

Limited Personal Use of Government Office Equipment including Information Technology

ISSUING AUTHORITY: This policy was developed by the Director of Business Services and approved by the SLAC Directorate.

POLICY: This policy defines what limited personal uses of Government office equipment and information technology are authorized.

PURPOSE: The objective of this policy is to establish requirements and assign responsibilities for employees' and Users limited personal use of Government resources such as office equipment and other resources including information technology.

Employees and Users may use Government resources for personal purposes, but only where such use:

1. involves de minimis additional expense to SLAC,
2. does not interfere in any way with the mission or operations of SLAC, and
3. is otherwise permissible under DOE Orders and applicable State and Federal laws and regulations;

DISCUSSION: The policy is modeled on DOE O 203.1, Limited Personal Use of Government Office Equipment including Information Technology, dated 01/07/2005, and is intended to provide guidance on appropriate and inappropriate uses of Government resources and to create a more supportive work environment for SLAC employees and users. The following points must be observed when using Government property for personal use:

1. Limited Personal Use.
 - a. This Policy does not grant to employees or users or create an inherent right to use Government resources, and one should not be inferred.
 - b. Use of Government resources in support of or in connection with a private business with which an employee or user is associated is not considered a personal purpose under this Policy and is not authorized by this Policy.
 - c. The privilege to use Government resources for personal purposes may be limited or revoked at any time by an appropriate SLAC official (e.g., a supervisor in the employee's organizational chain of command).
 - d. Circumstances that may result in a supervisor's curtailing or halting an employee's or user's personal use of Government resources include uses that—
 - 1) result in a loss of productivity,
 - 2) interfere with official duties,
 - 3) compromise the mission of SLAC or a SLAC organization,
 - 4) exceed de minimis expense to SLAC,
 - 5) violate DOE Policies and Orders or State and Federal laws and regulations, or

6) are inconsistent with the guidance contained in this Policy.

2. Privacy.

- a. SLAC employees and users do not have a right to nor should they have an expectation of privacy while using Government resources at any time, including when they are accessing the Internet or using e-mail.
- b. Employees or users who wish their personal activities to be private should not conduct such activities using Government resources.
- c. Employees or users who use Government resources implicitly consent to review and disclosure of their Internet, e-mail, or other information technology uses when deemed appropriate by DOE or SLAC or as mandated by law.
- d. The content of any files or information maintained in or on Government equipment or transmitted using Government equipment may be disclosed in response to a valid, authorized subpoena, warrant, court order, Freedom of Information Act (5 U.S.C. 552) request, or direction (e.g., employee's supervisor, Inspector General investigator, etc.).
- e. Using Government resources, including Internet access and e-mail, implies consent to monitoring with or without cause. Any use of Government resources is with the understanding that such use is generally not secure, private, or anonymous (18 U.S.C. 2511).
- f. System managers may employ monitoring tools to detect improper use of electronic communications systems (18 U.S.C. Section 2511).

3. Misrepresentation.

- a. It is the responsibility of each employee or user to ensure that one's use of Government resources does not give the impression of acting in an official capacity while using Government resources for personal purposes.
- b. If it is likely that an employee's or user's personal use of Government resources will create an appearance of official SLAC or Government action, the employee or user must discontinue the activity or use a disclaimer such as the following.

The contents of this message are mine personally and do not reflect the views or position of SLAC, the U.S. Department of Energy or the Federal Government.

RESPONSIBLE OFFICIAL: Director, Business Services Division

APPLICABILITY: This policy applies to any person that uses SLAC's Government office equipment for personal use.

SPECIFIC ACTIONS AND INSTRUCTIONS: The following is provided for employees, users, and supervisors in determining acceptable personal uses of Government resources.

1. Personal use of Government Resources is authorized only if it involves de minimis additional expense to the Government and does not interfere in any way

with the mission or operations of SLAC and is otherwise permissible under DOE Orders and applicable State and Federal laws and regulations. Examples of appropriate personal uses may include—

- (a) checking credit union or Thrift Savings Plan accounts using information technology equipment;
 - (b) retaining personal data in electronic files (e.g., C or O drives, LAN) with the understanding that data may be deleted without notice as a result of scheduled archiving;
 - (c) accessing library books and equipment, public reading rooms and materials, and other publicly available data;
 - (d) obtaining detailed information or conducting research (e.g., reading newspaper and magazine articles, comparing airline prices and schedules, browsing sales catalogs, or comparing prices of automobiles) on the Internet during non-work hours; and
 - (e) occasional personal use of laptop computers, personal data assistants (PDAs), pagers, and cellular phones (when such use will not incur additional charges) issued by SLAC for official business.
2. Personal use of Government-provided long distance telephone service must be consistent with General Services Administration regulations.
 3. Other personal use of Government resources is authorized, but only if it results in minimal impact on normal wear and tear of the equipment, requires de minimis consumable items (paper, ink, toner, etc.), as determined by a reasonable person with knowledge of all the relevant facts.

