

Tuolumne County Policy of Retention for Email & Voicemail

January 10, 2006
Revised June 1, 2006

5.4 Retention for Email and Voicemail

5.4.1 Purpose

The Email and Voicemail systems installed by the County are tremendous assets that provide expeditious and efficient transmission of electronic communications, but both require proper management and administration. The purpose of this policy, which may also be referred to as the “Email/Voicemail Retention Policy”, is to recognize the balance between efficiency of communication and proper administration of those communications for the reduction of liability and maintenance efforts. Several specific points were kept in mind during the development of this policy and must be kept in mind by all users of the County Email and Voicemail systems. These points are listed below in sections 5.4.1.1 through 5.4.1.6

- 5.4.1.1 Both Email and Voicemail may be a Public Record;
- 5.4.1.2 Anything recorded in an Email or Voicemail may be discovered during litigation and or requested by a public records request;
- 5.4.1.3 As an email is written or a Voicemail message dictated, the preparer should imagine that it may one day be read on the front page of the newspaper;
- 5.4.1.4 The regular policy-based destruction of Email and Voicemail messages is a legal and appropriate business practice if no law or other obligation requires retention;
- 5.4.1.5 All emails should be written, transmitted, and stored with the same care and discretion as paper or “hard-copy” communications;
- 5.4.1.6 All Email belongs to the County and may be accessed according to the IT Policy, Section 4.7, “Privacy”.

5.4.2. Categories of Email

5.4.2.1. Transitory Email - These are Emails that have limited or transitory value to the County, and might include:

- 5.4.2.1.1. Emails announcing the date and time of a meeting;
- 5.4.2.1.2. Routine communications and announcements;
- 5.4.2.1.3. Preliminary drafts that have been superseded;
- 5.4.2.1.4. Other recent communications that are judged to have no further business significance to the County.

5.4.2.2. Non-Transitory Email - These are Emails that have lasting value to the County. Examples might include emails that:

- 5.4.2.2.1. Memorialize the making of important decisions;
- 5.4.2.2.2. Are connected to specific case files, contract files, or larger records;
- 5.4.2.2.3. Are judged to have further business significance to the County.

5.4.2.3. Non-Business Email – These are emails contain no information relating to the conduct of the County’s business, and include unofficial, personal messages.

5.4.3. Email Retention, Archiving, Storage and Deletion

5.4.3.2. Transitory email should be deleted after its business purpose is served.

5.4.3.3. All Email, whether Transitory or Non-Transitory, will automatically be deleted 90 days after receipt or transmission.

5.4.3.4. Non-Transitory Email is a Public Record and, if retention is required by the County Retention Schedule, must be converted to a paper copy and stored accordingly. Questions about whether an email is a public record should be referred to the County Counsel.

5.4.3.5. Non-Transitory Email that is to be archived or stored electronically must be stored as a single file that removes the email characteristics in a folder on the "Shared Drive" of the County Private Network clearly labeled "STORED EMAIL". The "Shared Drive" is the default network directory that is assigned to department or division employees for shared use when issued access to the County Private Network. Only one "STORED EMAIL" folder is allowed per department or division, but it can contain multiple sub-folders. Note: Archived email is still subject to the County Retention Schedule.

5.4.3.6. Non-Business Email must be deleted immediately.

5.4.4. Other Email guidelines

5.4.4.1. Deleted Email is immediately deleted from all locations in the email system, but may reside on the backup system media for longer periods, (see 5.4.9.1);

5.4.4.2. For email usage, see IT Policy, Section 4, "Policy of Usage".

5.4.4.3. Email shall not be sent to an Internet Service Provider or hosted email service outside the County Network as a means to circumvent this policy.

5.4.5. Categories of Voicemail

5.4.5.1. Transitory Voicemail - These are Voicemails that have limited or transitory value to the County, and might include:

5.4.5.1.1. Voicemails announcing the date and time of a meeting;

5.4.5.1.2. Routine communications and announcements;

5.4.5.1.3. Requests for a return call with contact information;

5.4.5.1.4. Other recent communications that are judged to have no further business significance to the County.

5.4.5.2. Non-Transitory Voicemail - These are Voicemails that have lasting value to the County. Examples might include emails that:

5.4.5.2.1. Memorialize the making of important decisions;

5.4.5.2.2. Are connected to specific case files, contract files, or larger records;

5.4.5.2.3. Evidence of a crime or criminal activity;

5.4.5.2.4. Are judged to have further business significance to the County.

5.4.6. Non-Business Voicemail – These are Voicemails contain no information relating to the conduct of the County's business, and include unofficial, personal messages.

5.4.7. Voicemail Retention, Archiving, Storage and Deletion

5.4.7.1. Transitory Voicemail should be deleted after its business purpose is served.

5.4.7.2. All Voicemail will automatically be deleted seven (7) days after receipt.

5.4.7.3. Non-Transitory Voicemail is a Public Record and, if retention is required by the County Retention Schedule, must be documented and stored accordingly. Questions about whether a Voicemail is a public record should be referred to the County Counsel. The Board expects that Voicemail will not be used as a substitute for written communication, when such is required to carry out the formal business of the County. To the extent that non-transitory Voicemail does occur, documentation via an appropriate written record must be established, (i.e., confirming memo, letter, etc.).

5.4.7.4. Non-Transitory Voicemail may not be archived or stored electronically. Note: A documented Voicemail is still subject to retention via paper, as described in 5.4.7.3.

5.4.7.5. Non-Business Voicemail must be deleted immediately.

5.4.8. Other Voicemail Guidelines

5.4.8.1. Deleted Voicemail is immediately deleted.

5.4.9. Business Continuity and Backup

5.4.9.1. For Business Continuity purposes only, both individual Emails and the Email Information Store are backed up onto magnetic tape. The Email Information Store is the overall dataset of Email which does not allow retrieval of the individual email.

5.4.9.2. Back up media for both individual Email and the Email Information Store must be deleted, recycled or disposed of after 14 days.

5.4.9.3. Voicemail is not backed up and the messages are subject to loss if the equipment or software comprising the system are damaged or destroyed.

5.4.10 Violations of this policy may result in disciplinary actions.

5.5 Implementation of the Email/Voicemail Retention Policy

5.5.1. Department Heads are responsible for the implementation of this policy.

5.5.2. Each must establish a routine by which compliance can be demonstrated through a periodic audit.

Note: The timeline in the cover memo released when the policy is approved will state: Each Department Head is asked to provide an implementation plan to the CAO by March 31, 2006. Departments shall be in full compliance of this policy by July 1, 2006.