

MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING

DATE: March 14, 2018
TO: Board of Directors
FROM: Shuran Parker, Administrative Services Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Review and Approval of Revised Electronic Communications Resources Policy

RECOMMENDED ACTION

Staff recommends that the Board review and approve the revised Electronic Communications Resources (e-resources) policy (**ATTACHMENT 1**) as presented or in substantially the same form.

FISCAL IMPACT:

There is no fiscal impact associated with approving this revised policy.

FUNDING SOURCE:

Not applicable

FUNDING BALANCE:

Not applicable

DISCUSSION:

An ongoing District goal is to update or create District policies. The marked-up draft policy, created from a template from the legal firm, Liebert Cassidy Whitmore (LCW), shows some general updates from LCW and outlines recent procedural changes which allow for the use of District-issued devices exclusively for agency business (**ATTACHMENT 2**).

ATTACHMENTS:

1. Draft Revised Electronic Communications Resources Policy (clean copy)
2. Draft Revised Electronic Communications Resources Policy (tracked changes format)



Monterey Peninsula Regional Park District Policy & Procedure Manual

Title:	Electronic Communications Resources Policy	
Department:	Personnel	Effective Date: August 5, 2013
Policy No:	2003	Revisions: March 14, 2018

1. Policy Statement

The Monterey Peninsula Regional Park District (MPRPD) encourages the use of Electronic Communications Resources (“e-resources”) to share information in support of its mission of public service and to conduct its business. This policy governs all e-resources including, not limited to, the Internet, e-mail, voicemail, cellular telephones, pagers, personal digital assistants, smartphones, , tablets, computers/laptops, telecommunications devices, video and audio equipment, wireless networks, data systems telecommunications equipment, transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, MPRPD-hosted social media, and documentation that supports electronic communications.

2. Electronic Communications

MPRPD’s e-mail system is an official communication tool for MPRPD business. An official e-mail address is established and assigned by MPRPD to each employee. All MPRPD communications sent via e-mail will be sent to this address. MPRPD employees must use the official MPRPD e-mail, instead of their private e-mail address (such as Yahoo, Hotmail, etc.) when communicating MPRPD business via e-mail, unless given prior authorization by the General Manager.

e-resources must be used in compliance with applicable statutes, regulations, and MPRPD’s policies including those that require a work environment free from discrimination and harassment. Electronic communications should conform to the same standards of propriety and respect as any other verbal or written communication at MPRPD. Employees are expected to use common sense and judgment or avoid any communication which is disrespectful, offensive or illegal.

MPRPD, as the provider of access to its e-resources, reserves the right to specify how those resources will be used and administered to comply with this policy. It is important to realize that the message content sent from the MPRPD account reflects upon MPRPD (positively or negatively) to those who receive the message. Employees may be subject to disciplinary action for using the e-resources in a manner other than for their intended purposes, or in a manner that violates applicable laws, rules and policies.

Electronic communications to recipients on systems outside of MPRPD pass through systems and network not managed by MPRPD. The privacy and confidentiality of these messages is, therefore, not assured. In addition, some delivery methods and networks impose legal restrictions regarding the nature of message allowed. Users are expected to comply with all such regulations.

3. General Policy on the Use of MPRPD Cell Phones or Tablets

As with other e-resources, MPRPD cell phones and/or tablets (hereinafter referred to as “mobile devices”) are provided as a tool to conduct MPRPD-related business. MPRPD mobile devices are issued on an as-needed basis with the approval of the Division lead. All MPRPD employees shall use such devices in a responsible, appropriate, and safe manner. All employees assigned communications equipment shall assume the responsibility to use the equipment in accordance with the provisions of this policy.

- 3.1. Employees are prohibited from installing any third-party equipment to MPRPD mobile devices unless approved by the employee’s supervisor in writing.
- 3.2. Employees have no expectation of privacy as to data residing in telecommunications devices and/or voicemail. MPRPD may inspect that data at any time and without notice, as permitted by state and federal law.
- 3.3. Employees shall protect MPRPD mobile devices from loss or damage. An employee assigned an MPRPD device is responsible for its diligent care and will be required to reimburse MPRPD’s cost for any damage, or lost mobile devices due to negligence. If such a device is damaged, fails to work properly, or is stolen or lost, the employee shall immediately notify their supervisor.
- 3.4. MPRPD mobile devices should only be used by MPRPD employees in the performance of their official duties. Personal use of MPRPD mobile devices is prohibited and may result in disciplinary action and reimbursement of charges for personal use.
- 3.5. Employees shall acquaint themselves with the rate plan that applies to their mobile device and use their best efforts to make the most economical and cost-efficient use. Mobile devices are unique in that they may have charges for both incoming and outgoing calls and texts. In addition, local calls can still occur airtime charges if the plan minutes are exceeded, or depending upon the plan. A call may be made from a mobile device only if it cannot be made at any other time with a provided wired landline telephone. Because mobile devices have additional “air time” and possible other charges, employees are expected to use a wired landline when available.
- 3.6. Employees are prohibited from using the camera function on MPRPD mobile devices, except as authorized by their supervisor for work-related purposes.

4. Use of Personal Cell Phones

- 4.1. Employees should limit personal cell phone usage during working hours to breaks or lunch periods. Usage outside of the break and lunch periods should be minimal and must follow the guidelines in this policy.
- 4.2. Personal cell phones must be in silent or vibrating mode during work hours and must not be disruptive to co-workers or MPRPD operations.
- 4.3. Employees are prohibited from using the camera function on personal cell phones in the workplace.

5. Use of MPRPD OR Personal Cell Phones While Operating a Vehicle in the Course and Scope of Employment

In the interest of the safety of employees and other drivers, MPRPD employees are generally prohibited from using cell phones while driving within the course and scope of employment for MPRPD. Personal and/or MPRPD-provided cell phones are generally required to be turned off any time an employee is driving an MPRPD or personal vehicle in the performance of their job duties for MPRPD. MPRPD employees may not read, compose or send text messages, e-mail or other forms of written communications on cell phones or other electronic communication devices while operating a vehicle on MPRPD time.

- 5.1. As determined by MPRPD management, if your job requires that you keep your cell phone turned on while driving, you must use a hands-free device and safely pull off the road before using your cell phone to conduct MPRPD business. Under no circumstances should employees place or take phone calls or read, compose or send any text messages, e-mails or instant messages while operating a motor vehicle while driving in the performance of their job duties for MPRPD.
- 5.2. As required by law, an employee under the age of 18 years is prohibited from driving a motor vehicle while using a cell phone or any other electronic communications or mobile services device, even if equipped with a hands-free device. This prohibition does not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Any violation of this policy is a violation of MPRPD rules subject to disciplinary action and may be a violation of law subject to criminal penalties.

6. Privacy Limits

The California Public Records Acts requires MPRPD to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communications records that users may consider to be personal to determine whether they are public records that are subject to disclosure. E-resources may also be

subject to disclosure in litigation or administrative proceedings in the same manner as other MPRPD records.

All communications transmitted via MPRPD's e-resources, whether or not related to personal or confidential matters, are subject to monitoring, at MPRPD's discretion. MPRPD monitors communications transmitted via MPRPD's e-resources in the ordinary course of business for purposes that include ensuring their reliability and security. The existence of passwords and "message delete" functions do not restrict or eliminate the MPRPD's ability or right to access electronic communications.

Employees should *not* communicate their private, privileged, or confidential information, including but not limited to personal attorney client communications, financial or medical information and other privileged information, via MPRPD's e-resources. Employee who do communicate their private, privileged or confidential information via MPRPD's e-resources will be deemed to have waived any privilege or privacy rights in those communications, even where those communications are made via personal password-protected accounts using MPRPD's e-resources.

Electronic communications sent to and received from attorneys representing MPRPD are privileged communications. Such electronic communications shall not be distributed, copied, or blind-copied to unauthorized individuals.

Additionally, MPRPD may be required to produce information transmitted or stored on its e-resources pursuant to a court order, subpoena, or statute.

7. Restrictions

The information sources accessible via the Internet are worldwide and constantly growing in kind and number. It is not possible for any Internet access provider to fully manage the types of information accessible by its systems and users, especially with regard to content limitations. Nonetheless, MPRPD reserves the right to restrict access to any data source, at its sole discretion. These restrictions do not constitute an implication of approval of other nonrestricted sources.

