

City of Wyoming, Michigan
Administrative Policy

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| Department: City Clerk | |
| Department Head Approval:  | Date: 6-13-2013 |
| City Manager Approval:  | Date: 6.13.13 |
| Subject: Electronic Mail Retention Policy | |

POLICY

In order for government to function administratively, undergo periodic audits, provide for its legal requirements and document its heritage, it must manage its records properly. Therefore, the City of Wyoming requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved records Retention and Disposal Schedule.

DEFINITIONS:

Electronic Mail (e-mail): is a tool that is used to exchange messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the **transactional information** (dates and times that messages were sent, received, opened, deleted, etc.; as well as aliases and names of members of groups), and any attachments. Transactional information can be found and printed or saved from the e-mail system.

Records Retention and Disposal Schedules: are listings of records or records series that are maintained by government agencies in the course of conducting their official business that identify how long the records must be kept, when they may be destroyed and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law, records cannot be destroyed unless their disposal is authorized by an approved Retention and Disposal Schedule. Retention and Disposal Schedules are developed by the Department of History, Arts and Libraries, Records Management Services, through consultation with an agency about its records. These schedules are then approved by the Michigan Historical Center and the State Administrative Board. Once a schedule is approved and issued, it is approved by the governing body of the local unit of government and it may not be modified without state and council approval.

The City of Wyoming adopted a Records Retention and Disposal Schedule in 2011. Refer to this schedule to determine the retention schedule for any documents, including e-mail.

FOUR CATEGORIES OF E-MAIL:

Official Records: Recorded information that is prepared, owned, used, in the possession of, or retained by the City of Wyoming in the performance of an official function. Official records include evidence of a decision. E-mail messages are public records if they are created or received as part of performing a public employee's official duties. Retain official records according to City of Wyoming Retention Schedule. (Example: Please change the fourth paragraph in contract No. 550 to read, "payment must be received within 30 days.")

Transitory Records: Records relating to City of Wyoming activities that have temporary value and do not need to be retained once their intended purpose has been fulfilled. Retain transitory records for up to 30 days. (Example: "The Staff meetings will be held on Tuesday mornings from now on, instead of Thursday afternoons.")

Non-Records: Recorded information in the possession of the City of Wyoming that is not intended to document the performance of an official function. These include drafts, duplicates and convenience copies that do not document agency activities. Non-records should be disposed of as soon as they have served their intended purpose. There is no requirement to retain them. (Example: "For your information, the contract has been mailed." or "The Blood Drive will be held at City Hall on December 20, 2007.")

Personal Records: Records that document non-government business or activities. These should not be retained by using government technology resources. Note: see City of Wyoming Computer Operating Policy for electronic communications. (Example: "This year's annual holiday pot luck will be held in the conference room on December 21 at noon.")

PROCEDURES:

Employee Responsibilities:

- Senders and recipients of e-mail messages shall evaluate each message to determine if they need to keep it as documentation of their role in a business process. Make retention decisions immediately. Delay reduces the likelihood the document will be properly retained or disposed of.
- Senders are generally considered to be the person of record for an e-mail message. However, if recipients of the message take action as a result of the message, they should also retain it as a record.
- It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content.
- Employees shall evaluate the content and purpose of each e-mail message to determine which Retention and Disposal Schedule defines the message's approved retention period.

- Employees shall dispose of e-mail messages that document the official functions of the City in accordance with the approved Retention and Disposal Schedule.
- Employees shall cease the destruction of related e-mail when FOIA or litigation discovery is requested. Records, including e-mail, cannot be destroyed if they have been requested under FOIA, or if they are a part of anticipated or on-going litigation, even if their retention period has expired. Information Technology back-up procedures are not to be used for Record Retention.
- IT backup processes are designed for disaster recovery, not for the retention of records. Employees shall retain e-mail that has not fulfilled its legally-mandated retention period by:
 1. Printing a paper copy and filing messages in a hard copy filing system. Keep with other paper records that document the same business process. Once a paper copy is printed, electronic message shall be deleted.

OR.

2. Saving the message on a network drive in a folder that contains files that document the same business process. Note: E-mail should **not** be retained in the Outlook inbox, or in the “sent” or “deleted” folders.
- Employees shall retain transactional information (see definition of e-mail) with the e-mail message by:
 1. Printing a paper copy and filing messages in a hard copy filing system, if there is a substantial likelihood of relevancy to litigation.

