

PROPOSED ORDINANCE 23-31
Sponsored by Personnel Committee

Be it enacted by the Quorum Court of the County of Faulkner, State of Arkansas. An Ordinance to be entitled: An Ordinance to amend and supplement the Faulkner County Personnel Manual .

WHEREAS, the Quorum Court is designated by the Arkansas Constitution as the body responsible for defining and establishing the permanent or temporary organization and system of principles for county government for the control and conduct of county affairs; and

WHEREAS, the Faulkner County personnel policy should be altered in order to remain in compliance with State and Federal law and provide clear guidance to all county employees.

NOW THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF FAULKNER COUNTY, ARKANSAS:

Section 1:

Rename ~~Section XXV. Electronics~~ to Section XXV “Technology Resources Policy”

Section 2:

~~A. Access to Faulkner County technical resources, including, but not limited to, computers, software, network applications, Internet, e-mail and other technology based services has been provided to officials and staff for the benefit of Faulkner County. Every official and staff member has the responsibility to use this technology in a professional manner and consistent with their elected and appointed responsibilities. The purpose of such advanced communications technology is to assist public officials and staff members in presenting a more efficient and advanced level of government services to the county. Other departments or County governmental entities availing themselves of the County network and associated software and hardware shall be compatible with the minimum standards as set by the Data Processing Department and such information regarding the minimum standards shall be distributed by Data Processing to each governmental department.~~

A. 1. This policy is established in accordance with Ark. Code Ann. § 25-1-128.

2. “*Technology resources*” shall be defined as:

a. The machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related products;

b. The devices used to process information through electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

c. Any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;

d. The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and the associated personnel, including consultants and contractors; and

e. All electronic mail accounts issued by a public entity.

3. The County's *technology resources* shall not be used to:

a. Express a personal political opinion to an elected official unless the opinion is:

i. Within the scope of the employee's regular job duties; or

ii. Requested by an elected official or public entity;

b. Engage in lobbying an elected official on a personal opinion if the employee is not a registered lobbyist for the public entity;

c. Engage in illegal activities or activities otherwise prohibited by federal law or state law; or

d. Intentionally override or avoid the security and system integrity procedures of the public entity.

4. Each Elected Official shall create disciplinary procedures for a violation of this policy concerning authorized use of technology resources. The disciplinary procedures created pursuant to this section shall not apply to employee communications made in compliance with the Public Employees Political Freedom Act of 1999, Ark. Code Ann. §§ 21-1-501, et seq., or the Arkansas Whistle-Blower Act, Ark. Code Ann. §§ 21-1-601, et seq.

B. Faulkner County computing systems and associated electronic devices are provided as tools for furthering the government's business and all information created, accessed, or stored using these systems are the property of the county and/or individual governmental department and subject to monitoring, auditing, or review. Due to the fact that this equipment is property of the county it is subject to public disclosure under the Freedom of Information Act.

- C. Examples of reasons for which the specific County Department may access employee voice mail, e-mail, computer files, computer networks or other County property include, but are not limited to:
1. Instances when an employee is unavailable, but the County must access a system to operate its business.
 2. Instances when the specific Official suspects that its property is being used in an unauthorized or illegal manner.
 3. For quality control purposes or for training activities.
 4. To monitor job performance.
 5. For any other legitimate governmental purpose.
- ~~D. The following is a list of restricted activities associated with the use of the provided technology. This list is not exhaustive, and shall include but not be limited to:~~
- ~~1. Harassing, insulting or attacking others.~~
 - ~~2. Damaging computers, computer systems or computer networks.~~
 - ~~3. Violating copyright laws.~~
 - ~~4. Accessing resources not related to the user's department or work without permission.~~
 - ~~5. Intentionally wasting limited resources.~~
 - ~~6. Using or damaging the network for any purposes which violate federal, state or local laws.~~
- ~~E.D.~~ Notwithstanding any stand-alone systems, The Faulkner County Personnel Manual shall equally apply to all departments.
- ~~F. Violations of any guidelines listed above will be presented to the department supervisor, human resources and/or County Administrator. It may result in disciplinary action up to and including termination. If necessary, the person duly advised will contact the appropriate legal officials of any illegal violations.~~

Approved by the Quorum Court on _____, 2023.

Attest: _____
Margaret Darter
Quorum Court Secretariat
Faulkner County, AR

Approved: _____
Allen Dodson
Faulkner County Judge
Faulkner County, AR

Dated: _____, 2023

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