Pleasant Valley Fire District
District Policy

Social Media Policy

PURPOSE: The purpose is to provide guidance to Pleasant Valley Fire District members to clarify the boundaries between appropriate and inappropriate use of social media by fire district personnel and to provide guidelines on the management, administration, and oversight. This policy addresses social media in general terms as technology will outpace our ability to discover emerging technology and create policies governing its use. The inappropriate use of social media may lead to actual harm and disruption to the district in terms of the public's perception of the organization as willing to render services to them.

POLICY STATEMENT: Engaging in social media and social networking activities is a form of speech. Nothing in these rules is intended to unlawfully restrict a member's right to discuss as a private citizen, matters of public concern, nor engage in concerted activity with co-workers. Members have an affirmative obligation to avoid being perceived as a spokesperson for the Pleasant Valley Fire District.

BACKGROUND: Facebook, Twitter, Instagram, and other social media outlets and systems are available and used by many people, including fire department personnel, and the fire department itself. Social media provides a valuable means of assisting the department in meeting community education, community information, fire prevention, and other related organizational and community objectives. This policy identifies possible uses that may be evaluated and used as deemed necessary by the fire chief. The fire department recognizes the role that social media tools may play in the personal lives of department personnel. The personal use of social media can affect fire departmental personnel in their official capacity as firefighters. This policy provides guidance of a precautionary nature as well as restrictions and prohibitions on the use of social media by department personnel. The department endorses the secure use of social media to enhance communication and information exchange, streamline processes, and foster productivity with its employees.

DEFINITIONS:

- *Blog:* A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.
- *Harassment*: is the systematic and/or continued unwelcome actions of one party

or group intended to demean, threaten, intimidate, or alarm another party or group.

- *Hate speech*: is speech that attacks a person or group on the basis of attributes including race, ethnic origin, national origin, skin color, gender (including status as pregnant or nursing), religion, disability, age, or sexual orientation, indicating a level of intolerance or hostility that is incompatible with a commitment to serve all members of the community.
- *Post:* Content an individual shares on a social media site or the act of publishing content on a site.
- *Profile:* Information that a user provides about himself or herself on a social networking site.
- *Social Media:* A category of Internet-based resources that enable the user to generate content and encourage another user participation. This includes, but is not limited to, social networking sites: Facebook, Instagram, Twitter, YouTube, Wikipedia, blogs, and other sites (there are many social media sites, and this is only a representative list.)
- *Social Networks:* Platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- *Speech:* Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or any related forms of communication.
- *Spokesperson for the district/department*: an employee/member who makes a statement: on behalf of the department; in his/her capacity as an employee or member of the department; or in such a way that it may reasonably be attributed to the department as opposed to making the statement as a private citizen.

POLICY:

A. Strategic Policy

1. Determine strategy

- Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the department's presence on the website.
- Social media page(s) shall link to or reference the fire district's official website, (pvfdny.org.)
- Social media page(s) shall be designed for the target audience(s) such as the community, civic leadership, employees, or potential recruits.

2. Procedures

- All fire department social media sites or pages shall be approved by the fire chief and shall be administered by the fire chief or his designee.
- Social media pages shall clearly indicate they are maintained by the fire district,

department, company and shall have the department logo and contact information prominently displayed.

- Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
- Social media content is subject to open public records laws.
- Relevant records retention schedules apply to social media content.
- Content must be managed, stored, and retrieved to comply with open records laws.
- Social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the fire district, department, or company.
- Social media pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
- Social media pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

B. Department-Sanctioned Use

The following rules apply to department personnel acting as a spokesperson for the department via social media outlets:

- The use of department computers by department personnel to access social media is prohibited without authorization.
- Shall conduct themselves at all times as representatives of the department and shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
- Shall identify themselves as a member of the department.
- Shall not post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, responses, activities, or work-related assignments without express written permission for the fire chief.
- Shall never post photos of EMS patients treated by the fire department.
- Shall not conduct political activities or private business.
- Shall not use personally owned devices to manage the department's social media activities or in the course of official duties without prior permission.
- Shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

C. Potential Uses

Social media is a valuable tool when providing information about:

- Road closures
- Special events
- Weather emergencies
- Updates on fire department programs and activities
- Major ongoing events in the jurisdiction that affects the entire community
- Employment Opportunities – Persons seeking employment and volunteer positions use the Internet to search for opportunities.
- Background Checks – For authorized members to conduct a background check on potential employees or volunteers.
    - Candidates applying for employment must sign a release document enabling the department to conduct a background check using any resource including social media.
    - The department has an obligation to include Internet-based content when conducting background investigations of job candidates.
    - Searches should be conducted with permission from the fire chief and only for the purposes of providing possible background material on an employee candidate.
    - Information pertaining to protected class status shall be filtered out prior to sharing any information found online with decision makers.
    - Persons authorized to search Internet-based content shall be deemed as holding a sensitive position and shall keep and treat all information found as confidential.
    - Search methods shall not involve techniques that are a violation of existing law.
    - Vetting techniques using social media as one of many resources to provide valid and up to date information shall be applied uniformly to all candidates.
    - Every effort must be made to validate Internet-based information considered during the hiring process.
    - An Internet search shall not be the only mechanism used to provide background information on a possible candidate.

D. <u>Personal Use, Precautions, and Prohibitions</u>

Department personnel shall adhere to the following when using social media.

- Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair or impede the performance of their duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department. No member, while speaking as a private citizen on a matter of public concern, shall speak in such a way as to cause actual harm or disruption to the mission and functions of the department.

- Members may speak on a matter of public concern as a spokesperson for the department only with permission through the chain of command.
- As public employees, department personnel are cautioned that their speech either on or off-duty, and in the course of their official duties that has a connection to the employee's professional duties and responsibilities, may not be protected speech under the First Amendment.
- Speech that violates this policy may form the basis for discipline if deemed detrimental to the department.
- Department personnel shall assume that their speech and related activity on social media sites will reflect upon their position within the department and of the department.
- Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the fire chief.
- Department personnel shall use good judgment, moral conduct, and adhere to the professional standards and code of conduct of the fire department if they elect to do the following on personal social media pages or outlets:
    - Identify themselves as a member of the department and/or display department logos, uniforms, or similar identifying items on personal web pages.
    - Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a firefighter, fire officer, employee, or member of the fire department.
- Understand that when using social media, anything they say, or post becomes a permanent part of the World Wide Web.
- Personnel who elect to identify themselves as a member of the fire department shall post a disclaimer that they do not represent the fire department in any official capacity.
- Adherence to the department's code of conduct is required in the personal use of social media.
- When engaging in social media or social networking activities, all personnel will maintain a level of professionalism in both on-duty and off-duty conduct that is consistent with the honorable mission of our department.
- Members shall not engage in speech that is false, deceptive, libelous, slanderous, misleading, obscene, sexually explicit, expresses bias against any race, any religion, or any protected class of individuals, or causes harm to others, including speech that constitutes hate speech, or harassment, nor shall members discuss protected or confidential matters of the fire department, including:
- Matters that are under investigation
- Patient and employee information protected by HIPAA or medical confidentiality laws, or

- Personnel matters that are protected from disclosure by law.
    - Department personnel may not divulge information gained by reason of their position or authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the fire department without express written authorization from the fire chief.
    - Department personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization otherwise known as defamation to include:
- Publishing or posting private facts and personal information about someone without their permission that has not been revealed previously to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
- Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
- Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- Department personnel shall understand that privacy settings and social media sites are constantly changing and shall never assume that personal information posted on such sites is protected.
- Department personnel shall expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
- On-duty members discussing incident and/or work-related matters in social media may inadvertently trigger public records requirements under the Open Records Act.

E. <u>VIOLATIONS:</u>

Reporting violations.

- Any employee becoming aware of or having knowledge of a posting or of any website or webpage in violation of the provision of this policy shall notify his or her officer immediately for follow-up action.
- Violation of this social media policy may result in disciplinary action up to, and including, termination in accordance with the fire department's disciplinary action policy.