OR

2. Saving the message on a network drive in a folder that contains files that document the same business process.
- Employees should organize their e-mail messages so they can be easily located and used.
 - Employees should dispose of transitory, non-record and personal e-mail messages from the e-mail system on a regular basis.
 - Employees should empty e-mail trash bins to purge deleted messages on a daily basis.
 - Employees should delete sent email from the e-mail system on a regular basis, after ensuring that any necessary retention has been accomplished.
 - Employees shall include e-mail in any search for documents under FOIA or as part of litigation discovery.

- Employees shall complete the on-line e-mail retention training course, take the quiz, and provide a copy of the Certificate of Completion to the supervisor.
- Recognizing that e-mail messages that are sent and received using the City of Wyoming's e-mail system are not private, employees should manually delete personal appointments (Dr. appointments, vacations, etc.) from their personal calendars in the e-mail system after the event takes place.

City of Wyoming Responsibilities:

- Management shall ensure that its records are listed on an approved records Retention and Disposal Schedule.
- Management shall ensure that all employees with e-mail accounts are aware of and implement this policy.
- Management shall ensure that the e-mail messages (and other records) of former employees are retained in accordance with the approved Retention and Disposal Schedules, and shall notify the Information Technology Department when the accounts of former employees can be closed.
- Legal counsel shall notify affected departments when litigation is anticipated or pending to protect relevant records. The FOIA Coordinator shall notify affected departments when a request under FOIA is received.
- The Information Technology Department will define disaster recovery processes in writing.
- The Information Technology Department will purge backup tapes on a regular basis to ensure that e-mail deleted in conformance with the Retention and Disposal Schedule is not retained.
- The Information Technology Department will coordinate with management's requests for access to and closure of email accounts of former employees.

Acknowledgement of Receipt of
City of Wyoming Electronic Mail Retention Policy

I have received and read the Electronic Mail Retention Policy. I understand that I am responsible for adhering to the policies and practices described herein. I understand that these policies may be added to, or changed by the City at any time. When there is a change to the policy, notices will be in writing, distributed to computer users and/or sent via the City's email system. It is my responsibility to bring any questions I have about the Electronic Mail Retention Policy to my supervisor.

Date: _____

Employee Signature: _____

Employee Name (please print): _____



ADMINISTRATIVE POLICY FOR ELECTRONIC MAIL RETENTION

Summary

- The policy is intended to ensure employees retain or destroy electronic mail sent and received in the course of conducting official business *in accordance with an approved Records Retention and Disposal Schedule*. The City of Wyoming Records Retention and Disposal Schedule has been effective in its current form since 2011. The Schedule is available on the intranet.

It is helpful to think of email as just another delivery method. It is not a special series of record, with its own retention period. If documents related to a grant must be kept for six years, then emails related to that grant have a retention of six years.

- Electronic mail can fall into one of four categories of records: official records, transitory records, non-records and personal records.
- Employees have the responsibility to:
 - determine if an email is an official record
 - identify the retention period for that record
 - retain an official record electronically or on paper for the required period
 - include that record in an search for records in litigation or under FOIA
- Employees should adopt processes to regularly delete messages, either sent or received, that do not need to be retained.
- Employees should adopt processes to properly organize electronic files, including email, to ensure that any necessary search is comprehensive.
- Employees must complete an on-line training course to learn about the types of records in general, and email in particular.

CITY OF WYOMING E-MAIL RECORDS RETENTION TRAINING

To complete the on-line e-mail retention training at the Michigan Department of History and Libraries:

1. go to www.quickknowledge.com/qk/hal/email
2. click "register"
3. fill in your name, email, password, and the QuickKey **EMAILHAL**

The course takes approximately 30-45 minutes to complete. Users can stop the course at any point and resume where they left off at a later time. Be sure you click on any links within the text to learn definitions and take quick quizzes and surveys.

4. At the conclusion of the course, take the quiz.
5. Print the Certificate of Completion and provide a copy to your supervisor.

If you have any questions about the course or the policy, contact Heidi Isakson, City Clerk, 530-7295.