

Town of Lanesborough

Social Media Policy

I) Policy:

- A) Introduction. The Town of Lanesborough (the “Town”) depends upon a work environment of tolerance and respect for the achievement of its goals in serving the citizens of the Town.
- B) Purpose. The purpose of this Policy is to provide notice to employees of the Town that their use of social media must conform to the law and this policy. This policy is designed to promote and govern employee’s professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to legal liability for posts that are false, deceptive, libelous, slanderous, offensive, or maliciously, misleading or cause harm to others, including speech that constitutes hate speech or harassment; or (3) interfere with productivity and/or employees’ ability to perform the duties and responsibilities as employees of the Town, and 4) cause actual harm or disruption to the operations of the Town.

II) Definitions:

- A) The Town: Town of Lanesborough.
- B) Officials: Individuals who hold office in the Town, whether elected or appointed.
- C) Employees: All persons employed by the Town regardless of position.
- D) Users: Employees of the Town (individuals or groups) who use, direct, or control a social media account.
- E) Social Media: Online forums in which Users participate in the exchange of ideas, messages, and content, including blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
- F) Electronic Media: All forms of electronic communication, transmission, or storage, including but not limited to, websites and any content contained therein or related thereto.
- G) Hate Speech: 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.

III) General Provisions:

- A) While employees may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as employees of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town by-laws, policies, directives, rules or regulations. The Town’s image as a professional organization comprised of professional employees is key to maintaining the respect of its constituents. Although the Town recognizes that employees may choose to express themselves by

posting personal information on electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of expression is not free from limitation. That is, while the Town acknowledges its employees have the First Amendment right to free speech, that right is not absolute. Therefore, employees must exercise caution with respect to comments they post in general, and in particular those concerning the Town, a particular department of the Town, and/or the Town's employees.

- B) Employees' use of social media is also subject to the Town's Sexual Harassment Policy as well as the Town's other policies and standards of conduct, rules, regulations, and by-laws
- C) This section describes acceptable and unacceptable uses of all social media by Employees of the Town. Employees should use their best personal judgment when using any form of social media and must ensure that their use does not violate this or any other Town policy.
 - 1) All use of social media must conform to the following regulations:
 - 2) There is no guarantee of privacy for electronic communications. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users must understand that all connections and sites visited may be monitored and recorded. This examination helps to ensure compliance with Town policies, assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices, including but not limited to Town-issued email accounts, Internet services, Intranet, cell phone, smart phones, pagers, Town-owned lap tops and computers provided for remote use, and computer software constitutes acceptance of such monitoring.
 - 3) All users are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.
 - 4) Users must not reveal any confidential or privileged information about the Town, its constituents, or its contractors. Users must be particularly careful to protect against the inadvertent disclosure of confidential information.
 - 5) Users must not harass any other Employees in contravention of the Town's Sexual Harassment Policy regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this Policy even if the Town's name or the names of any of its Employees are not posted in the comment.

- 6) Users must ensure that they are always truthful when posting information regarding the Town or their employment on social media.
 - 7) Users shall not represent themselves as a spokesperson for the Town unless specifically designated by the Town.
 - (a) Never post personal opinions on the Town's social media. Town social media accounts are for informational purposes only.
 - (b) Public comments will be turned off and not posted on Town Social media accounts. Only private messages will be allowed.
 - 8) Users may express only their personal opinions and should never represent themselves as a spokesperson for the Town on their personal social media accounts. If the Town is a subject of the content created by an employee, the employee should be clear and open about the fact that he/she is an employee of the Town and should make it clear that his/her views do not represent those of the Town, fellow employees, suppliers, vendors, or any other agent of the Town. Users who publish blogs or other online posts related to the work they do or subjects associated with the Town must make clear that they are not speaking on behalf of the Town. Further, an employee's decision to express their personal opinions does not alleviate their responsibility as an employee to take appropriate action under the circumstances, which may include, but not be limited to, taking action themselves or reporting an issue to a supervisor.
 - 9) Users are expressly prohibited from using social media to engage in any activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).
 - 10) Access to and use of social media must not interfere with a User's productivity and/or a User's ability to perform the duties and responsibilities of Employment with the Town.
 - 11) Users are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its Employees.
 - 12) Department heads and supervisors are expressly prohibited from using any review or recommendation feature or system on a social media site (e.g., LinkedIn) to post reviews or other comments about subordinate employees.
- D) The Town specifically acknowledges that police officers and firefighters may be required to use social media to perform their job duties and that such use, subject to the direction and authorization of the respective Chief, is permissible despite the fact that such use may otherwise appear to violate this Policy. Such actions, however, will not be deemed to violate this Policy provided the police officer or firefighter acts within the scope of his Chief's direction or authority.

E) This Policy shall not be construed to interfere with employee rights under Massachusetts General Laws Chapter 150E.

F) The Town encourages anyone who uses social media in contravention of this policy to be honest and admit the error as soon as it occurs. Although errors cannot always be erased, prompt notification can make a significant difference in the Town's ability to correct or remedy the issue.

IV) Complaints or Problems of Misuse:

Should any Employee of the Town receive or become aware of a violation of this Policy, the Employee should report the violation to the Town Manager in person at 83 North Main Street, or by telephone at 413-442-1167, ext. 21, as soon as possible.

The Town prohibits taking action against any employee for reporting a possible violation of this Policy or for cooperating in an investigation. Any employee who retaliates against another employee for, in good faith, reporting a potential violation of this Policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

V) Questions

Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to ask the Town Manager.

VI) Discipline

Any User who violates this Policy shall be subject to appropriate discipline, up to and including termination of employment.¹ The Town intends to follow each provision of this Policy but reserves the right to change any provision at any time if circumstances warrant or require. A failure to enforce this Policy does not constitute a subsequent waiver of any violation of this Policy. This Policy shall be read and interpreted in conjunction with all other Town policies and procedures.

¹ Employees covered by a collective bargaining agreement (or civil service law) will be subject to discipline in accordance with the terms of the applicable agreement (or civil service law).