

TOWNSHIP OF SADDLE BROOK  
Ordinance #1612-16

**An Ordinance Amending Chapter 29, “Personnel Policies”, of the Township Code of the  
Township of Saddle Brook**

WHEREAS, the Mayor and Council of the Township of Saddle Brook recognize the need to amend the Chapter 29, “Personnel Policies”, of the Township Ordinance as follows: Now, therefore, be it ordained as follows:

SECTION 1.

The following new section 29-10, entitled “Communication Media Policy” be and hereby is added: §29-10 Communication Media Policy:

A. The Township's communication media are the property of the Township and, as such, are to be used for legitimate business purposes only. For purposes of this communication media policy, "communication media" includes all electronic media forms provided by the Township, such as cell phones, smart phones, computers, electronic tablets, access to the Internet, voice mail, e-mail, and fax.

B. All data stored on and/or transmitted through communication media is the property of the Township. For purposes of this policy, "data" includes electronically stored files, programs, tables, databases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Township business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Township's mainframe or midrange systems or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Township's local or wide-area networks.

C. The Township respects the individual privacy of its employees. However, employee communications transmitted by the Township's communication media are not private to the individual. All communication media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Township. The Township reserves the absolute right to access, review, audit and disclose all matters entered into, sent over or placed in storage in the Township's communication media. By using the Township's equipment and/or communication media, employees consent to have such use monitored at any time, with or without notice, by Township personnel. The existence of passwords does not restrict or eliminate the Township's ability or right to access electronic communications. However, the Township cannot require the employee to provide his/her password to his/her personal account.

D. All e-mail, voice mail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.). Employees of the Township are required to use the assigned municipal e-mail account for all Township business and correspondence. The use of private e-mail accounts for any Township business or during business hours is strictly prohibited.

E. Employees can only use the Township's communication media for legitimate business purposes. Employees may not use Township's communication media in any way that is defamatory, obscene, or harassing or in violation of any Township rules or policy. Examples of forbidden transmissions or downloads include sexually explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

F. All employees who have been granted access to electronically stored data must use a logon ID assigned by Township. Certain data, or applications that process data, may require additional security measures as determined by the Township. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

G. All employees may access only data for which the Township has given permission. All employees must take appropriate actions to ensure that Township data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource or store information other than where authorized.

H. Employees must not disable antivirus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Township's computing environment.

I. Employees may not install or modify any hardware device, software application, program code, either active or passive, or a portion thereof, without express written permission from the Township. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township or licensed to the Township. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

J. The Township encourages employees to share information with co-workers and with those outside the Township for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the Township. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media: Employees may engage in social media activity during work time through the use of the Township's communication media, provided that it is directly related to their work and it is in compliance with this policy.

K. Employees must not reveal or publicize confidential Township information. Confidential, proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such

information will be maintained. Such information includes, but is not limited to, the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

L. Employees are prohibited from releasing or disclosing any photographs, pictures or digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences taken with the Township's communication media to any person, entity, business or media or Internet outlet, whether on or off duty, without the express written permission of the Administrator. Except in emergency situations, employees are prohibited from taking digital images or photographs with media equipment not owned by the Township. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes, and the employee does not have access to the Township's communication media. If such situation occurs, employee agrees that any images belong to the Township and agree to release the image to the Township and ensure its permanent deletion from media device upon direction from the Township.

M. No media advertisement, electronic bulletin board posting, or any other posting accessible via the Internet about the Township or on behalf of the Township, whether through the use of the Township's communication media or otherwise, may be issued unless it has first been approved by the Administrator of the Township. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Township.

N. Because authorized postings placed on the Internet through use of the Township's communication media will display on the Township's return address, any information posted on the Internet must reflect and adhere to all of the Township's standards and policies.

O. All users are personally accountable for messages that they originate or forward using the Township's communication media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any communication media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else) is prohibited.

P. Employees must respect the laws regarding copyrights, trademarks, rights of the public and the Township and other third-party rights. Any use of the Township's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Township, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

Q. To the extent that employees use social media outside of their employment and in so doing employees identify themselves as the Township's employees, or if they discuss matters related to the Township on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Township, and the employee is expressing only his/her personal views. For example: "The views expressed on this website/web log are mine alone and

do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Township or the Township's business. Employees must keep in mind that, if they post information on a social media site that is in violation of Township policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

R. Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Township employees have the right to engage in or refrain from such activities.

SECTION 2.

All other parts, portions and provisions of the Township of Saddle Brook Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

SECTION 3.

The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

SECTION 4.

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

APPROVED:  
TOWNSHIP OF SADDLE BROOK

\_\_\_\_\_  
Peter LoDico, Township Clerk

\_\_\_\_\_  
Joseph Camilleri,  
Council President

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Robert White,  
Mayor

Adopted: