

Key excerpts from State of Maine policies related to use of email
posted or linked from here: <https://www.maine.gov/oit/policies-standards>

- **State of Maine E-Mail Usage and Management Policy (2004):**
<http://inet.state.me.us/dafs/policies/emailsystem.html>

Scope

This policy applies to all State employees, as well as contract staff, who use the State's electronic mail.

General Policy

It is the policy of Maine State Government that e-mail is used for internal and external communications that serve legitimate state government functions and purposes. Any personal use must be of an incidental nature and not interfere with business activities....

Privacy and Access

- **Mail messages are not personal and private. Managers, supervisors, and technical staff may access an employee's e-mail in accordance with the department security policy for reasonable business purposes, including but not limited to:**

for a legitimate business purpose (e.g., the need to access information when an employee is absent);

to diagnose and resolve technical problems involving system hardware, software, or communications; and/or

to investigate possible misuse of e-mail when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.

- An employee, with the exceptions noted above, is prohibited from accessing another user's e-mail without his or her permission.
- **All e-mail messages including personal communications** may be subject to discovery proceedings in legal actions.
- **All e-mail messages sent or received and which are not otherwise protected by law, are public documents and may be released to the public under the Freedom of Access Law.**

- **STATE OF MAINE POLICY AND WORK RULES CONCERNING THE USE OF STATE INFORMATION AND TECHNOLOGY (I.T.) EQUIPMENT AND RESOURCES (2015):** https://www.maine.gov/bhr/sites/maine.gov.bhr/files/inline-files/DAFSITPolicy_0.pdf

MAINE FREEDOM OF ACCESS ACT

The State of Maine “Freedom of Access Act” (1 M.R.S.A., §401-410) clearly provides that any and all written, printed or graphic matter or any mechanical or electronic data compilation (files, notes, records, copies, etc.), regardless of the media used to store or transmit them (paper, film, microfiche, recordable media, electronic media, etc.) in public offices received or prepared for use in connection with the transaction of public governmental business is public property. As such, the public may have access to those materials for examination. The law places some very narrow restrictions on the public access, such as personnel files, certain investigation files, etc. but most materials are subject to public viewing. Employees are advised that there should be no expectation of privacy when using any State-owned I.T. or related communications equipment or resources.

WORK RULES

State-owned I.T. equipment and resources are made available to employees to conduct official State of Maine business. Use of I.T. resources, such as e-mail, Internet, social networking media interfaces such as YouTube, Facebook and blogs, etc., are intended to be used for State business purposes. The Department’s employees are provided with a maine.gov email account through which to conduct state business. All State employees using state-owned I.T. equipment and resources are expected to comply with the following work rules:

3. State employees shall not conduct state business through personal email accounts (e.g., Yahoo, Hotmail, and G-mail)

- **User Device and Commodity Application Policy:**
<https://www.maine.gov/oit/sites/maine.gov.oit/files/inline-files/user-device-commodity-app-policy.pdf> (2020)

Statement 1.1. Maine State Information and Communication Technology exists exclusively for official Maine State business. The purpose of this Policy is to ensure that Maine State Information and Communication Technology is best positioned to facilitate official Maine State business, while complying with relevant Federal and State laws, as well as general industry best practices. This policy also contains directives regarding allowable applications, both resident on the device, as well as consumed remotely.

Applicability

3.1. This Policy applies to all Maine State Executive Branch:

3.1.1. Personnel, both employees and contractors;

3.1.2. *User Devices*, irrespective of whether they are State-issued, or other devices used to conduct State Executive Branch business; and

3.1.3. Applications, both resident on the device, as well as consumed remotely.

Responsibilities

4.1. *Agency Management:*

4.1.1. Ensure that their personnel are aware of, and compliant with, this Policy.

5.7. No State business may be conducted through personal email accounts. This prohibition applies irrespective of whether the device is State-issued, or otherwise.

- **Rules of Behavior (PL-4) (2020):**

<https://www.maine.gov/oit/sites/maine.gov.oit/files/inline-files/rules-of-behavior.pdf>

2.0. Scope

2.1. This document applies to all State of Maine personnel, both employees and contractors, with access to Executive Branch information assets, irrespective of location, or information assets from other State government branches that use the State network;

5.0. Personnel Acknowledgment

All personnel must sign the appropriate Acknowledgment Forms (General Users and Privileged Users) indicating that they have read, understand and agree to abide by the Rules of Behavior (RoB) prior to gaining access to systems and data. Personnel are also required to read the RoB when they are revised or updated and re-sign the Acknowledgment Form.

6.2.2. All users must NOT:

6.2.2.19. Use personal email accounts to conduct State business, regardless of whether the device is State-issued or otherwise.

6.2.2.20. Use personal email accounts on State-issued devices.