Without exhausting all the possibilities, the following examples of inappropriate use of MPRPD's e-resources:

- 7.1. Any use that may, for a reasonable person, create or further a hostile attitude or give offense on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran's status, sexual orientation or other protected classification. This includes transmitting images, messages, cartoons, or jokes which include ethnic or racial slurs, or are offensive, or which may be construed as harassment or disparaging of others based on a protected class,

- 7.2. Committing acts of violence including direct threats, communications which make an individual feel threatened or bullied, expressions of an intent to harm or to create an unsafe and/or dangerous situation or to make a person feel unsafe or in danger, or any other actions, activities, behavior, or conduct that violates MPRPD policies,
- 7.3. Conducting ongoing personal business during work hours when the employee is not on a break, including, but not limited to accessing dating and social network websites and applications,
- 7.4. Using or disclosing the username and/or password of another person to gain access to his/her email or other e-resources without the required consent and approval, or to otherwise make MPRPD's electronic communications systems(s) available to others without the required consent and approval,
- 7.5. Communicating confidential MPRPD information, such as third party social security numbers or medical information to unauthorized individuals within or outside of MPRPD,
- 7.6. Attempting to access unauthorized data or break into any MPRPD or non-MPRPD system, including, but not limited to any police department, Department of Justice, Department of Motor Vehicle, credit bureau, and/or criminal history databases,
- 7.7. Engaging in theft or the unauthorized copying of electronic files or data,
- 7.8. Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others,
- 7.9. Intentionally misrepresenting one's identity for improper or illegal acts,
- 7.10. Engaging in unlawful activities, such as, but not limited to, gambling, or committing a crime including fraud, or violating any federal, state or local law,
- 7.11. Engaging in commercial activity or activity for financial gain, not under the auspices of the MPRPD,
- 7.12. Engaging in personal or recreational use of MPRPD's e-resources that interferes with the ability of the employee or other users to conduct MPRPD work. This includes but is not limited to creating "for sale" notices, personal ads, downloading or uploading software, games, or shareware. Employees are also prohibited from downloading and using instant messaging (IM) as it can create a security risk.

In the event that any of the aforementioned inappropriate uses occur, whether intentional or not, the employee shall immediately inform his/her supervisor and the Administrative Services Manager.

8. Overtime – Prior Approval Required

The Fair Labor Standards Act (FLSA) requires that MPRPD pay each employee who is entitled to receive FLSA overtime for all hours worked. This provision does not apply to employees who are exempt from FLSA overtime because of the executive, administrative, or professional nature of their job duties.

- 8.1. No time spent in any activity on MPRPD's e-resources for the benefit of MPRPD may be done outside of employee scheduled work hours without advance approval from the employee's immediate supervisor. Emergencies may arise that call for an exception to this rule. In emergencies, the employee may perform the work, but must notify their supervisor as soon as possible, and in no event later than the end of that day. If the employee's supervisor denies the request to work overtime, the employee must obey the supervisor's directive and cease working overtime.
- 8.2. All time spent outside of the employee's scheduled hours on MPRPD's e-resources for the benefit of MPRPD must be reported on official MPRPD forms so that MPRPD may pay the employee for that work. Employees may never choose to work and not request compensation. All legitimate overtime will be compensated.
- 8.3. Employees are required to record all work time on official MPRPD records and to work overtime with approval. Failure to follow MPRPD's overtime approval procedures will result in being paid for all legitimate work time, and being subject to disciplinary action, up to and including termination for violating the overtime approval procedures.

Monterey Peninsula Regional Park District

**EMPLOYEE ACKNOWLEDGEMENT OF
ELECTRONIC COMMUNICATIONS RESOURCES POLICY**

This is to acknowledge that I have received a copy of the Monterey Peninsula Regional Park District Electronic Communications Resources Policy and that I have read the policy and understand my rights and obligations under the Policy.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. Regardless of what the Policy states or provides, the District retains the right to add, change or delete provisions of the Policy and all other working terms and conditions without obtaining another person's consent or agreement.

My signature below further signifies that I have read this Policy and that I accept and will abide by all its provisions.

PRINT FULL NAME

SIGNED

DATE



Monterey Peninsula Regional Park District Policy & Procedure Manual

Title:	Electronic Communications Resources Policy	
Department:	Personnel	Effective Date: August 5, 2013
Policy No:	2003	Revisions: March 14, 2018

1. Policy Statement

The Monterey Peninsula Regional Park District (MPRPD) encourages the use of eElectronic eCommunications Resources ("e-resources") to share information in support of its mission of public service and to conduct its business. This policy governs all Electronic Communications Resources e-resources including, not limited to, the Internet, e-mail, voicemail, cellular telephones, pagers, personal digital assistants, smartphones, Blackberry devices, tablets, computers/laptops, telecommunications devices, video and audio equipment, wireless networks, data systems telecommunications equipment, transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, agencyMPRPD-hosted social media, and documentation that supports electronic communications services ("Electronic Communications Resources").

