

OFFICE OF  
**BOARD OF TRUSTEES**  
**VILLAGE OF MILLBROOK**  
MILLBROOK, DUTCHESS COUNTY, N. Y.



**VILLAGE OF MILLBROOK**  
**WORKPLACE VIOLENCE POLICY**

## POLICY STATEMENT

The Village of Millbrook considers the safety and security of its employees, and those residents, vendors, contractors, and the general public (“visitors”) who visit Village property, to be of paramount importance and strives to provide them certain protections while on Village property. The goal of this policy is to promote the safety and well-being of all people in our workplace. The Village of Millbrook is strongly committed to providing its employees a work environment that is safe, secure, and free of harassment, threats, intimidation and violence. The Village will not tolerate workplace violence of any type, from any source, against its employees, visitors, facility users, or other individuals, nor against Village buildings, equipment, or property. Such “violence” shall include, but is not limited to, threats, abusive behavior, physically harming another or causing damage to a building or equipment, fighting, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or engaging in those activities.

The Village of Millbrook will not tolerate **any** such acts of violence and will take all reasonable and practical measures to prevent such violence and protect employees and visitors from acts of violence. This includes, but is not limited to, threats, threatening and abusive behavior, or acts of violence against (a) employees, visitors, users of Village facilities or other individuals, or (b) Village buildings, equipment, or property. In addition, weapons of any kind are prohibited in the workplace, unless specifically authorized herein.

The Village of Millbrook further prohibits weapons of any kind in the workplace. Employees are prohibited from possessing firearms or weapons of any kind while on Village premises; in Village vehicles while conducting business for the Village; or at work sites, or any other location during working hours or while representing the Village, regardless of whether the person is licensed to carry the weapon. Weapons include, but are not limited to, guns, knives, explosives, and other items used, among other things, to inflict harm. The only exceptions are law enforcement personnel, security personnel, and those exceptions as specifically set forth in this Policy. All employees that have knowledge of another employee’s wrongful possession of a weapon must report such to a supervisor, Department Head, or Village Mayor, as soon as possible.

**Any and all** incidents of workplace violence must also be promptly reported to the employees Department Head, supervisor, or Village Mayor, and should be reported by filing a Workplace Violence Incident Report Form, available to all employees. All incidents of violence or threatening behavior will be responded to immediately upon notification.

**Violations of this policy** will result in appropriate remedial, disciplinary, and/or legal action by the Village Board of Trustees, in accordance with what the circumstances warrant. This policy is designed to meet the requirements of the New York State Labor Law.

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## VILLAGE OF MILLBROOK WORKPLACE VIOLENCE POLICY

### 1. Purpose

To define the policy of the Village of Millbrook that all employees have the right to work in an environment free from physical violence, threats and intimidation, and to promote the safety and well-being of all people in our workplace.

### 2. Policy

The safety and security of all our employees is of paramount importance to the Village of Millbrook (“the Village”). The Village will not tolerate workplace violence of any type, from any source. This includes, but is not limited to, threats, threatening and abusive behavior, or acts of violence against (a) employees, visitors, users of Village facilities or other individuals, or (b) Village buildings, equipment, or property. In addition, weapons of any kind are prohibited in the workplace, unless specifically authorized herein.

### 3. Definitions

- 3.1 Violence or threats:** Prohibited acts of workplace violence include, but are not limited to, threats, intimidation, physical attack or property damage.

**Threat:** The expression of intent to cause physical or mental harm or damage. Such an expression constitutes a threat without regard to whether the person communicating the threat has the ability to carry it out, and without regard to whether the threat is made on a present, conditional, or future basis. In determining whether the conduct constitutes a threat, including whether the action causes a reasonable apprehension of harm, the Village Board of Trustees will consider the totality of the circumstances.

**Physical attack:** Without limitation, unwanted or hostile physical contact such as hitting, pushing, kicking, shoving, throwing of objects or fighting.

**Intimidation:** Includes but is not limited to acts of aggression, stalking or engaging in actions, whether verbal or physical, which frighten or coerce.

**Property damage:** Intentional or reckless damage to, or destruction of, property owned by the Village, Village personnel, contract and temporary employees, volunteers, customers and anyone else on Village property.

Other examples of violence include, but are not limited to:

Stalking another employee, with the intent or result of causing fear or material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Distributing “hate” literature or engaging in other communications that advocate violence.

