

CITY OF ALPENA
STANDARD OPERATING POLICY

SUBJECT: E-Mail Retention

SOP No.: 39

Date Issued: 7/09/08

Effective Date: 7/10/08

Copies to: City Council, City Manager, City Attorney, Department Heads, All City Employees

PURPOSE:

The purpose of this policy is to establish guidelines for an “E-Mail Retention Policy.”

I. STATEMENT OF POLICY

In order for government to function administratively, undergo periodic audits, provide for its legal requirements, and document its heritage, it must manage its records property. Therefore, the City of Alpena requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved Records Retention and Disposal Schedule.

II. PROCEDURES

Electronic Mail (e-mail) is a means of exchanging messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted, etc; as well as aliases and names of members of groups), and any attachments.

Records Retention and Disposal schedules are listings of records or records series that are maintained by government agencies in the course of conducting their official business and identify how long the records must be kept, when they may be destroyed, and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law, records cannot be destroyed unless their disposal is authorized by an approved Retention and Disposal Schedule. The City of Alpena adopted the Michigan Municipal League’s Record Retention Handbook on August 17, 1998.

III. ACCOUNTABILITY

Employee Responsibilities:

- Senders and recipients of e-mail messages shall evaluate each message to determine if they need to keep it as documentation of their role in a business process.
- Senders are generally considered to be the person of record for an e-mail message. However, if recipients of the message take action as a result of the message, they should also retain it as a record.
- It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message which contains duplicate content.

- Shall evaluate the content and purpose of each e-mail message to determine how the Retention and Disposal Schedule defines the message's approved retention period.
- Employees shall retain e-mail that has not fulfilled its legally mandated retention period.
- Shall retain transactional information (see definition of e-mail above) with the e-mail message if there is a substantial likelihood of relevancy to litigation.
- Shall organize their e-mail messages so they can be located and accessed effectively.
- Shall dispose of transitory, non-record, and personal e-mail messages from the e-mail system.
- Shall dispose of e-mail messages that document the official functions of the agency in accordance with an approved Retention and Disposal Schedule. NOTE: Records, including e-mail, shall not be destroyed if they have been requested under FOIA, or if they are part of ongoing litigation, even if their retention period has expired.
- Shall provide access to their e-mail to the FOIA or Litigation Coordinator upon request.
- Shall retain all work-related appointments, tasks, and notes stored in the e-mail system for two years.
- Recognizing that e-mail messages that are sent and received using the City of Alpena's e-mail system are not private, employees are encouraged to manually delete personal appointments (such as sick leave or annual leave) from the e-mail system after the event takes place.

City of Alpena's Responsibilities:

- Shall ensure that its records are listed on an approved records Retention and Disposal Schedule.
- Shall ensure that all employees with e-mail accounts are aware of and implement this policy.
- Shall notify the MIS Department when the accounts of former employees can be closed.
- Shall ensure that the e-mail messages (and other records) of former employees are retained in accordance with approved Retention and Disposal Schedules.
- Shall notify FOIA coordinator when a department becomes involved in litigation or receives a FOIA request.
- MIS Department will archive e-mail for a seven-year period. If the record is required to be held longer than seven years, the department responsible for the record(s) will keep them on file.
- Exceptions to the procedures in this document may be granted in writing by the City Manager.

FOIA Coordinator Responsibilities:

- Shall identify if the records that are requested by the public are stored in e-mail, even if the public does not specifically request e-mail.
- Shall notify affected employees that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- Shall notify the MIS Department that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- Shall identify all records relevant to litigation to which the agency is a party that are stored in e-mail.
- Shall notify the MIS Department that e-mail related to litigation cannot be destroyed until after the case is closed.