2. Electronic Communications

The agencyMPRPD's e-mail system is an official communication tool for agencyMPRPD business. An official e-mail address is established and assigned by the agencyMPRPD to each employee. All agencyMPRPD communications sent via e-mail will be sent to this address. AgencyMPRPD employees must use the official agencyMPRPD e-mail, instead of their private e-mail address (such as Yahoo, Hotmail, etc.) when communicating agencyMPRPD business via e-mail, unless given prior authorization by the General Manager.

Electronic Communications Resources e-resources must be used in compliance with applicable statutes, regulations, and agencyMPRPD's policies including those that require a work environment free from discrimination and harassment. Electronic communications should conform to the same standards of propriety and respect as any other verbal or written communication at the agencyMPRPD. Employees are expected to use common sense and judgment or avoid any communication which is disrespectful, offensive or illegal.

The agencyMPRPD, as the provider of access to its Electronic Communications Resources e-resources, reserves the right to specify how those resources will be used and administered to comply with this policy. It is important to realize that the message

content sent from the ~~agency~~MPRPD's account reflects upon ~~the agency~~MPRPD (positively or negatively) to those who receive the message. Employees may be subject to disciplinary action for using the ~~Electronic Communications Resources~~ resources in a manner other than for their intended purposes, or in a manner that violates applicable laws, rules and policies.

Electronic communications to recipients on systems outside of ~~agency~~MPRPD pass through systems and network not managed by ~~the agency~~MPRPD. The privacy and confidentiality of these messages is, therefore, not assured. In addition, some delivery methods and networks impose legal restrictions regarding the nature of message allowed. Users are expected to comply with all such regulations. ~~Employees and other users of the Electronic Communications Resources may create criminal and civil liability for themselves and the agency by using outside or third-party systems in an offensive, defamatory or illegal manner and in such event employees and other users may be subject to disciplinary action up to and including termination.~~

3. General Policy on the Use of MPRPD Cell Phones or Tablets

As with other e-resources, MPRPD cell phones and/or tablets (hereinafter referred to as "mobile devices") are provided as a tool to conduct MPRPD-related business. MPRPD mobile devices are issued on an as-needed basis with the approval of the Division lead. All MPRPD employees shall use such devices in a responsible, appropriate, and safe manner. All employees assigned communications equipment shall assume the responsibility to use the equipment in accordance with the provisions of this policy.

3.1. Employees are prohibited from installing any third-party equipment to MPRPD mobile devices unless approved by the employee's supervisor in writing.

3.2. Employees have no expectation of privacy as to data residing in telecommunications devices and/or voicemail. MPRPD may inspect that data at any time and without notice, as permitted by state and federal law.

3.3. Employees shall protect MPRPD mobile devices from loss or damage. An employee assigned an MPRPD device is responsible for its diligent care and will be required to reimburse MPRPD's cost for any damage, or lost mobile devices due to negligence. If such a device is damaged, fails to work properly, or is stolen or lost, the employee shall immediately notify their supervisor.

3.4. MPRPD mobile devices should only be used by MPRPD employees in the performance of their official duties. Personal use of MPRPD mobile devices is prohibited and may result in disciplinary action and reimbursement of charges for personal use.

3.5. Employees shall acquaint themselves with the rate plan that applies to their mobile device and use their best efforts to make the most economical and cost-efficient use. Mobile devices are unique in that they may have charges for both

incoming and outgoing calls and texts. In addition, local calls can still occur
airtime charges if the plan minutes are exceeded, or depending upon the plan.
A call may be made from a mobile device only if it cannot be made at any other
time with a provided wired landline telephone. Because mobile devices have
additional "air time" and possible other charges, employees are expected to use
a wired landline when available.

3.6. Employees are prohibited from using the camera function on MPRPD mobile
devices, except as authorized by their supervisor for work-related purposes.

4. Use of Personal Cell Phones

4.1. Employees should limit personal cell phone usage during working hours to
breaks or lunch periods. Usage outside of the break and lunch periods should
be minimal and must follow the guidelines in this policy.

4.2. Personal cell phones must be in silent or vibrating mode during work hours and
must not be disruptive to co-workers or MPRPD operations.

4.3. Employees are prohibited from using the camera function on personal cell
phones in the workplace.

5. Use of MPRPD OR Personal Cell Phones While Operating a Vehicle in the Course and Scope of Employment

In the interest of the safety of employees and other drivers, MPRPD employees are
generally prohibited from using cell phones while driving within the course and scope of
employment for MPRPD. Personal and/or MPRPD-provided cell phones are generally
required to be turned off any time an employee is driving an MPRPD or personal vehicle
in the performance of their job duties for MPRPD. MPRPD employees may not read,
compose or send text messages, e-mail or other forms of written communications on
cell phones or other electronic communication devices while operating a vehicle on
MPRPD time.

