

Social Media Policy

Adopted March 15, 2018 Resolution #18-26

1. Introduction

The Vernon Township Municipal Utilities Authority (“VTMUA”) has a strong commitment to the quality of life of all VTMUA employees and taxpayers, as well as the preservation of the VTMUA’s reputation. All appointed commissioners, employees, contractors and volunteers must establish and maintain public trust and confidence and be committed to the protection, strength, effectiveness and decorum of the VTMUA’s current and future endeavors and the VTMUA management team. In support of the public’s trust and confidence, the VTMUA holds “all” appointed commissioners, employees, contractors and volunteers to the highest level of professional responsibility.

2. Scope

This policy shall apply to any and all employees, individuals, volunteers, agencies, departments, elected officials and/or governing body members who are now or hereinafter permitted as authorized users by the VTMUA to post content on the VTMUA social media sites, including, but not limited to, members of the public that are permitted to comment on, or tag photos, in the VTMUA’s social media posts.

The VTMUA’s social media sites encompassed by this policy include all sites and accounts authorized and/or created by the VTMUA. They are intended to be information only and are not intended to be used as an open public forum for making comments, including any official communications to the VTMUA; for example, reporting crimes or misconduct, reporting dangerous conditions, giving notice required by any statute, ordinance or regulations such as but not limited to notices of claim. Prominent notice of this paragraph shall be displayed on each of the VTMUA’s social media sites, along with the appropriate contact information for submitting official communications.

The VTMUA website does not allow for any public comment whatsoever. It is reserved for the VTMUA to engage in its own expressive conduct to promote its own message and disseminate information. From time to time, the VTMUA may post surveys on its website which may allow for comments. Commenting shall be limited to those surveys and the topics thereof and shall not change the designation of the VTMUA’s website as a government communication and shall not make it a public forum.

A limited VTMUA public social media forum is Facebook, to the extent a page is maintained by the VTMUA where public comment may be enabled. The VTMUA restricts comments to topics related to VTMUA activities, and reserves the right to delete any comments that do not adhere to this policy. The VTMUA also reserves the right to disable comments on this site at any time and turn such site into a government communication. The person designated shall have the authority to delete or disable comments pursuant to this policy.

3. Clarification

For purposes of this policy, “social media” is understood to be content created by individuals, using accessible, expandable, and upgradeable publishing technologies, cell phone services or on the Internet. Examples of social media include Facebook, blogs, Myspace, RSS, YouTube, Twitter, LinkedIn, Flickr and Instagram and all others that may be in existence or created hereafter.

4. Responsibility

No social media site or website of the VTMUA shall be established without approval. Social media that is currently maintained by the VTMUA are Facebook and the VTMUA website.

The VTMUA shall have a single presence on social media sites deemed appropriate for use by the VTMUA or its designee. With permission of the VTMUA or its designee, individual departments or agencies of the VTMUA may maintain a separate social media presence when deemed appropriate. Any request by a department or agency to maintain a social media presence shall be made in writing to the VTMUA for consideration. Such request shall not be required to be very extensive but shall contain enough information for the VTMUA to assess the need for social media presence, its purpose, and its compliance with this policy. The request shall also set forth the person or persons responsible for and authorization to post content on such sites and accounts. No VTMUA social media site including those maintained by departments or agencies of the VTMUA, shall be established without prior approval of the VTMUA.

No social media sites are to be used for official communication with the VTMUA, e.g. OPRA.

5. Administrator

The VTMUA shall designate an administrator/liason to review requests, and applications from non-municipal groups. This moderator will have ultimate responsibility for all department's social media and web pages and therefore will also oversee the post content on each media site to ensure adherence to this policy, including appropriate use, messaging, and branding that is consistent with the interest, goals and objectives of the VTMUA. This paragraph does not apply to social media sites maintained by individual VTMUA departments and agencies. Such sites will be monitored by the liaison only for consistency with this policy, but the individual department or agency shall appoint a person or persons responsible for posting content, subject to approval by the VTMUA.

6. Definitions

"Government Record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed, image processed document, information stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file, or received in his or her official business by any officer, commission, agency or authority of the VTMUA or any political subdivision thereof, including subordinate boards thereof. The terms shall not include inter-agency or intra-agency advisory, consultative, or deliberative material. All government records, including comments and posts, are subject to OPRA, FOIA, and the Right-to-Know law.

"Record" means any information kept, held, filed, produced or reproduced by, with or for an agency or town legislature, in any physical form whatsoever including, but not limited to computer tapes or discs. All such comments and posts are subject to OPRA, FOIA and the Right-to-Know law.

"Meetings" means and includes any gathering whether corporeal or by means of communication equipment, which is attended by, or open to, all of the members of the public body held with the intent, on the part of the members of the body present, to

discuss or act on the specific public business of that body. Meeting does not mean or include any such gathering (1) attended by less than an effective majority of the members of the public body, or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering.

“Public Business” means and includes all matters which relate in any way, directly or indirectly, to the performance of the public body’s functions or the conduct of its business.

Chance encounters of members of public bodies are neither covered by the provisions of this policy nor are they intended to be covered.

7. Potential Copyright Liability

All content must be produced by VTMUA or individual who posts such media and must adhere to applicable copyright laws. The VTMUA reserves the right to delete comments and posts that violate such and will indemnify the poster. If copyright materials are used, the poster should make sure it obtains and maintains physical records of the copyright licenses. Any content on sites that are linked from the organization’s site, are officially disclaimed for any illegal or infringement content. By clicking some links you will leave the official page of the VTMUA. The VTMUA is not responsible for the content, nor endorses or supports any advertising that may be contained on this site. The VTMUA has no control over the content nor the ownership of the domain name and we do not endorse, control or take responsibility for this organization, its views, or the accuracy of the information contained on the link that you have chosen.

Facebook: all users of social media sites should be aware that some social networking sites (such as Facebook) have terms of use in place that state that by posting intellectual property on Facebook an individual grants Facebook a non-exclusive, transferable, sub-licensable, royalty- free, worldwide license to use any IP content that is posted.

8. Commenting

From time to time, the VTMUA or a department or agency thereof may find it necessary or beneficial to the public, to post on its social media sites about groups unaffiliated with the VTMUA. Such groups shall be those that promote the health, safety, and well being. Such posts will be made at the discretion of the person or persons designated to maintain such social media site.

Public commenters do not represent the views of the VTMUA.

The VTMUA reserves the right to delete comments or posts that violate the social media policy and to deny access to its social media sites for any individual, who violates the policy, at any time and without prior notice.

9. Employee Use

All VTMUA social media sites and all data and comments stored and communicated through the VTMUA’s social media sites remain the property of the VTMUA, including the list of all the followers and friends generated by each of the VTMUA’s social media sites. Employees are restricted from using the VTMUA’s website, social media sites or accounts for personal use or gain. Additionally, employees may not reveal or publicize confidential VTMUA information. Confidential, proprietary, or sensitive information may

be disseminated only to individuals with a need and a right to know such information, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to personnel information, medical records, criminal history information, confidential informant identification, and intelligence and tactical operations files, and attorney-client privileged information. Employees are prohibited from publishing or sharing any photographs, pictures, digital images, or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, or job-related incident or occurrences on any website, blog, or social media site. If such disclosure occurs, employees agree that any images belong to the VTMUA and agree to release the image to the VTMUA and ensure its permanent deletion from media device and social media sites upon direction.

To the extent that employees, volunteers, agencies, departments, elected officials and/or governing body members who are now or hereinafter permitted as authorized users by the VTMUA use social media outside of their employment and in so doing employees identify themselves as VTMUA employees, or if they discuss matters related to the VTMUA on a social media site, employees must add an obvious and prominently displayed disclaimer, stating that it does not express the views of the VTMUA and the employee is expressing only their personal views. Employees must keep in mind that, if they post information on a social media site that it is in violation of the VTMUA's policy, and/or federal or state or local laws, the disclaimer will not shield them from disciplinary action. The VTMUA is not liable for any damages caused by employee social media use outside the scope of employment.

A public employee's right to free speech is "tempered by the reasonable judgement of the VTMUA" as to the potential disruptive effects of the employee's conduct on the public mission of the VTMUA and its police and fire departments. Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment or interfere with or infringe upon the employees right to free speech. VTMUA employees have the right to engage in or refrain from such activities.

Elected officials may not comment on the social networking sites when the topics are addressed in a manner that can be considered discussion of public business. Special care should be taken to avoid cross-comments between elected officials and avoid any official action on a matter (or even the appearance of any official action). Elected officials should respond to inquiries on social media sites the same way they would to a telephone call or e-mail message. Inform the person contacting them that the matter cannot be discussed outside of the public hearing.

When using personal social networking sites, all employees, volunteers, agencies, departments, and/or commissioners of the VTMUA must:

Never make statements that would violate any of the VTMUA's policies, including its policies concerning discrimination or harassment;

Uphold the VTMUA's value of respect for the individual and avoid making defamatory statements about the VTMUA, its employees, or their families;

Must not disclose confidential information about the VTMUA or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including employees and their families;

Never use social networking sites which would be detrimental to the mission and function of the VTMUA;

Remember they are prohibited from using their VTMUA title as well as adding references to the VTMUA in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the VTMUA. This prohibition also includes signature lines and personal e-mail accounts;

Not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during work hours unless it involves a VTMUA project. Employees must seek approval from the VTMUA or its designee for such use; and

Must not post or publish any information that the VTMUA would deem to be inappropriate conduct by a VTMUA employee.

The policy of the VTMUA is to maintain a level of professionalism both during and after working hours. Any publication through any means of electronic communication which is potentially adverse to the VTMUA, will be deemed a violation of this policy. If the VTMUA believes that an employee's activity on any social networking site violates the VTMUA's policies, the VTMUA may request that the employee cease such activity. Depending on the severity, the employee may be subject to disciplinary action.

This policy has been developed and adopted by the VTMUA to provide guidance and direction to employees on how to avoid actual and/or the appearance of inappropriate conduct toward employees and/or community members while using social media networking sites.