Any behavior that would qualify under the Village’s Sexual Harassment Policy located in the Employee Handbook including but not limited to threatening phone calls, e-mails, letters, stalking, and/or suggestions or intimation of violence.

Being in possession of weapons on Village property, including weapons in private vehicles in Village parking lots, or in Village vehicles, unless specifically authorized.

- 3.2 Weapons:** Includes a device, instrument, material or substance which is used for, or can cause, death or bodily injury, or damage to property. Weapons include, but are not limited to: explosives or an explosive weapon, a device principally designed, made or adapted for delivering or shooting an explosive weapon, a machine gun, a rifle or shotgun, a handgun or pistol, a firearm silencer, a switchblade knife or any other type of knife, or brass knuckles, or any other implement for infliction of bodily injury, damage to property, or death, which has no common lawful purpose for the person possessing it. Pocket knives or knives used solely for eating, food preparation or distribution, are not considered “weapons” for purposes of this policy unless used to inflict bodily injury or property damage, threaten or intimidate, or are possessed for illegal purposes or intentions.
- 3.3 Worksite/Workplace:** Any location away from the employee’s domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer, and includes all real property owned or occupied by the Village, Village vehicles and personal vehicles when performing Village business off Village property.
- 3.4 Reasonable suspicion:** The degree of knowledge sufficient to induce an ordinarily prudent and cautious person to believe that the circumstances being presented are more likely to be true than not. Reasonable suspicion must be based on an articulatory, specific and objective basis and may include direct observation, or information received from a source believed to be reliable.
- 3.5 Employee:** For purposes of this policy, persons receiving a payroll check, contractors and volunteers.

- 3.6 Possession:** Includes but is not limited to, the presence of a weapon on the employee's person, in his/her motor vehicle while working or performing Village business, in his/her desk, lunch box, toolkit, bag, purse, cabinets, office, etc.

#### **4. Weapons**

Despite laws which provide for permits allowing individuals to carry concealed handguns (New York State Penal Law Article 400), it is the Village's policy to prohibit the possession of all weapons, including handguns, on property owned, operated or under the control of the Village. Weapons of any kind are prohibited in the workplace. The only exceptions to this prohibition are as follows:

Firearms used for instructional or Village-sanctioned ceremonial purposes.

Persons employed in the Army, Air Force, Navy, Coast Guard, or Marine Service of the United States or any member of the New York National Guard when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons.

Civil officers of the United State in the discharge of their official duties.

Officers and soldiers of the militia and the National Guard when called into actual service.

Officers of the State, or any county, City or Town, charged with the enforcement of the laws of the State, when in the discharge of their official duties.

Any registered security officer/guard who meets licensing requirements, who is discharging such officer's duties.

Any law enforcement officer, police officer, corrections officer or bonded and sworn deputy sheriff may carry handguns always pursuant to a written directive by the executive supervisor of the organization to which the person is attached or employed, despite the person's regular duty hours or assignments.

#### **5. Prohibited Activities**

The Village specifically prohibits the following and the Village Board of Trustees may discipline an employee up to and including dismissal for any of the following:

- 5.1** Use, possession, or sale of any weapon on the work site.
- 5.2** Storing any weapon in a motor vehicle, desk, lunch box, locker, toolkit, bag, purse, cabinets, office or other repository on the work site.

- 5.3 Refusing to submit to an inspection for the presence of a weapon based on reasonable suspicion.
- 5.4 Refusing to allow inspection of storage areas specified in 5.2 above based on a reasonable suspicion that a weapon or weapons will be found in such an area.
- 5.5 Conviction under any criminal statute for the illegal use or possession of a weapon or upon conviction of committing a violent act against the person or property of another while employed by the Village of Millbrook.
- 5.6 Engaging in violence or threats of violence, or causing damage.

## **6. Notification and Reporting**

All Village personnel are responsible for notifying the contact person designated below of any threats or violence that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard potentially threatening or violent or which could endanger the health or safety of an employee when the behavior might be or has been carried out on a Village-controlled site or is connected to Village employment or Village business.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. All incidents should be reported on the Village's Workplace Violence Report Form, a sample of which is attached hereto.