Inappropriate Uses of Government Resources. Employees and users are expected to conduct themselves professionally in the workplace and to refrain from using Government resources inappropriately. Examples of misuse of Government resources for personal purposes include but are not limited to, the following:

1. modification of Government equipment, particularly information technology, by loading applications software or making configuration changes not approved for use in SLAC's operating environment;
2. seeking help from SLAC employees or contract personnel (e.g., librarians, computer support staff, administrative assistants, or paralegals) in pursuit of personal projects;
3. any frequent personal use that may cause congestion, delay, or disruption of service to any SLAC system or equipment, including greeting cards and streaming video and audio, etc.;
4. any personal use (including e-mail and Internet service) that may impair the performance of SLAC's entire network or of a unit, including—
 - a. opening a program with large file attachments (e.g., music or graphic files), or

- b. extensive use of a program or Internet site that provides continuous data streams, e.g., continuous stock quotes, or headline news updates etc.;
5. creating, copying, transmitting, or retransmitting chain letters or other mass mailings, regardless of the subject matter;
6. using Government resources for activities that are illegal, inappropriate, or offensive to a reasonable person with knowledge of all the relevant facts, including hate speech; material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation; and harassing or threatening activities;
7. creating, downloading, viewing, storing, copying, or transmitting sexually explicit or sexually oriented materials;
8. creating, downloading, viewing, storing, copying, or transmitting materials in the conduct or furtherance of any type of illegal activity;
9. unauthorized acquisition, use, reproduction, transmission, or distribution of controlled information (e.g., computer software and data; classified, business sensitive, or other nonpublic data; proprietary data; export controlled software or data; or any information in violation of the Privacy Act, copyright, trademark, or other intellectual property rights beyond fair use);
10. gaining unauthorized access to internal or external systems or networks using SLAC computer systems and technology;
11. fundraising;
12. participating in any lobbying activity;
13. engaging in any prohibited political activity under the Hatch Act (See 5 CFR 734);
14. any personal use of Government resources that is misleading in that it creates the impression that the employee or user is acting in an official capacity¹;
15. using Government resources for commercial pursuits, in support of for-profit activities, or to benefit one's outside employment or business activities (e.g., receiving personal business calls on the office telephone, sending or receiving e-mail messages related to a part-time real estate or other business venture, or selling or trading merchandise over the Internet);
16. communicating SLAC information to external news groups, bulletin boards, or other public forums without authority; and
17. any use that could create the impression that the communication was made in one's official capacity as a SLAC employee.
18. endorsing any product or service; and
19. using SLAC resources (e.g., copying, printing, etc.) for any non-official activity that results in greater than de minimis expense;

Sanctions for Misuse. Unauthorized or improper use of Government resources may result in losing or having limitations placed on use of Government resources, disciplinary or adverse actions (up to and including termination), criminal penalties, and/or financial liability for the cost of improper use.

¹This may occur when using the Internet to access a chat room or to obtain information. Many Web sites require registration prior to disclosing information or allowing access. Employees must be diligent to ensure that they do not appear to be acting in an official capacity. Employees should also check a Web site's privacy policy when supplying information over the Internet to determine whether a misrepresentation or other abuse may occur.

Responsibilities.

1. SLAC Employees and Users.
 - a. Ensure that they are not giving the impression that they are acting in an official capacity when using Government resources for personal purposes.
 - b. Use Government resources for personal purposes only as allowed in this Policy and to the extent consistent with law.
 - c. Consult their supervisors or SLAC counsel for guidance on legal questions.
 - d. Report instances of fraud, waste and abuse of Government equipment to SLAC Security at extension 5551 or to the DOE Office of Inspector General (OIG) at (202) 586-4073 or (800) 541-1625.

2. Supervisors.
 - a. Ensure that their employees are aware of this Policy.
 - b. Initiate appropriate action when employees or users disregard requirements set forth in this Policy.

COGNIZANT OFFICE: The Director of Business Services or the Manager of Property Control should be consulted for interpretations and resolutions of problems and special situations. The Director of Business Services is responsible for maintaining the currency of this policy.

REFERENCES: DOE O 203.1, Limited Personal Use of Government Office Equipment including Information Technology.

<http://www.directives.doe.gov/pdfs/doe/doetext/neword/203/o2031.pdf>

DEFINITIONS:

1. Government Resources. Personal computers and related peripheral equipment and software, library resources, paper, telephones, pagers, facsimile machines, photocopiers, and information technology. As used in this Policy, the term Government resources does not include an employee's scheduled work time or the time of Department contractors.
2. Information Technology. Equipment or interconnected systems or subsystems of equipment used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information, including the Internet.
3. Limited Personal Use of Government Resources. Use of Government resources for purposes other than performance of official duties. The personal uses allowed in this Policy are authorized uses of Government resources.
4. De minimis Additional Expense. The cost which results when small amounts of electricity, ink, toner, or paper supplies are used for purposes other than performance

of official duties. For example, the cost from a relatively small number of brief telephone calls, electronic mail messages, or internet sessions, result in de minimis, if any, additional expenses to the Government. In contrast, the cost associated with large copying or printing projects, downloading large files, such as a motion picture video, or the contents of an entire compact disc, or other files with large space requirements, would exceed de minimis additional expenses.

5. Non-work Hours. Limited to those periods for which an employee is not being compensated—lunch break, time before or after regular duty hours, and weekends or holidays—when the space is normally available and requires no special arrangements for entry, utilities (such as heat or air conditioning), or other services not usually provided at such times.

Signature on File
Approved

February 16, 2007
Date