

CITY OF APPLETON PERSONNEL POLICIES	TITLE: PRIVACY	
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I. PURPOSE

To respect the privacy rights of the City of Appleton and its employees while maintaining a safe and professional workplace.

II. POLICY

All City of Appleton facilities and equipment are to be used for City related business. All information or materials stored on City of Appleton premises is presumed to be related to City business. The City reserves the right to inspect and monitor any documents, computer data/history, electronic media or devices, social media or third party applications, voice mail messages, facsimiles, mail, packages, desks, offices, lockers, general working areas and City provided vehicles and equipment at any time and without notice. Employees found to be in violation of this policy will be subject to disciplinary action up to and including discharge.

III DISCUSSION

- A. The City of Appleton may search/inspect facilities, desks, lockers, or equipment without prior notice or work-related justification.
- B. The City of Appleton reserves the right to use video equipment to monitor areas of its facilities. Images, electronic media or devices may be monitored as a security measure to ensure employee compliance with City policies.
- C. Employees should not have any expectations of privacy with respect to passwords, combinations, desk drawers, key locks, lockers, etc. Employees will be required to provide supervisors with passwords and keys upon request. Employees may only use personal locks on City of Appleton property if approved by their department's supervisor/department head.
- D. Employees will be required to immediately comply with a request from management to inspect or access any City facility or City property.
- E. The City of Appleton Human Resources Department will maintain personnel files for all employees. Supervisors may have access to such records only on a "need-to-know" basis. Any supervisor who has access to these files will maintain this information in confidence. Information in the City of Appleton personnel and medical files may be used for business purposes subject to any limitations by applicable Federal or State law. As outlined in the Privacy Act of 1986, information contained in an employee's medical file will be strictly confidential and will not be used in any manner which could discriminate towards an employee.

The City has an obligation to comply with State laws protecting access to records of library use by patrons. Access to library records should be requested through Library Administration.

- F. Personal belongings such as wallets, purses, cell phones and electronic devices, pockets, coats, etc. will be subject to inspection if reasonable suspicion exists. Employees should limit the amount of personal belongings that are carried or kept on City of Appleton premises.
- G. All personal mail and e-mail should be directed to the employee's residence or private accounts unless an emergency exists. Employees will be allowed to make and receive a reasonable amount of personal phone calls or e-mails during breaks and standby times.
- H. A supervisor may access any documents, computer data/history, electronic media or device, social media or third party applications, voice mail messages, facsimiles, mail, packages, desks, offices, lockers, general working areas or City provided vehicles/equipment to locate work related materials needed, including during an employee's absence.

IV. PROCEDURE

- A. An inspection or search may be initiated due to an investigation or may simply occur if a supervisor is attempting to locate materials related to City business that are believed to be in the area being searched. A supervisor may also periodically inspect locker rooms, work areas and materials, or electronic files.
- B. The City has an obligation to comply with open records requests. This means information regarding an employee may have to be disclosed pursuant to Wisconsin Statute section 19.35. Employees who share City related files in a personal hard drive/home computer or any other personal electronic device (e.g. cell or Smartphone) may be subjecting their personal computers/devices to an open records request inspection.
- C. Refusal to cooperate in a search or inspection, or obstructing or preventing access to facilities, equipment or property, may lead to disciplinary action up to and including discharge, or the involvement of the appropriate authorities. Employees will be offered an opportunity to explain their actions.
- D. To protect the privacy interest of individuals who use a locker room, only authorized investigators may enter and remain in the locker room to interview or seek information from any individual in the locker room.
- E. When others are present, audio recording devices may be used in the locker room when conducting an investigation. If no person other than the investigators are present, then audio/visual recording devices may not be used.
- F. No person may use a cell phone or recording devices to capture, record or transfer images in the locker room.
- G. Supervisory Responsibilities
 1. Periodically complete a visual inspection of work areas and materials.
 2. Contact Human Resources or the City Attorney's Office prior to beginning a search of any documents, computer data/history, computer disks, voice mail messages, facsimiles, mail, packages, desks, offices, locker rooms/lockers, general working areas or City provided vehicles/equipment.

H. Employee Responsibilities

1. Cooperate fully in any request to inspect or search any documents, data/history, computer disks, voice mail messages, facsimiles, mail, packages, desks, offices, lockers, cell phones/electronic devices, general working areas, or City provided vehicles/equipment.
2. Provide combinations, keys, and pass codes for City electronic systems to their supervisors or Information Services staff upon request. If a password is so provided or compromised in any fashion, it should immediately be reported to Information Services.
3. Contact Human Resources if this policy has not been followed in the course of a search or inspection.