5.1. As determined by MPRPD management, if your job requires that you keep your
cell phone turned on while driving, you must use a hands-free device and safely
pull off the road before using your cell phone to conduct MPRPD business.
Under no circumstances should employees place or take phone calls or read,
compose or send any text messages, e-mails or instant messages while
operating a motor vehicle while driving in the performance of their job duties for
MPRPD.

5.2. As required by law, an employee under the age of 18 years is prohibited from
driving a motor vehicle while using a cell phone or any other electronic
communications or mobile services device, even in equipped with a hands-free

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device. This prohibition does not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Any violation of this policy is a violation of MPRPD rules subject to disciplinary action and may be a violation of law subject to criminal penalties.

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3. Incidental Personal Use

~~Electronic Communications Resources are provided by the agency to facilitate the performance of agency work. Incidental personal use is secondary and should not (i) interfere with the agency's operation of Electronic Communications Resources; (ii) interfere with the user's employment or other obligations to the agency, or (iii) burden the agency with noticeable incremental costs. Incidental use of the agency's Electronic Communications Resources should clearly indicate that the use is personal. Users of Electronic Communications Resources shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the agency unless appropriately authorized to do so. The agency is not responsible for any loss or damage incurred by an individual as a result of personal use of the agency's Electronic Communications Resources.~~

4.6. Privacy Limits

The California Public Records Acts requires ~~the agency~~MPRPD to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communications records that users may consider to be personal to determine whether they are public records that are subject to disclosure. ~~E-resources may also be subject to disclosure in litigation or administrative proceedings in the same manner as other MPRPD records.~~

All communications transmitted via ~~the agency~~MPRPD's Electronic Communications Resource~~se-resources~~, whether or not related to personal or confidential matters, are subject to monitoring, at ~~the agency~~MPRPD's discretion. ~~The agency~~MPRPD monitors communications transmitted via ~~the agency~~MPRPD's Electronic Communications Resource~~se-resources~~ in the ordinary course of business for purposes that include ensuring their reliability and security. The existence of passwords and "message delete" functions do not restrict or eliminate the ~~agency~~MPRPD's ability or right to access electronic communications.

Employees should *not* communicate their private, privileged, or confidential information, including but not limited to personal attorney client communications, financial or medical information and other privileged information, via ~~the agency~~MPRPD's Electronic Communications Resource~~se-resources~~. Employee who do communicate their private, privileged or confidential information via ~~the agency~~MPRPD's Electronic Communications Resource~~se-resources~~ will be deemed to have waived any privilege or privacy rights in those communications, even where those communications are made via personal password-protected accounts using ~~the agency~~MPRPD's Electronic Communications Resource~~se-resources~~.

Electronic communications sent to and received from attorneys representing MPRPD are privileged communications. Such electronic communications shall not be distributed, copied, or blind-copied to unauthorized individuals.

Additionally, ~~the agency~~MPRPD may be required to produce information transmitted or stored on its ~~Electronic Communications Resources~~e-resources pursuant to a court order, subpoena, or statute.

5.7. Restrictions

The information sources accessible via the Internet are worldwide and constantly growing in kind and number. It is not possible for any Internet access provider to fully manage the types of information accessible by its systems and users, especially with regard to content limitations. Nonetheless, ~~the agency~~MPRPD reserves the right to restrict access to any data source, at its sole discretion. These restrictions do not constitute an implication of approval of other nonrestricted sources.

Without exhausting all the possibilities, the following examples of inappropriate use of ~~the agency~~MPRPD's ~~Electronic Communications Resources~~e-resources:

~~5.1.7.1. Exposing others unwillingly, either through carelessness or intention, to material which is offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive or hostile work environment,~~

~~5.2.7.2. Any use that may, for a reasonable person, create or further a hostile attitude or give offense on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran's status, ~~or~~ sexual orientation or other protected classification. This includes transmitting images, messages, cartoons, or jokes which include ethnic or racial slurs, or are offensive, or which may be construed as harassment or disparaging of others based on a protected class,~~

