



RESOLUTION TITLE: TO APPROVE THE ADDITION OF POLICY NUMBER 26.6.1 TO THE GASTON COUNTY PERSONNEL POLICY MANUAL

WHEREAS, Gaston County believes it is important to have a Personnel Policy Manual for employees and supervisors to follow; and,

WHEREAS, it is prudent to review and revise the policy manual periodically to make sure it is understandable, consistent, and up to date with current law, regulations and philosophy; and,

WHEREAS, the current personnel policy manual was approved effective July 1, 2010; and,

WHEREAS, the proposed revisions to the personnel policy are outlined in Exhibit A (attached); and,

WHEREAS, the Gaston County Board of Commissioners must adopt all changes to the Gaston County Personnel Policy Manual.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners adopts revisions to the Gaston County Personnel Policy to be effective January 1, 2025, as outlined in Exhibit A.

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-397	11/12/2024	KJ	CC	A	A	AB	A	A	A	A	U

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EXHIBIT A



Subject: Prohibition Against Viewing Pornography on County Networks and Devices

Effective Date: January 1, 2025

Policy Code Number: HR -26.6.1

County Manager: Matt Rhoten

Responsible Department: Human Resources

1. Purpose: In accordance with North Carolina General Statute 143-805, this policy is enacted to prohibit the viewing of pornography on County Networks and Devices,

2. Applicability: This policy applies to all employees, officials, appointees, or students of the County.

3. Definitions: The following definitions apply to this policy:

- a. Device: Any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.
- b. Material: Pictures, drawings, video recordings, films, digital or computer-generated visual depictions or representations created, adapted, or modified by technological means, such as algorithms or artificial intelligence but not material consisting entirely of written words.
- c. Network: Any of the following, whether through owning, leasing, maintaining, or otherwise controlling:
 - i. The interconnection of communication systems with a computer through remote or local terminals or a complex consisting of two or more interconnected computers or telephone switching equipment
 - ii. Internet service
 - iii. Internet access
- d. Pornography: Any material depicting sexual activity.
- e. Sexual activity: As defined in NCGS 14-190.13

4. Prohibitions:

- a. No employee, elected official, or appointee of Gaston County shall view pornography on any device owned, leased, maintained, or otherwise controlled by the County.
- b. No employee of the County shall view pornography using the County's network.
- c. Gaston County shall not permit a student of the County to view pornography on any device owned, leased, maintained, or otherwise controlled by the County.

5. Exceptions: The prohibitions in section 4(a) and 4(b) shall not apply to an official or employee of the County that is engaged in any of the following activities in the course of that official's or employee's official duties:

- a. Investigating or prosecuting crimes, offering or participating in law enforcement training or performing actions related to other law enforcement purposes.
- b. Identifying potential security or cybersecurity threats.
- c. Protecting human life.
- d. Establishing, testing, or maintaining firewalls, protocols, and otherwise implementing this section.
- e. Participating in judicial or quasi-judicial proceedings.



- f. Conducting or participating in an externally funded research project at one of the constituent institutions of The University of North Carolina.
- g. Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

6. Removal of Pornography from Devices:

- a. No later than January 1, 2025, any employee, elected official, appointee, or student of the County with pornography saved to a device owned, leased, maintained, or otherwise controlled by the County shall remove, delete, or uninstall the pornography from that device.
- b. This removal requirement shall not apply to officials or employees of the County acting in their official capacity as described in section 5 of this policy.

7. Annual Report: No later than August 1 of each year and in the format required by the State Chief Information Officer, the County shall report to the State Chief Information Officer the number of incidences of unauthorized viewing or attempted viewing of pornography on the network, whether the viewing or attempted viewing was on a device owned, leased, maintained, or otherwise controlled by the County, and whether the viewing or attempted viewing was by an employee, elected official, appointee, or student of the County.

8. Disciplinary Action: A violation of this policy may include disciplinary action in accordance with Gaston County Personnel Policy Section 23 and/or the revocation in whole or in part of network or device access.



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Human Resources

Board Action

File #: 24-559

Commissioner Johnson - Human Resources - To Approve Revisions to the Gaston County Personnel Policy by Adding Policy Number 26.6.1 to Prohibit the Use of County-Owned Devices and Networks to View Pornographic Materials

STAFF CONTACT

Melissa Huffman - Deputy County Attorney - 704-866-3088

BUDGET IMPACT

N/A

BACKGROUND

The current Personnel Policy was approved by the Board of Commissioners on July 1, 2010. The Personnel Policy is reviewed periodically and updated and revised as necessary. North Carolina General Statute 143-805 requires local governments to enact a policy by January 1, 2025 prohibiting the use of government owned devices and networks to view pornography. All changes to the Personnel Policy must be approved by the Board of Commissioners.

POLICY IMPACT

See attached for full details of the proposed Policy Number 26.6.1

ATTACHMENTS

Resolution; Exhibit A

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