



**DEPARTMENT OF FAIR EMPLOYMENT  
AND HOUSING  
*ENFORCEMENT DIVISION*  
*DIRECTIVE***

**DIRECTIVE  
NUMBER  
110**

**DISTRIBUTION  
DATE  
December 1, 2000**

1. **SUBJECT: INTERNET AND ELECTRONIC MAIL (E-MAIL) USAGE**
2. **PURPOSE:** To set forth the procedures for using the Internet and Electronic Mail.
3. **BACKGROUND:** The Internet and electronic mail (E-mail) are effective and efficient means of communicating information between parties. While their use may be appropriate in certain situations, it is not appropriate in others. Electronic mail and other forms of data communication transmitted or received on the Department of Fair Employment and Housing's computerized electronic systems will only be used for the purpose of conducting official State business. As a government entity, the Department has an obligation to protect the confidentiality of certain information that is available to it. These procedures are premised on that obligation.
4. **PROCEDURES:**
  - A. **Internet**
    - 1) The Internet is to be used as an integral part of the Department's overall Information Technology (IT) processes. Use of the Internet is encouraged to:
      - a) Provide an efficient method to exchange information within State agencies, between governmental agencies, and with the public;
      - b) Facilitate the implementation of statewide E-mail systems; and
      - c) Provide sources of data to assist State organizations in accomplishing their stated mission and program goals.
    - 2) The Internet may be used for the following:

- a) Communications and information exchanges directly related to the mission, charter, and work tasks of the agency;
  - b) Announcements of State law, procedures, hearings, policies, services, or activities;
  - c) Advisory, standards, research, analysis, and professional society or developmental activities related to the user's State government duties; and
  - d) Applying for or administering grants or contracts for State government research programs.
- 3) The Internet may not be used to submit, publish, display or transmit on the network or any computer system any information which:
- a) Violates or infringes on the rights of any other person, including the right to privacy;
  - b) Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material;
  - c) Violates agency or departmental regulations prohibiting sexual harassment;
  - d) Restricts or inhibits other users from using the system or the efficiency of the computer system;
  - e) Encourages the use of controlled substances or uses of the system for the purpose of criminal intent; and
  - f) Uses the system for any other illegal purpose.
- 4) It is also unacceptable to use the Department's Internet facilities and capabilities of the system to:
- a) Conduct any non-approved business;
  - b) Solicit the performance of any activity that is prohibited by law;

- c) Transmit material, information, or software in violation of any local, State, or federal law;
  - d) Conduct any political activity;
  - e) Conduct any non-government related fund raising or public relations activities;
  - f) Engage in any activity for personal gain or personal business transactions; and
  - g) Make any unauthorized purchases.
- 5) Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law. The federal Copyright Act at 17 U.S.C. et seq., (1988), protects and prohibits misuse of all original works of authorship in any tangible medium of expression. This includes a prohibition on plagiarism (using someone else's ideas or writing and passing it on as one's own).

**B. Internal E-mail (within DFEH)**

- 1) Internal E-mail may be utilized for the following types of activities within the Department:
  - a) To schedule/confirm meetings and coordinate schedules;
  - b) To disperse miscellaneous Department announcements including, but not limited to press releases, newsletters, and job opportunities;
  - c) To disperse various statistical reports and monthly/quarterly reports between district offices and Headquarters;
  - d) To disperse Commission Decisions and updates to directives, the law, regulations, case processing manuals, training materials, etc.;
  - e) Supervisor requests for non-confidential information and work assignments;
  - f) Case related discussions between management and staff;

- g) District office requests for a legal opinion and subsequent responses from the Legal Unit; and
  - h) Any other work-related communication among staff, e.g., sharing of resources, etc.
- 2) All Department wide E-mails are to be cleared through the Deputy Director of Public Affairs.
  - 3) Department managers and supervisors may have access to the E-mail files of staff who report to them.

**C. External E-mail**

- 1) External E-mail may be utilized by Department staff for the following:
  - a) To schedule meetings and/or confirm appointments for on-site investigations as long as the communication does not reference the case name and number. Such confirmations may specify the names of individuals to be interviewed;
  - b) To disperse Commission Decisions and updates to directives, the law, regulations, case processing manuals, training materials, etc.;
  - c) To disperse miscellaneous Department announcements, including, but not limited to press releases, newsletters, events, and job opportunities; and
  - d) To disperse various statistical reports and data that pertain to the Department's caseload.
- 2) Department staff may receive/accept general inquiries and/or case related information from the public, Complainants, and Respondents via external E-mail. While receipt of the E-mail may be acknowledged electronically, any response to case related E-mail shall be done by telephone or letter. An E-mail response is only appropriate for non-case related inquiries regarding the law and enforcement procedures.
- 3) All case related information related to a particular case, whether open or closed, including case names and case numbers, shall not be communicated through external E-mail.

**D. Record Keeping**

Any Department staff member who receives or generates an internal or external E-mail message shall generate and retain a printed copy of the document in the case file.

**E. Internet and Electronic Communication Policy**

- 1) The Department has developed and implemented a policy regarding Internet and E-mail usage. (Refer to Policy Statement Internet/Electronic Communications, Attachment 1.)
- 2) In order to have access to the Internet or E-mail, individual staff members will be assigned an Internet/E-mail account. Prior to being assigned an account, each staff member must sign an Internet/Electronic Communication Policy Employee Acknowledgement Form. (Refer to Attachment 2.)
- 3) The Department reserves the right to monitor and/or log all network activity with or without notice, including E-mail and all website communications and, therefore, users should have no reasonable expectation of privacy in the use of these resources.

**5. APPROVAL:**

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Dennis W. Hayashi, Director

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Date