~~7.3. Committing acts of violence including direct threats, communications which make an individual feel threatened or bullied, expressions of an intent to harm or to create an unsafe and/or dangerous situation or to make a person feel unsafe or in danger, or any other actions, activities, behavior, or conduct that violates MPRPD policies,~~

~~7.4. Conducting ongoing personal business during work hours when the employee is not on a break, including, but not limited to accessing dating and social network websites and applications,~~

~~7.5. Using or disclosing the username and/or password of another person to gain access to his/her email or other e-resources without the required consent an~~

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~~approval, or to otherwise make MPRPD's electronic communications systems(s) available to others without the required consent and approval,~~

~~5-3-7.6. Communicating confidential agencyMPRPD information, such as third party social security numbers or medical information to unauthorized individuals within or outside of agencyMPRPD,~~

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~~5.4. Sending messages or information which is in conflict with applicable law or agency policies, rules or procedures,~~

~~5-5-7.7. Attempting to access unauthorized data or break into any agencyMPRPD or non-agencyMPRPD system, including, but not limited to any police department, Department of Justice, Department of Motor Vehicle, credit bureau, and/or criminal history databases,~~

~~5-6-7.8. Engaging in theft or the unauthorized copying of electronic files or data,~~

~~5.7. Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others, is prohibited. The acts include, but are not limited to:~~

~~5-7-1. Sending mass mailings or chain letters and~~

~~5-7-2-7.9. Creating unnecessary network traffic.~~

~~5-8-7.10. Intentionally misrepresenting one's identity for improper or illegal acts,~~

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~~5-9-7.11. Engaging in unlawful activities, such as, but not limited to, gambling, or committing a crime including fraud, or violating any federal, state or local law,~~

~~5-10-7.12. Engaging in commercial activity or activity for financial gain, not under the auspices of the agencyMPRPD,~~

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~~7.13. Engaging in personal or recreational use of the agencyMPRPD's Electronic Communications Resources that interferes with the ability of the employee or other users to conduct agencyMPRPD work. This includes but is not limited to creating "for sale" notices, personal ads, downloading or uploading software, games, or shareware. Employees are also prohibited from downloading and using instant messaging (IM) as it can create a security risk.~~

~~5-11. In the event that any of the aforementioned inappropriate uses occur, whether intentional or not, the employee shall immediately inform his/her supervisor and the Administrative Services Manager.~~

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6.8. Overtime – Prior Approval Required

The Fair Labor Standards Act (FLSA) requires that ~~the Agency~~MPRPD pay each employee who is entitled to receive FLSA overtime for all hours worked. This provision does not apply to employees who are exempt from FLSA overtime because of the executive, administrative, or professional nature of their job duties.

~~6.1.8.1.~~ No time spent in any activity on ~~the agency~~MPRPD's ~~Electronic Communications Resources~~ resources for the benefit of ~~the agency~~MPRPD may be done outside of employee scheduled work hours without advance approval from the employee's immediate supervisor. Emergencies may arise that call for an exception to this rule. In emergencies, the employee may perform the work, but must notify ~~a their~~ supervisor as soon as possible, and in no event later than the end of that day. If the employee's supervisor denies the request to work overtime, the employee must obey the supervisor's ~~direction~~directive and cease working overtime.

~~6.2.8.2.~~ All time spent outside of the employee's scheduled hours on ~~the agency~~MPRPD's ~~Electronic Communications Resources~~ resources for the benefit of ~~the agency~~MPRPD must be reported on official ~~agency~~MPRPD forms so that ~~the agency~~MPRPD may pay the employee for that work. Employees may never choose to work and not request compensation. All legitimate overtime will be compensated.

~~6.3.8.3.~~ Employees are required to record all work time on official ~~agency~~MPRPD records and to work overtime with approval. Failure to follow ~~the agency~~MPRPD's overtime approval procedures will result in being paid for all legitimate work time, and being subject to disciplinary action, up to and including termination for violating the overtime approval procedures.

Monterey Peninsula Regional Park District

EMPLOYEE ACKNOWLEDGEMENT OF ELECTRONIC COMMUNICATIONS RESOURCES POLICY

This is to acknowledge that I have received a copy of the Monterey Peninsula Regional Park District Electronic Communications Resources Policy and that I have read the policy and understand my rights and obligations under the Policy.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. Regardless of what the Policy states or provides, the District retains the right to add, change or delete provisions of the Policy and all other working terms and conditions without obtaining another person's consent or agreement.

|

My signature below further signifies that I have read this Policy and that I accept and will abide by all its provisions.

PRINT FULL NAME

SIGNED

DATE

DRAFT

