

INTERIM INSTRUCTION NOTICE #12-006

Date of Notice February 19, 2013

SUBJECT: Microsoft LYNC

DISTRIBUTION: All Department of Behavioral Health (DBH) Employees, Volunteers, Interns and Contractors

OBSOLETE: Upon completion of related policy and/or procedure

Effective Date February 19, 2013

From Office of Information Technology

Introduction The Department of Behavioral Health's (DBH), Office of Information Technology (IT), has installed Microsoft LYNC which will provide users with the capability of communicating by Instant Messaging (IM) and Video Conferencing over the County's network in real time or near real time. This notice is to ensure the secure use of Microsoft LYNC over the County Network for the purposes of business operations and communication.

Background Microsoft LYNC has the capability of providing key benefits to staff including the ability to see when others are connected, the ability to provide a back channel communication other than phone or email, and allow for Instant Messaging, Video Conferencing and enhanced Internal Communications

Terms of Use The Department of Behavioral Health (DBH) reserves the right to perform random or for-cause monitoring of IM transmissions. This policy shall apply to those full and part-time employees, interns, volunteers, contractors, and other affiliated individuals (collectively referred to as "User" or "Users") who have been provided access to Microsoft LYNC. Microsoft LYNC is intended to conduct county Business. **No user should have an expectation of privacy in its use.** Employees and other authorized users are encouraged to make use of this tool to carry out their responsibilities and duties in a professional and courteous manner, which is in the best interest of the County.

Terms of Use
(continued)

Limited, occasional or incidental use of the system for personal purposes may be acceptable, if done in a professional and appropriate manner, not used on County work time, not violating prohibited activities contained in this policy and not interfering with the conduct of County business or the performance of the user's duties. Should users use the system for personal messages such messages will be treated as business messages. Employees should not use the system for communications they wish to keep private, as the County may access these messages and they may become "public records" in accordance with the Public Records Act. Communications may be stored and are not necessarily deleted by deleting any communication.

Microsoft LYNC is **not** intended to be used for the following:

- Sending attachments or files using IM technology
- Receiving or opening IM attachments transmitted through the IM service for personal use that results in any charges or other costs to the County.
- Sending Protected Health Information (PHI), Personally Identifiable Information (PII) or confidential information in IM communications.
- Activity that could subject the County to civil or criminal liability. Representing oneself as a spokesperson and/or making commitments on behalf of the County or a department without authorization.
- Usage intended for personal or commercial financial gain (e.g., advertising), or participating in any gambling, gaming or wagering activities.
- Any use of system for the purpose of distributing materials, promoting causes or beliefs, or soliciting membership in, support for or donations to any organization, group or entity including, but not limited to, those of a commercial, political, charitable or ideological nature unless officially sanctioned by the County.
- Utilization of system to distribute offensive, abusive, threatening, pornographic, and sexually explicit or hate messages or images. Use of system to commit illegal, fraudulent or malicious activities.
- Originating or intentionally propagating computer viruses and/or chain letters or petitions.
- Disclosing confidential and/or personal information without appropriate authorization or sharing County e-mail accounts or passwords to access those accounts with others.

Definition

Instant Messaging (IM) is a service enabling the ability for real-time or near real-time communications over a network. Instant messaging is for internal business communications within the County network. Internal means communications between individuals with accounts on the County network. There is no external communications. External means communications between an individual with an account on the County network and someone who does not have an account on the County network.

Video Conferencing is a live connection between people in separate locations for the purpose of communication, usually involving audio, video and oftentimes text as well as video. Video Conferencing is for business communications only. Microsoft LYNC use is allowed for internal **and** external business communication. Microsoft LYNC use is allowed for external communications outside of the County network by using the County's Video Conferencing Bridge.

Consequences of Violation It shall be a violation of this policy to use Microsoft LYNC to violate any existing law, regulation, County policy, Departmental policy or personnel rule. Violations of this Interim Instruction Notice may be considered as a basis for disciplinary action up to and including termination of employment. Legal action may also be taken for violations of applicable regulations and laws. Deliberately performing acts that waste or unfairly monopolize system resources to the exclusion of others may affect the level of recommended discipline.

Note: Microsoft LYNC instant messages shall not be considered private. Any printed or saved IM communications by any party shall cause the communication to be considered a public record and shall be handled under public record laws and regulations.

Questions Questions regarding this Interim Instruction Notice should be directed to the DBH Office of Information Technology (IT) by contacting the ISD Helpdesk at (909) 884-4884.

References County of San Bernardino Policy Manual
No. 14-04: [Internet/Intranet Use Policy](#)
No. 10-02 [Response to Request for Public Information](#)
Code of Federal Regulations Title 45, Section 164.510
DBH Standard Practice Manual
IT5004: [Computer and Network Appropriate Use Policy](#)
