

State of West Virginia
Departments of Health, Health Facilities, and Human Services
Office of Shared Administration
Office of Management Information Services
Policy 0510 - Email Guidelines

Revised: February 10, 2025

1.0 PURPOSE

This policy establishes guidelines and minimum requirements governing the acceptable use of, access to, and disclosure of the State-provided email system.

2.0 SCOPE

This policy applies to all authorized system users. This includes the WV Departments of Health (DH), Health Facilities (DHF), Human Services (DoHS), and Office of Shared Administration (OSA) employees, business associates, contractors, and/or consultants who access and use the State-provided email system.

3.0 POLICY

- 3.1 The West Virginia Office of Technology (WVOT) is responsible for the administration of the State's email system. All DH, DHF, DoHS, and OSA employees must use the State-provided, centralized email system, unless otherwise approved by the WVOT.
- 3.2 Employees are prohibited from using personal email accounts to conduct State business.
- 3.3 Management within each Department is responsible for the email activities of its employees.
- 3.4 DH, DHF, DoHS, and OSA employees should have no expectation of privacy in anything they create, store, send, or receive when using the State-provided network.
- 3.5 Email messages sent and received using State-provided equipment or State-provided Internet access, including web-based messaging systems used with

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such systems or access, are not private and are subject to viewing, downloading, inspection, release, and archiving by WVOT.

- 3.6 The WVOT will not routinely monitor email, or authorize email monitoring, but may, with just cause, access and/or disclose the email or files of an employee at the request of the employee's supervisor or manager.
- 3.7 If it becomes necessary to access an employee's email to complete urgent Department business, bureau commissioners and/or office directors may request immediate access by going to the following link and completing the online form: <https://sites.google.com/wv.gov/ivantiselfservice>.
- 3.8 Email access or monitoring must follow proper procedures and authorization methods designed to assure compliance with applicable state and federal law, policies, and guidelines.
- 3.9 WVOT will retain a limited history of back-up files for disaster recovery or e-Discovery purposes only. These files will not routinely be used to recover individual messages or mailboxes.
- 3.10 Employee Responsibilities
 - 3.10.1 All DH, DHF, DoHS, and OSA employees must comply with the guidelines set forth in WVOT policy [WVOT-PO1005](#), *Email Use Standards*, as well as all other applicable WVOT and OMIS policies and procedures.
 - 3.10.2 Any employee who releases sensitive or confidential information through State-provided email, whether intentional or unintentional, may be subject to disciplinary action according to applicable state and federal laws and Executive Branch rules, policies, and procedures regarding confidentiality.

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- 3.10.3 It is a violation of Executive Branch policy for any Agency employee, including system administrators and supervisors, to access email files to satisfy curiosity about the affairs of others, unless such access is directly related to that employee's job duties. Employees found to have engaged in such activities will be subject to disciplinary action.
- 3.10.4 In order to effectively safeguard confidential information, and to ensure the security and integrity of the information contained within the State network, all email messages and attachments containing sensitive and/or confidential information must be encrypted in transit.
- 3.10.5 All messages, attachments, files, and folders within the State's email system are automatically encrypted. Employees whose job duties require sending and/or receiving protected health information (PHI), personally identifiable information (PII), payment card industry data (PCI), or social security administration (SSA) data outside the State network **must** use a WVOT-defined encryption method. Employees should contact the WVOT Service Desk for more information.
- 3.10.6 All Departments' employees must follow specific guidelines when sending mass mailings or group messages. Employees can contact the WVOT Service Desk for more information.
- 3.10.7 Employees must never open email attachments they have not requested, or that come from an unknown source.
- 3.10.8 Unless approved by WVOT, employees are prohibited from sending zip attachments through the State-provided email. In the event an employee has a legitimate business need to send or receive zip attachments, he/she must contact the WVOT service desk at servicedesk@wv.gov.

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3.10.9 All Departments' employees must comply with required legal or policy retention standards unless otherwise authorized. For more information see [WV Code §5A-8](#), Department of Administration *Public Records Management and Preservation Act* and WVOT Policy, [WVOT-PO1005](#).

3.11 Federal Tax Information (FTI) Requirements

3.11.1 DH, DHF, DoHS, and OSA employees are prohibited from sending email containing FTI through the State email system, either in the body of an email or as an attachment.

3.11.2 As an alternative, employees may use the OMIS secure file transfer protocol (SFTP) as a means of file transfer. The SFTP form can be found at the following link:
<https://intranet.wvdhhr.org/mis/ftpform.php>.

4.0 ENFORCEMENT

Violation of this policy by State employees will be documented and can lead to revocation of system privileges and/or disciplinary action up to and including termination. The State may also be required by law to report certain illegal activities to the proper enforcement agencies.

Violation of this policy by external entities, including business associates, contractors, and/or consultants, may result in termination of the relationship and/or associated privileges. Violation may also result in civil and criminal penalties as determined by federal and state laws and regulations.

5.0 DEFINITIONS

5.1 **Back-up Files** – Electronic files created to restore system files that have become inaccessible on a system.

5.2 **Contractor** – Anyone who has a contract with the State or one of its entities.

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- 5.3 **Email** – The transmission of messages over communications networks.
- 5.4 **Email System** – A service that sends messages on devices via local or global networks. Email systems provide for storage, and later retrieval of messages and attachments, as well as real-time communication.
- 5.5 **Employees** – Individuals retained and authorized on a temporary or permanent basis by the State of West Virginia to perform a service. For the purposes of Information Technology and Security policy, the term “employee” shall include the following: contractors, subcontractors, contractors’ employees, volunteers, county health department staff, business associates, and any other persons who are determined and notified by the OMIS to be subject to this policy. This definition does not create any additional rights or duties.
- 5.6 **Federal Tax Information (FTI)** – According to the IRS Publication 1075, FTI is defined as any return or return information received from the IRS or secondary source, such as SSA, Federal Office of Child Support Enforcement or Bureau of Fiscal Service. FTI includes any information created by the recipient that is derived from return or return information.
- 5.7 **Just Cause** – a legal and legitimate reason.
- 5.8 **Mass Mailings** – Information shared with a group of people who all need to know the same material, (ex., committee members, individual units within Bureaus, etc.).
- 5.9 **Payment Card Industry Data Security Standard (PCI DSS)** – A proprietary information security standard for organizations that handle branded credit cards from the major card schemes.
- 5.10 **Retention** – Specifies how long the email (sent or received) needs to be kept to satisfy administrative, legal, fiscal, and historical requirements.

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- 5.11 **Secure File Transfer Protocol (SFTP)** – A network protocol that provides file access, file transfer, and file management over a secure connection. Simply put, if you transfer confidential data using SFTP, it can't be intercepted.
- 5.12 **West Virginia Division of Personnel** – The Division of the Department of Administration established by West Virginia Code § 29-6-1 et seq., which is responsible for the system of human resource management for operating agencies in the classified and classified-exempt service of West Virginia State government.
- 5.13 **West Virginia Office of Technology (WVOT)** - The division of the Department of Administration established by WV Code § 5A-6-4a, et. seq.. The WVOT is responsible for establishing technology policy, creating and supporting technology infrastructure (including the provision of training), evaluating equipment and services, and reviewing information technology contracts.

6.0 REFERENCES/RELATED MATERIAL

- 6.1 [WVOT-PO1005](#) – *Email Use Standards Policy*
- 6.2 [WVOT-PO1001](#) – *Information Security Policy*
- 6.3 [WVOT-PO1014](#) – *Malicious Software Protection*
- 6.4 [WVOT-PO1002](#) – *Acceptable Use of State Issued Portable/Mobile Devices*
- 6.5 [WVOT-PR1001](#) – *Requesting Technical Investigations*
- 6.6 Division of Personnel Policies - *Prohibited Workplace Harassment Policy*
- 6.7 West Virginia Code §5A-8-1- “Public Records Management and Preservation Act”

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- 6.8 [IRS Publication 1075](#) – Tax Information Security Guidelines for Federal, State, and Local Agencies

7.0 REVISION HISTORY

Version Number	Date	Revisions
Version 1.0	09/06/2000	Original Effective Date
Version 2.0	01/02/2004	Revised
Version 2.1	04/18/2016	Revisions made to Employee Acknowledgment
Version 2.2	01/23/2018	Revised Section 3.9.4
Version 2.3	09/17/2018	Annual policy review and minor formatting revisions
Version 2.4	03/19/2020	Annual policy review. Revised section 3.11 and added SFTP definition
Version 2.5	02/01/2022	Annual policy review, convert from Word to Google Docs

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Version 2.6	02/07/2023	Annual policy review; update links
Version 2.7	02/12/2024	Annual Update - changed “DHHR” to “Departments of Health, Health Facilities, Human Services, and Office of Shared Administration”, updated links, overall review of content, revised language throughout
Version 2.8	02/10/2025	Annual Review and Update - Revised 3.11.2 - link to Departments’ .sftp site; reviewed and updated format and language