



Social Media

I. **POLICY:**

This Policy establishes the City's position on the management of social media and provides guidance on its management, administration, and oversight.

Public employees occupy a trusted position in the community, and thus their statements have the potential to conflict with the stated policies and performance of the City and individual departments. Due to the nature of the work it is necessary that employees of the City be subject to certain reasonable limitations on their speech and expression.

In so doing, this Policy sets forth expectations of City employees with respect to their use of social media and social networking, and the direct effect such use has upon the reputation, perception and interests of the City and its employees as well as the efficient and effective operations of the services the City provides.

This Policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

II. **ORGANIZATION:**

This Policy shall apply to all City employees. Employees should be aware that postings on media or social networking sites are not private; nor are all forms of speech posted protected by the First Amendment.

III. **PURPOSE:**

Social media provides a contemporary and potentially valuable means of assisting the City and its personnel in meeting several strategies, including, but not limited to, community outreach, meeting notifications, information sharing and service updates. Social media also plays a significant role in the personal lives of numerous City employees.

However, it must be formally and universally recognized that the personal use of social media has the potential to impact the City as well as individual departments as a whole, as well as individual members serving in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by City personnel.



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Every City employee should strive to allow for the effective and efficient operations of the City and maintain public trust and confidence, not only in their professional capacity, but also in their personal and on-line activities. Moreover, certain employees such as police personnel, firefighters and management are necessarily held to a higher standard than general members of the public.

IV. DEFINITIONS: For the purpose of this policy, the following definitions apply:

1. **Social Media:** On-line sources that integrate user-generated content and user participation and allow the user to communicate, share, and/or exchange information with others. Information may include, but is not limited to, text, photographs, video, audio, and other multimedia files. This includes, but is not limited to, social networking sites (Facebook, MySpace, and Instagram), microblogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).
2. **Blog:** Commentary, written by either one person or a group of people, in an online format, usually posted in chronological order, like a diary that may allow visitors to post responses, reactions, or comments. The term is short for “Web log.”
3. **Page:** The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
4. **Post:** Content an individual shares on a social media site or the act of publishing content on a site. This includes text, photographs, audio, video or any other multimedia file.
5. **Profile:** Information that a user provides about himself/herself on a social networking site. Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
6. **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.
7. **Wiki:** Web page(s) that can be edited collaboratively.



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8. Internet: A computer network consisting of a worldwide network of computer networks that use the TCP / IP network protocols to facilitate data transmission and exchange.

9. Comments: Responses to a blog post, news article, social media entry or other social networking post.

V. PROVISIONS:

1. It is the policy of the City that all existing laws, rules, regulations, and directives, including all policies of the City whether labeled a policy, practice, guideline, procedure, general order or other governing document, that govern on- and off-duty conduct are applicable to conduct associated with social media and networking.

2. Employees who choose to maintain or participate in social media or social networking platforms should conduct themselves with professionalism and in such a manner that will not impede the effective and efficient operations of the City.

3. When engaging in social networking, employees will strictly adhere to any and all of the following:

- a. Existing federal, state, and local laws.
- b. Policies, as described above, of the City. In the event that policies of the City or an individual department conflict with this policy, this policy shall prevail unless otherwise expressly stated within this policy.
- c. Laws regarding public information on arrests, investigations, and personnel data.
- d. Laws regarding public records including exemptions.

4. Employees are prohibited from using their status as employees of the City to endorse any product, service or business without prior written permission from their manager.



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5. Employees are prohibited from using City of Gainesville property (on- or off-duty) to engage in personal use of social media.

6. In addition to the above provisions, when engaging in use of social media, employees shall not post any text, photograph, audio, video, illustration, or any other multimedia file related to, or depicting, any of the following:

- a. Current or pending City investigations or audits;
- b. City or departmental confidential information;
- c. Ethnic slurs, threats of violence, or material that is harassing, fraudulent or discriminatory or disparages, maligns or expresses bias against any race, religion, sex, gender, sexual orientation or expression, nationality or other protected class of individuals;
- d. Sexually explicit images, comments, jokes, or material that violates the City or individual department's policy or any federal, state or local law prohibiting sexual discrimination or harassment.

7. Employees who are off-duty, and using privately-owned property to engage in the personal use of social media, do not represent the City of Gainesville, or any individual department, or any official position maintained by either entity. Under such conditions, employees represent only themselves and their personal interests.

8. There is no reasonable expectation of privacy when engaging in social networking online. As such, the content of social networking websites may be obtained for use in criminal trials, civil proceedings, and City and departmental investigations, including audits.

VI. GENERAL CATEGORIES OF SOCIAL MEDIA USAGE:

The City recognizes three general categories of social media usage among employees:

1. Social Media Administrators;
2. Off-Duty Personal Use of Social Media; and



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3. On-Duty Personal Use of Social Media.

A. Social Media Administrators:

1. Social Media Administrators (SMAs) are employees who are authorized by the City or an individual department to post on social media accounts owned by the City and to respond to posts on those accounts on behalf of the City or department. In addition to SMAs, certain employees make statements on the City or individual department's behalf as part of their job duties. Such employees are bound by the same rules that apply to SMAs.

2. In addition to the provisions set forth in Section V of this Policy, the following provisions shall apply to SMAs:

a. Employees who represent the City or an individual department via social media outlets shall obtain express permission from their Department Head or the Department Head's designee, prior to engaging in such activity.

b. All City social media sites must be approved by the appropriate charter officer or their designee.

c. SMAs when engaging in authorized social media networking shall:

i. Properly identify themselves as a member of the City or individual department.

ii. At all times, conduct themselves as representatives of the City or the individual department and, accordingly, adhere to all City and department policies and standards of conduct, and observe conventionally accepted protocols and proper decorum.

iii. All postings must align with the City or individual department's mission and serve its purpose.

d. Where possible, social media sites shall clearly indicate they are maintained by the City or the individual department and shall have City or department contact information displayed.

e. Social media content shall adhere to applicable laws, regulations and policies, including City and individual department policies, such as all information technology and records management/archiving policies:



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- i. Content is subject to public records laws;
 - ii. Relevant records retention schedules apply;
 - iii. Content must be managed, archived, and retrieved to comply with open records laws and e-discovery laws and policies.
- f. Where possible, social media sites should state that the opinions expressed by visitors to the site/page do not necessarily reflect the opinions of the City or individual department:
- i. Site shall clearly indicate that posted comments will be monitored and that the City or department reserves the right, where appropriate, to remove obscenities, off-topic comments, personal attacks or other inappropriate posts;
 - ii. Site shall clearly indicate that any content posted or submitted for posting is subject to public disclosure; and
 - iii. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- g. SMAs are prohibited from the following:
- i. Making statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions or investigations.
 - ii. Posting content related to political activities or private business, unless authorized by the SMA's Charter Officer or their designee.
 - iii. Using personally owned devices to manage the City or a department's social media activities unless authorized by the SMA's Charter Officer or their designee.
 - iv. Expressing their own personal views or concerns through such postings. Instead, postings on any of the City or individual department's social media sites shall only reflect the views of the City.
 - v. Posting personal information, except for the names of employees whose job duties include being available for contact by the public.



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- vi. Posting comments that are not topically related to the particular posting being commented upon.
- vii. Posting comments in support of, or opposition to, political campaigns, candidates or ballot measures.
- viii. Posting profane language or content.
- ix. Soliciting of commerce.
- x. Conducting or encouraging illegal activity.
- xi. Information that may tend to compromise the safety or security of the public or public systems.

B. Off-Duty Personal Use of Social Media:

Off-duty for purposes of this policy shall mean those periods of time when a City employee is not working during a scheduled shift including time spent on scheduled breaks.

1. Personal use of social media is defined as engagement or participation in any social networking platform, including but not limited to, personally-owned sites, the sites of others (both known and unknown to the employee), news media pages, professional sites, or other information exchange forums.
2. Employees are reminded to exercise good judgment and demonstrate personal accountability when choosing to participate on social networking sites.
3. In addition to the provisions set forth in Section V of this policy, the following provisions shall apply to personal use of social media while off-duty regardless of ownership of used property to engage in social media:
 - a. Employees shall neither express nor imply that they are:
 - i. Speaking or acting on behalf of the City or an individual department.



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- ii. Representing or presenting the interests of the City or an individual department.
 - b. Employees shall not use their rank, title, or position in a manner that would suggest that they are representing the interests or official position of the City or individual department.
 - c. Employees shall not post any depiction or illustration of the Official Seal of the City of Gainesville, or the names or logos of individual departments, so as to give the appearance of an official site of the City of Gainesville or an individual department.
 - d. Employees shall not use a City e-mail address to register a personal account on social media.

C. On-Duty Personal Use of Social Media:

On-duty for purposes of this policy shall mean those periods of time when a City employee is working during a scheduled shift excluding time spent on scheduled breaks.

1. Unless specifically authorized by the City or their Department, employees are not permitted to engage in social media using any City computers or electronic resources or other devices. In addition, employees may not use the City's facilities to develop, design or maintain their personal social media sites and are prohibited from linking their social media site to the City or a department's websites or social media sites.

Adopted: 04/09/2021