus were to destroy a hard drive's contents, the cost to the City of Lansing could be thousands of dollars.

The following steps shall be followed when using software on City computers:

- The installation and use of software not owned by the City is prohibited without Approval by City Council.
- Virus scanning programs shall not be disabled.
- No software will be downloaded from an outside source.

H. Network Security

Network security is dependent on City Council members, who have a set of specific rights on individual computers and file servers.

Software Use

In cases where software is copyrighted or otherwise protected, City Council members may not copy or distribute the software. Furthermore, it is illegal to facilitate access by others to copyrighted software.

It is the responsibility of City Council members to insure that all software used is appropriately licensed. It is the responsibility of the Office of Information Technology to insure that the software it installs is appropriately licensed.

The City forbids, under any circumstances, the unauthorized reproduction of software or use of illegally obtained software. Using City equipment to make illegal copies of software is prohibited. City Council members who violate this policy are subject to legal action by the City. Individuals who violate U.S. copyright law and software licensing agreements may also be subject to criminal or civil legal action.

City Council members are required to follow conditions or restrictions required by the licensing agreements for software programs purchased. For commonly used applications, the following conditions apply:

- It is illegal to copy a software program, such as WordPerfect, Lotus 1-2-3, Norton Utilities, and install that single program for simultaneous use on multiple machines.
- Unauthorized copies of software programs may not be used on City equipment. This applies even though you may not have made the illegal copy.
- The purchase of the appropriate number of copies of a software program is necessary for maintaining legal status, especially if you are using machines connected to a network.
- City Council members are prohibited from assisting in making or using illegal copies of City owned software.

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Deleted: Each Department may establish employee privileges based on an employee's job function. Specific user groups and access privileges may be defined by the department head, supervisor, or system administrator. These access privileges determine which files or data an employee may access.¶

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- City Council members are permitted to make an archival (backup) copy of a software program.

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I. Damaged Technology Resources

In the event technology Resources are damaged or otherwise inoperable, Council members should report the problem to the Office of Information Technology (IT) for repair or replacement. In the event IT determines there is a charge back to a Council budget account for the repair or replacement of the Technology resource, the charge-back is subject to the Lansing City Council Procedures Manual regarding expenditures.

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J. Internet Use

Internet access from City Technology Resources is to be used for Authorized Uses.

No program or application shall be downloaded from the Internet and installed on City computers.

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Individual departments may make additions to this policy and exercise discretionary authority where indicated as long as the additional policies do not contradict or nullify this policy or other established personnel policies.¶

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VII. VIOLATIONS

The following list of policy violations is not all inclusive but merely illustrative:

- Knowingly accessing or attempting to access any computer system, data or information which a City Council member does not have permission or authority to access is a violation of this policy.
- Using, copying, modifying or transferring data in violation of Section III.
- Using Technology Resources, data or information for personal or financial gain is a violation of this policy.
- Accessing a computer or network for the purpose of altering, damaging or destroying software, data or information, regardless of its location, is a violation of this policy.
- Giving access codes or passwords to any individual not authorized to receive them is a violation of this policy.

VIII. RESPONSIBILITIES AND CONSEQUENCES OF NON-COMPLIANCE

All City Council members are expected to comply with this policy.

Any City Council member who has reason to believe that a Technology Resources may be misused by any person, shall voice his or her concern as appropriate. The City Council President and City Council Committee on Personnel are responsible for addressing any policy violations of Council staff of which they become aware.