

Sample STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 5.08.ON
Section:	Employee Relations	Issued:	Dec. 16, 2019
Subject:	COMPUTER, E-MAIL and INTERNET USE	Effective:	Jan. 1, 2020
Issue to:	All Manual Holders	Page:	1 of 5
		Replaces:	NEW
Issued by:	Community Resource Centre	Issued:	

1 POLICY

1.01 The **Community Resource Centre's** computer resources including e-mail and Internet access are business systems for use by authorized employees to conduct legitimate **Community Resource Centre** business only. Some examples of permitted and prohibited uses are shown in Attachment A to this policy. Use of an Internet/e-mail connection for any purpose that is not specifically related to **Community Resource Centre** business is prohibited during working hours. Some incidental and occasional personal use of these systems is permitted outside of working hours subject to the sections below, and provided that such personal use does not negatively impact performance, productivity or the security of the **Community Resource Centre's** computer systems and devices.

1.02 Although the **Community Resource Centre** respects the privacy of its employees, employee privacy does not extend to the employee's use of the **Community Resource Centre's** computer devices and systems, whether situated at the workplace or on a mobile device. No person using such resources can expect privacy in their communications, business or private, and all users are advised that use of computer systems and devices may be subject to monitoring and audits without notice. All e-mail communications and information downloaded from the Internet constitute property of the **Community Resource Centre**.

1.03 All users of the **Community Resource Centre's** computer resources, including e-mail and Internet access, must adhere to the terms of this policy. A copy of this policy shall be provided to each user and each user is required to sign an acknowledgement of receipt. The form shown in Attachment B to this policy is used for this purpose.

2 PURPOSE

2.01 The **Community Resource Centre** seeks to promote a high level of responsible behaviour in connection with the use of its computer resources, Internet and e-mail and has formulated this policy to accomplish the following goals:

- (a) to protect the reputation and computer resources of the **Community Resource Centre**, its customers, and the Internet/e-mail communities at large, from irresponsible or illegal activities;
- (b) to ensure privacy, security and reliability of the **Community Resource Centre's** network and systems as well as the systems of the **Community Resource Centre's** clients;
- (c) to establish guidelines for the acceptable use of the **Community Resource Centre's** network;
- (d) to define generally those actions which are considered abusive and prohibited;
- (e) to outline procedures for reporting and handling abuse by an employee.
- (f) to establish guidelines to ensure that the **Community Resource Centre** and its employees adhere to the requirements of *An Act to Promote the Efficiency and*

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Adaptability of the Canadian Economy... commonly referred to as Canada's Anti-Spam Legislation ("CASL").

3 SCOPE

3.01 All users of the **Community Resource Centre's** network and electronic resources must comply with this policy, as well as applicable laws and regulations.

4 RESPONSIBILITY

- 4.01 (a) Users of the **Community Resource Centre's** computer, Internet and e-mail systems are strictly prohibited from creating, transmitting, distributing, forwarding, downloading and/or storing anything which:
- (i) infringes any copyright, trademark, trade secret, or other intellectual property right;
 - (ii) is obscene, immoral, unethical or pornographic;
 - (iii) is libellous, defamatory, hateful, or constitutes a threat or abuse;
 - (iv) encourages conduct that would constitute a criminal offense or give rise to liability;
 - (v) harasses the receiver, whether through language, frequency, or size of messages;
 - (vi) is considered junk, spam or chain e-mail;
 - (vii) forges or misleads the sender's identity;
 - (viii) divulges private and/or confidential information related to the **Community Resource Centre's** business, its clients and/or its employees;
 - (ix) violates any of the **Community Resource Centre's** policies including policies related to Conduct and Behaviour or Workplace Harassment.
- (b) Users of the **Community Resource Centre's** computer, Internet and e-mail systems must protect themselves and the **Community Resource Centre** from entering into unintended legal obligations and contracts. This includes downloading from the Internet unauthorized programs and/or software.
- (c) Users of the **Community Resource Centre's** computer, Internet and e-mail systems are required to take appropriate steps to ensure the security of the system by adhering to all **Community Resource Centre** security measures, including using and safeguarding all necessary passwords. Users are required to provide passwords to the **Executive Director** and to update any changes to them. Users are required to use only the browser software and e-mail programs installed by the **Community Resource Centre**. No connection to the Internet is permitted except via established **Community Resource Centre** procedures.
- (d) Users of the **Community Resource Centre's** computer, Internet and e-mail systems are required to complete training in CASL rules and regulations and to ensure that all electronic communications comply with the requirements of CASL.

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Issue to:	All Manual Holders	Page:	3 of 5
		Replaces:	NEW
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- 4.02 The **Executive Director** is responsible for:
- (a) authorizing the use of e-mail and Internet resources, providing appropriate training to users, issuing and recording system passwords and monitoring the use of computer resources and systems as necessary or as requested including auditing and logging Internet use for compliance with this policy;
 - (b) investigating and reporting on any allegations or concerns regarding the misuse of **Community Resource Centre** computer resources and/or systems;
 - (c) ensuring that all employees are adequately trained in the requirements of CASL, and that, where required, express or implied consent has been obtained prior to sending commercial electronic messages; and
 - (d) retaining the required evidence of express or implied consent from recipients of **Community Resource Centre** commercial electronic messages.