## **7. Restraining and Protective Orders**

An employee who applies for or obtains a protective or restraining order that lists Village properties as protected areas must provide to the designated contact person below a copy of the petition and declarations used to seek the order and a copy of any temporary or permanent protective or restraining order that was granted.

## **8. Confidentiality**

The Village understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee. Note that the Village cannot promise absolute confidentiality because it may be bound to report the incident or situation to a law enforcement agency, other governmental agency, etc. However, the Village will maintain the anonymity of the reporting employee when at all possible.

## **9. Village Response to Threats and Violence**

In the event a complaint or concern arises with regard to compliance with this policy, the Village Board of Trustees, or any such officer or employee the Board may designate, will promptly conduct an investigation to determine the validity of the complaint and what, if any,

corrective action should be taken to resolve the matter and promote a violence-free workplace.

Depending on the seriousness of the allegation(s) and other factors that the Village Board of Trustees deems relevant, such as security concerns, potential disruptions, etc., any person who makes threats, exhibits threatening behavior, or engages in violent acts on Village property shall be removed from the premises as quickly as safety permits and shall remain off Village premises pending the outcome of an investigation.

Following an investigation which indicates this policy was violated, the Village Board of Trustees will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension with or without pay, or termination of employment, and/or criminal prosecution of the person or persons involved. Other corrective action might include: coaching, mediation, other disciplinary action, transfer or demotion, reaffirmation of the policy, individualized or group training, counseling, etc.

#### **10. Retaliation**

The Village of Millbrook respects the right of employees to raise concerns regarding violent activities and cooperate with necessary investigations. Retaliation against employees who report violence or participate in investigations is strictly prohibited. "Retaliation" is broadly construed. It includes not only overt retribution, but also acts such as refusal to communicate or cooperate regarding work related matters, withholding information or assistance needed to perform one's job, more closely scrutinizing any employee's work performance, etc.

An employee who feels (s)he has been retaliated against for reporting violence or participating in an investigation should promptly report the retaliation to his/her immediate supervisor. If the employee, for any reason, feels uncomfortable reporting the alleged retaliation to his/her immediate supervisor, the employee may report to the Department Head, the Village Clerk, the Village Mayor or other appropriate official.

#### **11. Coverage**

The Village Board of Trustees at its discretion may from time to time modify this policy. In the event the policy is revised, a copy of the revised policy will be provided to each employee.



**VILLAGE OF MILLBROOK**  
**Telephone / Cell Phone Usage**

Guidelines – Telephone and cell phone usage must adhere to the following guidelines:

- Village cell phones will be issued to the Mayor, Public Works Superintendent, Building Inspector, and Police Department. They may be used for calls, texting, and e-mail retrieval.
- The Millbrook Fire Department will issue Village cell phones to department officers.
- An employee may not make or receive personal calls on a Village provided telephone or cell phone that will result in additional plan charges to the Village, except in an emergency and/or with prior approval from the Department Head. The employee must reimburse the Village for the cost of the call. (The current Village Verizon Wireless contract does not allow any additional data charges for Village of Millbrook employees or volunteers. 1/11/2016)
- Employees should answer all calls promptly and speak in a clear, friendly and courteous tone;
- An employee must identify themselves upon answering a phone call. If the call is not for the employee who answers, the employee must transfer the caller to the correct party or take a message recording all pertinent information;
- If the call must be placed on hold, the employee who answered the call must return to the line frequently to confirm that the call is being transferred;
- Collect calls may not be accepted without the approval of the Department Head or Mayor;
- An employee may make personal telephone calls during business hours, however, such calls should be limited in duration and frequency and must not interfere with the performance of the employee's job duties;

# Village of Millbrook Social Media Policy

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This policy applies to all officers, employees, and volunteers of the Village of Millbrook; collectively referred to as officials.

## **Purpose**

The Village of Millbrook acknowledges that use of technology by Village employees provides several useful benefits including training and the acquisition of useful information for the betterment of the Village and its residents. It also allows for the dissemination of information to the public. As such, the Village of Millbrook embraces the usage of instant technology and social media to that end.

This policy establishes the Village of Millbrook social media and instant technology use protocols which are intended to clarify expected behavior and mitigate associated risks from the use of this technology where possible.

