



No. 336

ADMINISTRATIVE DIRECTIVE
Supersedes: Directive No.336 dated 9/26/18

Effective Date:

Approved by: Joshua A. Smith
City Manager

SUBJECT: SOCIAL MEDIA CONDUCT

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3/7/20

PURPOSE: The purpose of this policy is to establish guidelines for all City of Hamilton employees. As social media is still an emerging technology, the City of Hamilton, through this Administrative Directive, seeks to establish some basic guidelines for City Employees who use social media technologies both at the worksite and away from it. The intent of this policy is to guide employee's online presence as it reflects upon the City, and employees should be aware that actions captured via images, posts, or comments may discredit the City or adversely affect the efficiency or integrity of the City.

1. Policy.
 - a. It is the policy of the City of Hamilton that employees may use social media technologies. However, it is the responsibility of employees to ensure that such references do not cause a decline in public confidence in and/or respect for the City or the individual employee. Employees must exercise appropriate discretion, so as not to discredit themselves or the City, or violate any other City expectations in the City charter, codified ordinances, employee handbook, administrative directives, or other policies and procedures.
2. Scope.
 - a. This Administrative Directive shall apply to all City of Hamilton personnel. This policy applies to an employee's use of social media technologies both at the worksite during business hours and away from the worksite during non-business hours. Personnel who violate this directive may be subject to disciplinary action, up to and including termination of employment.
3. Definition & Applicability.
 - a. This policy shall apply to the online technologies and practices that employees use to share opinions, insights, experiences, and perspectives, known familiarly as "social media". In many cases, social media is associated with an Internet-based website where members of that site can electronically gather to share personal profiles with other members. