

**EMAIL MANAGEMENT AND RETENTION POLICY**

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## Purpose/Executive Summary

To ensure that \_\_\_\_\_, together with its subsidiaries, affiliates, officers, directors, employees, and agents (collectively “Company”), retains and manages its email (as defined below) in an efficient, cost-effective manner, consistent with all applicable laws, regulations and Company business requirements.

### Scope

“Email” is defined as any message and its attachment(s) sent, received, and/or stored on Company’s email system. This policy applies to all Company email and all users of Company’s email system (“users” are as individuals provided with a Company email address) at all Company locations globally. This policy is not meant to be exhaustive. Additional rules, procedures and guidelines regarding the use, management and retention of email may be set forth in other Company policies and documents. In the event of any inconsistency, however, this policy shall govern to the extent that the issue falls within the scope of this policy.

This policy does not apply to non-email electronic messages, *i.e.*, instant messages and electronic voicemail messages.

### Compliance Effective Date

Effective DD/MM/YYYY

### Policy Statement

#### 1.0 RETENTION

Company implements this company-wide policy for the appropriate retention and management of email. Company needs to properly retain and manage email to meet regulatory, legal and business needs, as well as to reduce the expense of unnecessarily managing large quantities of electronic data (increasing year after year) stored on the company’s servers and on individual user hard drives.

With these goals in mind, effective immediately, Company adopts the following policy for the retention of email:

- 1.1 **Business Records.** Email should be retained only if it qualifies as a Company business record. Email is a Company business record if there exists a legitimate and ongoing business reason to preserve the information contained in the email.

Examples of business reasons that warrant the retention of email include, but are not limited to, the following:

1. The email proves a business-related event or activity did or did not occur;
2. The email demonstrates the terms of a transaction;
3. The email identifies the participant(s) in a business activity or identifies the individual(s) who had knowledge of an event;
4. The email demonstrates compliance with applicable laws or regulation;
5. The email proves facts that are in dispute;
6. The email recipient or sender expects to rely on or refer to information contained in the email for Company business;
7. The email is the process used for approvals, events or workflow.

Email that is identified as a Company business record shall be retained according to Company's Record Retention Schedule.

In the event that a circumstance arises under Section 1.3, users must preserve email to comply with any legal, audit or fiduciary obligations beyond the required retention period.

- 1.2 **Non-Business Records.** Email that is not a Company business record should be deleted once it has been read and acted upon, thereby helping to reduce the cost of managing vast amounts of email. Deletion means user must also delete emails from the Deleted Items folder at least once every 30 days. Non-business records either (1) do not relate to Company business, or (2) the information contained in the email does NOT provide ongoing business value to Company and its retention is not otherwise required by Company policy.

In the event that a circumstance arises under Section 1.3 below, users must preserve email to comply with any legal, audit or fiduciary obligations notwithstanding the deletion process set forth in this section.

- 1.3 **Special Circumstances.** In addition to normal business operations, there may be special circumstances requiring the retention of email. By way of example, but not limitation, such circumstances may include:

1. The email is related to pending, expected or reasonably anticipated litigation or other legal proceeding;
2. The email is related to a pending, expected or reasonably anticipated government investigation;
3. The email is related to a pending, expected or reasonably anticipated audit;
4. Federal, state, or local law requires the retention of the email.
5. Other circumstances necessary for Company to fulfill its legal or fiduciary obligations

The Office of the General Counsel (through Company’s legal group and/or outside counsel) or other Company organizations responsible for audit or fiduciary obligations, may issue a legal hold notice or other request directing relevant departments and users of Company email to preserve email and other records in certain circumstances to ensure that all legal obligations are met. Such legal hold notice or other request will supersede any retention or deletion timeframes set forth in this policy.

If you have reason to believe that you have email that relates to pending, expected or reasonably anticipated litigation or other legal activity, investigation or audit, but have not already been directed to preserve such email, please take immediate steps to retain the email and contact the Office of the General Counsel by sending an email to \_\_\_\_\_.

## **2.0 PRIVACY**

Consistent with the Company Code of Business Conduct, all information, including email messages created, sent or received using Company’s resources, is the property of the Company and should not be considered private or confidential by any user as consistent with local law or regulation.

## **3.0 PROPER USE**

All use of email must be consistent with Company’s policies and procedures of ethical conduct, safety, compliance with applicable laws and proper business practices. It is a violation of this policy to use Company email in a manner prohibited by the Company Code of Business Conduct. Your email account should be used primarily for Company business-related purposes; personal communication is permitted on a limited basis, but non-Company related commercial uses are prohibited.

In addition, each user of Company email is prohibited from using third-party email systems and storage servers such as Google, Yahoo, and MSN Hotmail etc. to conduct Company business, to create or memorialize any binding transactions, or to store or retain email on behalf of Company. Such communications and transactions should be conducted through proper channels using Company-approved documentation. For assistance, please contact \_\_\_\_\_.

## **4.0 RESPONSIBILITY**

4.1 **Business Groups and Organizations.** Each business group and organization is responsible to:

1. Communicate this corporate Email Retention and Management Policy to all team members;
2. Develop procedures and guidelines that support compliance requirements.

4.2 **Users of Company Email.** Each user of Company email is responsible for properly retaining and managing email in accordance with this Policy. No user of Company email may delete any email (including attachments) that the user has reason to believe is required to be retained.

4.3 **Questions Regarding Retention.** If you have a question about whether an email should be retained for business operations or because it may be relevant to a pending, expected or reasonably anticipated litigation or other legal proceeding, investigation or audit, you should send an email for guidance and answers to \_\_\_\_\_ which will channel the request to the Office of the General Counsel for a response.

## **5.0 AUDIT**

The Office of the General Counsel and/or Internal Control Services may conduct regular as well as random audits to ensure compliance with this Policy.

## **6.0 EMAIL AND HANDHELD DEVICES**

To the extent that Company business record email messages are generated, received or maintained on a handheld device (non-Company or Company owned), all such emails must be synchronized with Company's network in accordance with Company-approved processes.

## **7.0 POLICY CHANGES**

Company reserves the right to change this policy at any time. Company expects to review and may amend this policy as new, more advanced software becomes available that allows for greater efficiency and improved email management. Communications through the CEC news and from individual organization leadership teams shall announce any policy changes. Each user of Company email is responsible for being aware of and understanding these policy changes.

## **8.0 SUBSIDIARIES AND ACQUISITIONS**

Acquired companies shall implement this policy as soon as practicable after acquisition close as part of the acquisition integration process. Any deviations from this policy by Company subsidiaries must be approved by Company Enterprise Records and Information Management (ERIM) and Company Legal.

### **Policy Compliance**

#### **Non-Compliance**

A violation of this policy will be considered a violation of Company’s Code of Conduct and/or the Supplier Ethics Policy and may result in disciplinary action, up to and including termination. In addition, the knowing destruction, alteration, concealment or deletion of email required by law to be retained could subject the individual to possible civil and/or criminal penalties.

Company employees please review the Code of Conduct.

Contingent workers please review the Supplier Ethics Policy.

**Related Policies and Processes**

- Use of Electronic Mail
- Use of Company Property
- Acceptable Use
- Data Classification

**Approvals**

Organization	Name

**Revision History**

Date	Name or Userid	Modifications Made