## **Definition of Social Media**

For the purposes of this policy Social Media is defined as content created by individuals using technology which is then dispersed through the internet or mobile phone networks. This content includes but is not limited, instant messaging, texting, blogging, paging; and social media networking sites including Facebook, MySpace, RSS, YouTube, FourSquare, Twitter, Tumblr, LinkedIn, Delicious, Flickr, and any other information sharing services, websites and/or blogs.

All official Village social media pages shall be approved by the Mayor or the Board of Trustees or their designees. All social media content shall adhere to all applicable laws, regulations and policies including the records management and retention requirements set by law and regulation.

The Internet and other information sharing devices are global entities with no control of users or content. Therefore, available resources may contain material of a controversial nature. The Village of Millbrook is not responsible for material found on these sources.

The Village of Millbrook appreciates the value of such technology, however we prohibit any dissemination of village information that violates personal privacy or portrays the Village of Millbrook to the public in an illegal or negative manner (intentional or unintentional).

Therefore, no information, videos or pictures gathered while on Village of Millbrook business (this includes meetings, details, trainings or anything occurring on Village property or at Village functions) may be shared or posted in any format official or personal without the approval of the Mayor, Fire Chief, or the Board of Trustees.

Although members of the media and general public may openly take and share photos via social media; the Village of Millbrook insists that officers, employees and volunteers refrain from sharing any information or photos acquired while performing official Village business without consent of the Mayor or Board of Trustees.

Under this restriction, officers, employees and volunteers are prohibited from disseminating or transmitting in any fashion photographs or images of individuals conducting Village business. Any such transmission may violate New York State Laws and/or the HIPPA privacy rights of such individuals and may result in a criminal and/or civil proceeding being commenced against employees violating this provision of the policy.

Under this restriction, officers, employees and volunteers are prohibited from disseminating or transmitting in any fashion photographs or images of individuals involved in emergency services situations such as vehicle accidents or fires. Any such transmission may violate New York State Laws and/or the HIPPA privacy rights of such individuals and may result in a criminal and/or civil proceeding being commenced against employees violating this provision of the policy.

This policy is not intended to limit your right of freedom of speech or expression; but because we are a public entity, it has been put in place to protect the Village, its officers, employees, volunteers, and the public we are sworn to serve. All officials are advised that their speech directly or by means of instant technology, either on or off duty, and in the course of their official duties, may not be protected speech under the First Amendment.

Any speech that impairs or impedes the performance of the Village, undermines discipline and harmony among co-workers, or negatively affects the public perception of the Village may be sanctioned.

As a basic constitutional concept of law, a public employee may comment on a matter of public concern. However, airing personal workplace grievances does not raise a matter of public concern.

## **Conduct of Employees**

Employees must follow the following guidelines when discussing the Village of Millbrook on any Social Media, official or personal:

- Make clear that you are expressing your personal opinion and not that of the Village of Millbrook.
- Do not make any disparaging or false statements or use profane language.
- Do not make any statements or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, religion or protected class of individual.
- Do not share confidential or proprietary information.
- Do not violate Village of Millbrook policies including the Code of Ethics.

- Do not display Department of Village logos, uniforms or similar identifying items without prior written permission.
- Do not publish any materials that could reasonably be considered to represent the views or positions of the Village of Millbrook without authorization.
- Do not publish sexual content or links to sexual content.
- Do not engage in or encourage illegal activity.
- Do not publish information that may tend to compromise the safety or security of the public or public systems.
- Do not publish content that violates a legal activity
- Do not publish content that violates a legal ownership interest of any other party
- Do not publish images and/or video of residents and graphic images that are defamatory, obscene, slanderous or unlawful; and/or tend to interfere with the maintenance of proper discipline; and/or damages or impair the reputation and/or efficiency of the Village or employees.

Any employee engaging in social media or social networking activities, will maintain a level of professionalism in both on-duty and off-duty conduct that is consistent with the honorable mission of the Village.

## **Use of Social Media While on Duty**

1. Employees may not use social media while operating Village owned equipment.

## **Photography and Videography**

1. The use of cameras (still and video) shall not interfere with your role as an official.
2. Do NOT take or distribute photos on any medium where an individual conducting Village business, or vehicle license plates could be identified.
3. NEVER take graphic or revealing photographs.
4. Photographs on Village computers and phones are the property of the Village of Millbrook and are not to be copied, mailed, emailed, or printed without prior authorization from the Mayor or the Board of Trustees.
5. Law firms and/or civilian agencies requesting photographs of any nature shall be required to make a formal request via the Village Records Management Officer.

## **Information Distribution**

It is the role of the Mayor, Board of Trustees, and the Fire Chief to distribute information to the press and public. No other official shall be allowed to distribute information to the press or public without expressed consent by the Mayor. This includes but is not limited to written, auditory, and/or visual messages communicated via Village of Millbrook resources or via personal devices, such as cell phones, PDAs, etc, and/or social media platforms. Any written, auditory, and/or visual messages communicated by an official that are relative to the Village of Millbrook are the sole property of the Village of Millbrook.

The Village of Millbrook owns the rights to all data and files in any owned computer, network, cell phone or other information system. The Village of Millbrook also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the internet and of computer equipment used to create, view, or access e-mail and internet content.

Officials must be aware that the electronic messages sent and received using Village of Millbrook equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Department Heads or liaisons at all times. The Village of Millbrook has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws.

Inappropriate use of the Internet and instant technology while on Village business may result in disciplinary actions, up to and including termination/expulsion of an official of the Village of Millbrook.

Village of Millbrook computer equipment is to be used for Village/department business purposes in a professional and businesslike manner.

## **VILLAGE OF MILLBROOK DEBIT CARD POLICY**

### **Purpose:**

To establish a convenient, efficient and cost-effective method of purchasing goods and services particularly via the internet, when vendors will not accept purchase orders or vouchers.

### **Issuance of Debit Cards:**

Two debit cards are authorized to be issued to the Village of Millbrook Accounts Payable Account. The Village debit cards may be used to pay for lodging, business meals, fuel, car rentals, and any other goods and services that cannot be obtained by purchase order or voucher. It may also be used to subscribe to goods, software, and other materials that require prepayment through the Internet.

### **Use of Debit Card:**

The following rules shall apply to the use of the Village debit card.

- a. All cards will be kept in a secure location under control of the Village Clerk/Treasurer.
- b. Permission for used of village debit card may be obtained from the Mayor or two Trustees acting in concert. A signed debit card agreement must be on file for each user.
- c. A control log will be maintained by the Clerk/Treasurer recording all debit card use.
- d. A control log will be maintained by the Office of the Village Clerk to document the removal and return of debit cards from the secure location.
- e. All charges must be evidenced by original sales receipts or online invoices upon return of the card. The Clerk/Treasurer will attach said receipts to the prepaid voucher upon review of the monthly bank statement and submit to the Board of Trustees for review at the next regular meeting. If the cardholder cannot produce a receipt he shall be responsible for reimbursement to the Village.
- f. No personal purchases may be made with this card.
- g. No expenditures for entertaining or new business purposes shall be made.
- h. In the event of willful or negligent default of the obligations of the card user, the Board of Trustees of the Village of Millbrook shall take such recovery action as deemed appropriate by law.
- i. The cardholder is responsible for the security of his purchases. The cardholder shall return the card and provide itemized receipts for each purchase to the Village Clerk upon returning to his place of work within 48 hours. The receipts will indicate the reason and nature of the purchase. All receipts and expenditures will be reconciled with the monthly statements and audited by the Village Board of Trustees. Verification of items purchased were actually received will be conducted. Claims will not be paid without documentation.

# **Village of Millbrook**

## **Email Policies and Procedures**

### **General Policies**

#### **Ownership of Email**

The Village legally owns all emails that employees and officials create and receive when conducting Village business, regardless of where employees and officials create and receive the emails. Employees and officials have no promise of personal privacy when using email on behalf of the Village.

- All email users of Village email accounts acknowledge that they understand the Village's policy on email ownership each time they log into the Village's system.
- Email users who work at home (the Village Planning Board/ZBA secretary, Board members, Mayor, Building Inspector/CEO, Public Works Supervisor) should have separate email accounts for Village-related emails or, at minimum, should maintain Village emails separately from personal emails.

#### **Training**

- The Village Clerk will ensure training on the email system for all new Village officials and employees, and will also provide ongoing training, especially after upgrades or transitions to new email programs.
- New employees will not have access to and use of a Village email account until they are trained on the Village's email policies and procedures.

#### **Managing Email**

The Village manages most email as general correspondence and follows the retention periods for general correspondence in the Records Retention and Disposition Schedule MU-1. The Village manages and preserves emails with a retention period of longer than six years in a central file directory on the Village's main server, and ensures email with a retention period of six years or less is destroyed after six years.

## **Classifying Email**

- Email users are responsible for classifying emails, on receipt or before transmission, as either non records or as permanent records.
- Emails that are non records include listserv messages distributed to many recipients, spam, broadcast messages received by officials and employees, and personal messages. A user may destroy non-records immediately.
- Permanent emails document significant policy, decision making, events, or legal issues, or pertain to legal precedents.
- Users must remove permanent emails from their individual email accounts and forward them to the Village Clerk for retention.
- The Village's email archiving appliance will capture all emails, including permanent emails, and will prevent modification or deletion of archived email.

## **Managing Retention and Disposition**

- Permanent emails will be managed and preserved in the shared file directory, along with the Village's other electronic records (see below under "Preservation").
- The Village Clerk will ensure that emails generated during a certain year are purged from the email archiving appliance after six years.
- Email users who work at home should create two subfolders for permanent and non-permanent (six-year) emails, and delete all non-records. They should then periodically forward the two subfolders to the Village Clerk, who will file the permanent emails in the shared file directory. It is not necessary for the Clerk to manage the non-permanent emails, because the system will automatically collect the emails from the Clerk's account and manage the emails as six-year records.
- In rare instances, email users may receive or send an email or attachment that either does not qualify as correspondence or that they wish to save for longer than six years but not permanently. In such cases, they must forward the email to the Village Clerk, who will apply the appropriate retention period and file the email in the shared directory. (Users of personal accounts should also follow this procedure.)
- The email server deletes all messages from individual accounts in the Village email server after ninety days. (Users of personal accounts are strongly encouraged to purge these accounts of Village-related email according to the same schedule, after forwarding copies of record emails to the Village Clerk as described above.)



- Email users may store non-permanent records that they need for daily use on their own computer hard drives. The Village Clerk will prompt email users to review files on their personal drives annually, and to delete those saved emails that have passed their legal retention periods.

### **Backups**

- The Village Clerk will ensure that backups of emails on the email server and the archiving appliance are destroyed according to the retention period stipulated for backups in the Records Retention and Disposition Schedule MU-1.

### **Preservation**

- Emails with retention periods greater than six years will be preserved with other electronic files in the Village's shared file directory.
- The Village Clerk, with assistance from the Village's computer support vendor, will monitor new versions of email software and the archiving appliance to determine whether upgrades are necessary.
- Backups of the email system and archive are to be used for disaster recovery and retention purposes.
- The Village Clerk, with assistance from the Village's computer support vendor, will ensure the ongoing integrity of media used to store emails, as stipulated in the Regulations of the Commissioner of Education (Part 185, 8NYCRR), if the emails are stored offline to removable storage media.

### **Access to Email**

- Emails must be accessible for the duration of their retention periods. Emails are public records that are open and accessible to the public under the same conditions as all other Village records.
- Email users have access to the emails in their individual accounts in the Village system for ninety days. If they need access to some emails for longer than ninety days, they must save those emails on their personal hard drives
- Permanent emails are files in the directory first by Village department and thereafter by subject or document type. Users have read-only access to emails in the shared directory, with some important exceptions. Access to certain emails relating to ongoing law enforcement investigations, court actions, and personnel matters may be restricted by law to specific

individuals in Village government. The Village Clerk will maintain a list of types of emails where access is severely restricted.

- The Village Clerk, as records access officer, will respond to all FOIL requests involving email and , if necessary, will confer with legal counsel about an appropriate response (especially if a request is denied).

### **E-Discovery**

Village staff and officials must be aware that all email messages, including personal communications, may be subject to discovery proceedings in legal actions, and all must respond appropriately to an impending legal action involving email

- Legal counsel will work with the Village Clerk to establish procedures for preserving evidence relating to imminent or ongoing legal actions.
- If a Village staff member or official becomes aware of potential litigation, it is his or her responsibility to notify legal counsel immediately. Counsel will determine what action, if any, needs to be taken.
- The Village Clerk, working with the Village's computer support vendor, will ensure that records of potential relevance in the archive remain accessible for the full extent of the proceeding, which may require moving relevant email records to removable storage media.
- All measures taken in response to an e-discovery action will apply to Village-related emails that are retained by email users working on home computers.

### **Appropriate Use**

Appropriate use will be handled as a security issue. Violation of the Village's appropriate use policy can threaten the Village's computer system, make the Village vulnerable to legal action, and cause irreparable damage to the Village's reputation.

### **Responsibility for Appropriate Use & System Security**

- All email users are expected to know the difference between appropriate and inappropriate use of email. This appropriate use policy applies to anyone who is representing the Village, even if that person is using a personal account on a home computer.
- All users will be prompted to acknowledge their personal responsibility for using email appropriately every time they log into their Village email accounts.

## **Inappropriate Uses of Email**

Email is provided as a tool to assist Village employees and officials in their day-to-day work, facilitating communication with each other, our constituency, and other stakeholders. The Village email system is intended for official communications only, and it is everyone's responsibility to limit personal use of the system.

It is not acceptable to use the Village of Millbrook's email for:

- Any illegal purpose
- Transmitting threatening, obscene, or harassing materials or messages
- Distributing confidential Village data and information
- Interfering with or disrupting network users, services, or equipment
- Private purposes, such as marketing or business transactions
- Installing copyrighted software or computer files illegally
- Promoting religious and political causes
- Unauthorized not-for-profit business activities
- Private advertising of products or services
- Modifying, obtaining, or seeking information about files or data belonging to other users, without explicit permission to do so

## **Enforcing Appropriate Use**

- The Village has the right to address instances of email misuse through disciplinary action or termination, if necessary.
- Messages relating to or in support of illegal activities must be reported to the appropriate authorities.
- The Village Clerk has access rights to all email on the archiving appliance to monitor and ensure system security.
- The Village Board will review alleged violations of the email appropriate use policy on a case-by-case basis.

## **Technical Security**

The Village's computer support vendor has primary responsibility for overseeing the technical security of the Village's email management system.

- The Village's computer support vendor is responsible for providing and maintaining up-to-date anti-virus software, firewalls, and spam filters to

protect the overall system from malicious email messages and other forms of sabotage.

- In the event that email users receive unsolicited email (spam) or email with unexpected and suspect attachments, they must delete these emails and report them to the Village Clerk, who will confer with the Village's computer vendor to assess the security risk.
- Users should exercise similar care when linking to external websites from unsolicited messages.
- Email users must employ passwords to access their email in the Village email system and must change their passwords periodically.
- As a general rule, email users must not share their passwords with other Village officials or employees. In cases of planned or emergency absences, other personnel may be allowed to access the absent person's email, with prior approval from the Village Clerk.

### **Staff Departure**

- If a staff member or official separates from the Village, the Village Clerk will place a hold on the email account of that individual until the account and computer can be reviewed for record content.
- Any Village emails maintained on a home computer by a former employee must be transferred to the Village Clerk for review and disposition.

### **Training**

- All Village employees and officials will be trained in established email use and management policies.
- Training will be provided to all Village email users within the first ten days of employment or appointment, and to all employees when the policy is revised or the Village changes its current email management system.

The Village Clerk will provide or arrange for training that will address the following topics:

- Identifying records, permanent records, and general records management practices
- Responsibilities of employees in records and email management
- Use of the Village email application and its relationship to non-system Village email
- Appropriate use of Village email accounts

**VILLAGE OF MILLBROOK**

**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT  
FORM**

**DATE:** \_\_\_\_\_

**EMPLOYEE:** \_\_\_\_\_

**I have read the official Village of Millbrook Employee Handbook and agree to abide by the contents contained therein.**

**Signature** \_\_\_\_\_

**Received by:**  
**Village Clerk** \_\_\_\_\_

**VILLAGE OF MILLBROOK  
EMERGENCY CONTACT FORM**

**Employee** \_\_\_\_\_

**Address** \_\_\_\_\_  
\_\_\_\_\_

**Primary phone** \_\_\_\_\_

**Alternate phone** \_\_\_\_\_

\*\*\*\*\*

**In case of an emergency occurring during workday hours please contact:**

**Primary contact** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Relationship:** \_\_\_\_\_

\*\*\*\*\*

**Secondary contact** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Relationship:** \_\_\_\_\_

**Hospital Preference** \_\_\_\_\_

**Medically Relevant Information** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Child Guardianship Issues** \_\_\_\_\_