



DEPARTMENT OF TRANSPORTATION POLICY/PROCEDURE

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SUBJECT: ELECTRONIC MAIL/MESSAGING	Effective Date: 07/01/13	Commissioner Approval: Sponsor Approval Candie Brown, Assistant Commissioner, Administration <i>Candice L. Brown</i> Contact Telephone #: 609-530-8192
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I. PURPOSE

To establish Department policy for the preparation, content, utilization, monitoring and distribution of State-provided Electronic Mail and Messaging.

II. DEFINITIONS

- A. State-provided- access to e-mail and Internet through computer system networks owned, leased, or operated by the State of New Jersey.
- B. Management – Anyone on the Staff Deputization Summary in "Delegations of Authority" Policy 100, Addendum B, a primary level supervisor, or any employee who signs time reports and completes employee performance appraisals as part of their job duties.
- C. Access – the ability to receive, review, use, and manipulate the contents or data contained by a computer and/or maintained file.
- D. Electronic Mail (E-Mail)/Messaging – Non-interactive communication of text data and images between a sender and designated recipient(s) by system utilizing telecommunications links.
- E. Monitor – The ability of a computer program or an individual to check, observe, test, track or watch an employee's computer use.

III. POLICY

It is the policy of the NJDOT to encourage the prudent use of the Department's Electronic Mail/Messaging system (E-Mail) for State business purposes by its employees. Employees are permitted State provided e-mail to assist them in the performance of their jobs. E-Mail provides a quick efficient means to communicate, which is also self documenting.

The State may monitor a State employee's State provided e-mail and any user should have no expectation of privacy. All records created by State provided e-mail, including path records, are property of the State and are subject to monitoring.

Users are expected to conduct their electronic communications in a professional, responsible, and courteous manner.

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Management is responsible to ensure staff adherence to this policy.

IV. MONITORING

All records created as the result of State-provided E-Mail/Messaging systems may be monitored. Misuse of the State's information infrastructure, information technology and electronic communications media, including, but not limited to, the unauthorized transmission of confidential or proprietary information, the use of profane, harassing or other offensive language or images, the conduct of personal, illegal, and/or unethical activities, may subject the user to administrative discipline, civil liability, and criminal liability.

Approval to access or disclose E-Mail/Messaging may be granted by an Assistant Commissioner and equivalent or above, or designee, for any legitimate purpose, including but not limited to the following circumstances:

- A. In the course of asserting a claim or legal defense of the Department or a Department employee in a civil action or administrative proceeding;
- B. Internal investigations or allegations of employee misconduct, waste, fraud or abuse of Department resources, or violations of law;
- C. Audits
- D. Performance reviews;
- E. Investigations of breaches of security or confidentiality.

Authorized systems administrators, during the course of system maintenance and testing for system security, shall report as appropriate any unauthorized use or breaches of security discovered to the Office of the Inspector General.

V. AUTHORIZED ACCESS

Only NJDOT employees and other authorized system users may use the NJDOT E-Mail system for mail and calendar functions.

A request for access must be approved by a Manager or higher level.

Access may be suspended or permanently revoked by a Manager or higher for good cause.

Access will be revoked upon employee separation from the Department.

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VI. E-MAIL CONTENT

E-mail provided by the State of New Jersey to public employees for work purposes is not private. E-mail transmitted on the State e-mail system may be a public record which must be disclosed pursuant to the New Jersey Open Public Records Act (OPRA).

E-Mail generated and transmitted within the State-provided system might also be made public by unintended electronic disclosure (through distribution groups, the Internet, electronic bulletin boards, or by other mail recipients).

Therefore, all e-mail transmitted on the Department's system should be related to the Department's business and public purpose, and reflect the State and Department positively.

The following is a list of e-mail content, not exclusive, that is considered unacceptable.

- 1) Chain letters;
- 2) Jokes;
- 3) Illegal material;
- 4) Unethical material;
- 5) Business that is not related to the State or Department;
- 6) Content that would be considered indecent (i.e. sexual or pornographic);
- 7) Content that others may find to be personally offensive
- 8) Harassing or threatening language;
- 9) Content related to an employee's private personal benefit
- 10) Retirement parties or events not sponsored by the Department;
- 11) Advertising the personal sale of items or services.

VII. E-MAIL DISTRIBUTION

Public distribution groups are created and maintained by the Division of Information Technology, Network Operations staff. A list of the Department's distribution groups can be found in the E-Mail address book. Distribution groups are used to send E-Mail messages to a group of persons i.e. managers, all employees. Use of the all employees public group (DOTNET) is subject to the following rules:

Approval

Approval from a Director or higher is required before sending E-Mail to all employees.

The Division of Information Technology staff may send information bulletins regarding the operation of the network without a Director's approval.

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Inappropriate Content Of E-Mail Sent To All or Groups of Employees

Content of distributed E-Mail must be Department business related. Notice to employees of events that are not sponsored or permitted by the Department is prohibited. The distribution of E-mail for personal use or causes is prohibited.

Appropriate Use of Department E-Mail

The announcement of Department supported functions or programs.

The transmission of information bulletins regarding the facility, network, or resources.

The transmission of policy, procedure, or guidelines.

Other

Items in question not covered herein shall be presented to the Office of the Inspector General for authorization.

VIII. RETENTION

E-Mail that has been made, maintained, kept on file, or received in the course of official business is a government record, and as such must conform to the Department's records retention and disposition schedule. The management (retention and deletion) of all electronic mail is described under [Department Policy 226, "Records and Information Management."](#)

IX. RESPONSIBILITIES

A. Manager

1. Distribute the policy to all employees with computer access. Obtain written confirmation of receipt of policy by each employee with computer access.
2. Actively educate employees on the proper use of the E-Mail/Messaging systems.
3. Provide proper training to all employees using State-provided E-Mail/Messaging systems.
4. Distribute and establish internal controls to enforce the NJDOT Policy of Electronic Mail/Messaging as described above to all users under your direct report of the E-Mail system.
5. Report any reasonably believed employee violation of this policy, with factual record,

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to the Chief, Internal Investigations Unit, Office of the Inspector General.

B. Employee

1. Users must comply with the acceptable uses of and obligations under the NJDOT E-Mail system as stated within this policy.
2. Users of the E-Mail system are aware that the content of E-Mail will be monitored
3. Users of the E-Mail system are aware that misuse of the E-Mail system, in accordance with this policy, may result in disciplinary action.

C. Human Resources

The agency will discipline employees for violations of this policy. Discipline may include counseling, written reprimand, suspension or revocation of use. More severe action may be taken depending on the type of misuse.

D. Division of Information Technology

1. Provide and maintain E-Mail access.
2. Install and maintain monitoring tools.
3. Monitor routinely or when requested.
4. Provide monitoring results to management.

E. Office of the Inspector General

Investigate all reported incidents of E-Mail misuse, referring to Human Resources for discipline as appropriate.

X. AUTHORITIES:

"Acceptable Internet Usage," State of NJ IT Circular, No. 09-07-NJOIT, January 30, 2009