

# **TOWN OF MIDDLEBOROUGH**

## **Social Media Policy**

*As Adopted by Selectmen:  
September 14, 2015*

### **Social Media Policy**

The Town of Middleborough (“Town”) depends on a respectful work environment to achieve its goal of serving the residents of Middleborough. Social media is a global term that combines technology, social interaction and content creation. For purposes of this Policy, current examples include but are not limited to, tools and web sites such as Facebook, Twitter, Instagram, YouTube and blogging. Social media allows departments within the Town of Middleborough to engage with the general public in electronic forums where conversations and interactions already exist. It also allows individuals to share their life and opinions with others. While both uses can be positive and rewarding, the use of social media presents certain risks and carries with it certain responsibilities.

The purpose of this Policy is to assist with making responsible decisions about the use of social media and to help ensure that the social media activities of Town employees and agents, conducted in both their official and personal capacity, conform to applicable laws, industry guidance, legal and regulatory restrictions, and privacy and confidentiality requirements.

This Policy is designed to promote appropriate social media use and avoid uses that: (1) breach confidentiality by revealing protected information about the Town, its residents, or its employees; (2) expose the Town to legal liability for employer or employee behavior that may be harassing, offensive, or maliciously false; or (3) interfere with Users’ productivity and their ability to perform the duties and responsibilities of their positions with the Town.

#### **1. Scope of Policy**

This policy applies to all Town employees, board members (elected or appointed), contractors, agents or remote users, engaging or causing others to engage in social media (collectively referred to as “Users”). To the extent that laws and regulations’ applicability are unclear, Town management will make reasonable judgments regarding applying existing print rules to social media forums, and will conform to prevailing industry practices to the greatest extent possible and in all events to the requirements of the law.

Town personnel working with third parties are responsible for assuring that such third parties are properly trained on this policy, and for monitoring their activities to ensure the third parties adhere to this policy.

Effective security, public disclosure, records retention and engagement with citizens are a team effort involving the participation and support of every Town employee who uses social media. It is the responsibility of every employee to know these guidelines and to conduct activities accordingly.

This policy shall in no respect apply to preclude, impair or limit the right or ability of Town employees under M.G.L. c. 150E to communicate about terms and conditions of employment, and issues directly related thereto.

## **2. General Provisions**

While Users may use any form of social media for personal use while off-duty, their status as employees or agents of the Town requires that the content of any social media postings not be in violation of existing Town by-laws, policies, directives, rules or regulations.

The same basic principles and guidelines found in the Town's policies apply to employee activities online. Ultimately, Users are solely responsible for what they post online. Before creating an online account or profile, Users should consider some of the risks and rewards that are involved. Users should keep in mind that any conduct that adversely affects job performance, the performance of other Town employees or otherwise adversely affects co-workers, residents, officials, suppliers, people who work on behalf of the Town or the Town's legitimate business interests may result in disciplinary action up to and including discharge, in accordance with applicable collective bargaining agreements. While Town employees have the First Amendment right to free speech, that right is not absolute and extends only to matters of public concern.

## **3. Social Media Usage**

The Town of Middleborough's Information Technology Network/Systems Acceptable Responsible Use Policy prohibits the use of Town equipment for personal social networking purposes. Users should refrain from using social media while on work time or on equipment provided by the Town, unless it is work-related as authorized by your manager or consistent with the Town's Information Technology Network/Systems Acceptable Responsible Use Policy.

## **4. Know and Follow the Rules**

Carefully read this Policy and review the Town's Information Technology Network/Systems Responsible Use Policy and the Town's Harassment Policies, and ensure your postings are consistent with these policies. Inappropriate postings that include discriminatory remarks, harassment, and/or threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including discharge, in accordance with applicable collective bargaining agreements. All Users shall comply with the following:

- Online postings that harass or threaten other Town employees or officials are expressly prohibited. Harassing or discriminatory posts or comments may be deemed inappropriate in violation of this Policy, even if the Town or the names of any of its employees are not posted or “tagged” in the comment.
- Online postings that disparage others based on race, national origin, sex, sexual orientation, age, disability or religion are not permitted under any circumstances, regardless of the time, place, form or manner in which the information is posted or transmitted.
- Maintain the privacy of confidential information. Do not post internal reports, policies, procedures or other internal confidential communications. Users are prohibited from posting nonpublic items that are gained as a result of their position with the Town.
- Users may not use social media to engage in any activity or conduct that violates federal, state, or local law. Examples include, but are not limited to, software piracy or child pornography.
- Users may not use the Town’s trademarks, logos, or any other Town intellectual property in connection with any personal social media activity.

## **5. Town Sponsored Social Media**

The Town has an overriding interest and expectation in deciding what is “said” or present on its behalf on the Town’s Social Media sites and accounts. The Town’s Social Media shall be used only for Town purposes to serve Town interests. This section outlines the acceptable use of social media for Town purposes, which include but are not limited to, engagement, promotion and public outreach.

**5.1** The Town Manager with support from the Information Technology Department shall have responsibility for defining the social media tools used for Town purposes, which includes approving acceptable forms of social media, and creating and archiving Town Social Media accounts.