5 DEFINITIONS

- 5.01 “**Canada’s Anti-Spam Legislation (CASL)**” means *An Act to Promote the Efficiency and Adaptability of the Canadian Economy by Regulating Certain Activities that Discourage Reliance on Electronic Means of Carrying out Commercial Activities*, SC 2010, c-23.
- 5.02 “**Commercial electronic message**” means an electronic message that, having regard to the content of the message, the hyperlinks in the message to content on a website or other database, or the contact information contained in the message, it would be reasonable to conclude has as its purpose, or one of its purposes, to encourage participation in a commercial activity, including an electronic message that offers to purchase, sell, barter or lease a product, goods, a service, land or an interest or right inland, offers to provide a business, investment or gaming opportunity, or advertises or promotes any of these, or promotes a person, including the public image of a person, as being a person who does anything referred to above, or who intends to do so.
- 5.03 “**Computer resources**” include, but are not limited to, **Community Resource Centre** e-mail accounts, mobile and smart phones, computers, laptops, personal storage devices, Internet connections and network systems.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

An Act to Promote the Efficiency and Adaptability of the Canadian Economy by Regulating Certain Activities that Discourage Reliance on Electronic Means of Carrying out Commercial Activities, SC 2010, c-23. (CASL) (Canada)
Personal Information Protection and Electronic Documents Act (PIPEDA) (Canada)
 SPP HR 5.03.ON — Workplace Harassment
 SPP HR 5.06.ON — Discipline
 SPP HR 5.07.ON — Personal Information Protection
 SPP HR 5.14.ON — Social Media

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Issue to:	All Manual Holders	Page:	4 of 5
		Replaces:	NEW
Issued by:	Community Resource Centre	Issued:	

7 PROCEDURE

- 7.01 **Community Resource Centre** computer, Internet and e-mail use may be monitored from time to time, without notice, to evaluate client service and to determine how the system is being used. Employees cannot expect privacy when using the **Community Resource Centre** e-mail or Internet resources. All monitoring of **Community Resource Centre** computer resources and systems shall be conducted by the **Executive Director** or a designate who will log and audit Internet usage to ensure compliance with this policy.
- 7.02 When necessary, due to vacations and other absences, the **Community Resource Centre** may request access to an employee's passwords for **Community Resource Centre** e-mail and Internet accounts in order to properly continue work. Employees are required to provide this access upon request.
- 7.03 Sending or forwarding a commercial electronic message, by email, text, social network, or otherwise, except as specifically provided for in any Information Technology policy and/or CASL is strictly prohibited.
- 7.04
- (a) Upon the termination of employment of any computer user(s), the user's immediate supervisor shall immediately notify the **Executive Director** of the name(s) of the user(s) terminated. The **Executive Director** is required to immediately deactivate the user password(s) and the user access to any electronic systems. Employees who have been provided with a **Community Resource Centre** mobile computing device are required to return the device to the **Community Resource Centre** immediately.
 - (b) The contents of a **Community Resource Centre**-supplied computer are the property of the **Community Resource Centre** and under no circumstances should any data be altered or deleted prior to returning the computing device to the **Community Resource Centre**.
 - (c) In circumstances where employees have remote access to the employer's system from home or on personally-owned mobile devices, upon termination of the employee's employment with the **Community Resource Centre**, the employee's access to the computer system shall be discontinued immediately. All work produced by the employee on behalf of the **Community Resource Centre** shall remain the property of the **Community Resource Centre**, unless the contract of employment between the employee and the **Community Resource Centre** states otherwise.
- 7.05 Employees are expected to respect the privacy of clients and employees whose personal information may be stored in the **Community Resource Centre's** system. Employees may only access such data if duly authorized, and only in accordance with SPP HR 5.07.ON.

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		Replaces:	NEW
Issued by:	Community Resource Centre	Issued:	

- 7.06 (a) In the event any individual feels the computer resources of the **Community Resource Centre** are being misused or used in an abusive manner or this policy is being breached, that individual shall report the alleged abuse or breach directly to the **Executive Director**, in confidence. The **Executive Director** shall, within **[forty-eight (48) hours]**, investigate such allegations which may include monitoring computer resources usage.
- (b) If usage is deemed unusual and it is believed that monitoring computer usage, Internet sites visited and/or reviewing e-mail message contents will help the investigation, the **Executive Director** will monitor, as needed.
- (c) Upon completion of the investigation, the **Executive Director** shall issue a report and recommendation(s), if any, for further action.
- (d) The complainant shall be advised by the **Executive Director** of the outcome of the investigation on a need-to-know basis or as required or authorized by law.
- 7.07 Employees found in breach of this policy will be subject to disciplinary action up to and including termination for cause.