**5.2** Department managers shall have responsibility for the social media tools used for Town purposes in their department and for developing internal department policies and procedures which address: creating and maintaining social media accounts, posting content, training for account custodians, coordinating responses to questions and comments, and keeping the social media sites current and active. The following may have additional requirements found in their social media policies. They are:

Middleborough Gas and Electric Department Policy #43  
Middleborough Police Department Policy #322

**5.3** Social media content and responses to questions and answers for the Town’s Departments shall be reviewed by each Department manager, or designee, prior to posting.

**5.4** Town Social Media sites or accounts should make clear that they are maintained by the Town and that they follow the Town's Social Media Policy.

**5.5** Comments or other content on topics or issues not related to Town Business or within the purview of the Town may be removed.

**5.6** Employees representing the Town via Town Social Media sites or accounts shall conduct themselves at all times as representatives of the Town in accordance with all Town rules, regulations and policies.

**5.7** The Town reserves the right to deny access to Town Social Media sites to any person who violates the Town's Social Media Policy, at any time and without prior notice.

**5.8 Unacceptable Use of Town Sponsored Social Media**

The following list is by no means exhaustive, but attempts to provide a framework for activities that fall into the category of unacceptable use of the Town's Social Media sites or accounts. These are in addition to and should be read in conjunction with the rules governing all social media use stated above (Section 4). Users with questions regarding these unacceptable uses should contact the Town Manager. The following activities are strictly prohibited, with no exceptions:

- Engaging in any actions that violate the State of Massachusetts Public Employees ethics code.
- Engaging in any actions that may harm or tarnish the image, reputation and/or goodwill of the Town and/or any of its employees.
- Posting or release of proprietary, confidential, sensitive, or personally identifiable information.
- Engaging in any activity that is illegal under local, state, federal or international law while using the Town-owned resources.
- Violating laws pertaining to the handling and disclosure of copyrighted or export-controlled materials.
- Violating the rights of any person or organization protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations.
- Using a Town Social Media account to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws.
- Making fraudulent offers of products, items, or services originating from any Town account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties, from any Town account.
- Taking actions that could cause security breaches, including, but not limited to, sharing data that is restricted from public disclosure.

## **6. Be Respectful**

Always be respectful of fellow co-workers, residents, suppliers and vendors. Also, remember that you are more likely to resolve work-related disputes by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that might constitute harassment or bullying, or that disparages fellow co-workers, residents, suppliers or vendors.

## **7. Be Honest and Accurate**

Always post honest and accurate information or news, and if you make a mistake, correct it quickly. Be honest about any previous posts you have altered or edited. Remember that the Internet archives almost everything; therefore even deleted postings can be searched. Never post any information or rumors you know to be false about the Town, Town officials, fellow co-workers, residents, suppliers or vendors.

## **8. Do Not Post on Behalf of the Town Without Prior Authorization**

Do not use your Town email address to register on social networks, blogs or other online tools utilized for personal use.

Do not create a link from a social networking site, blog, or other website to a Town website without identifying yourself as a Town employee.

Express only your personal opinions. Unless clearly authorized to do so, never represent yourself as a spokesperson for the Town. If you are writing about the Town, make it clear that you are not speaking on behalf of the Town. Specifically express that while you are an employee of the Town, your views do not represent those of the Town, fellow co-workers, citizens, suppliers, vendors, or anyone working on behalf of the Town. Include a disclaimer, such as “The postings on this site express my own views, positions and opinions, and do not necessarily reflect the views of the Town of Middleborough.”

## **9. Expectation of Privacy**

Users should presume that all social media postings, regardless of privacy settings, are public and use their best judgment when participating in social media. Users of social media are cautioned that they should have no expectation of privacy while using the Internet. Online postings can be reviewed by anyone, including the Town.

Pursuant to the Town’s Information Technology Network/Systems Responsible Use Policy, the Town may monitor a User’s Town provided equipment and all electronic communications and records, at any time, with or without notice, including individual user folders, browser history and other information stored on the Town’s electronic communications systems.

**10. Retaliation is Prohibited**

The Town prohibits taking adverse action against any employee for reporting a possible violation of this Policy or for cooperating in an investigation. Any employee who retaliates against another for reporting a possible violation of this Policy or for cooperating in an investigation will be subject to disciplinary action, up to and including discharge, in accordance applicable collective bargaining agreements.

**11. Acknowledgement**

Town employees must sign a written acknowledgement that they have received, read, understand, and agree to comply with the Town of Middleborough’s Social Media Policy.

## **ACKNOWLEDGEMENT FORM**

I have received a copy of the Town of Middleborough's Social Media Policy.

I understand that this Policy replaces any and all prior verbal and written communications regarding Town policies relating to the use and access and Town monitoring of the use of social media, as defined in the Social Media Policy.

I have read and understand the contents of the Social Media Policy and agree to abide by its terms.

I understand that if I have questions or concerns at any time about the Social Media Policy, I will consult my immediate supervisor, my supervisor's manager or the Information Technology Department for clarification.

I understand that the contents of the Social Media Policy may change at any time.

### **Declaration**

I have read, understand and acknowledge receipt of the Town of Middleborough's Social Media Policy. I will comply with the guidelines set forth in this policy and understand that failure to do so may result in disciplinary or legal action.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME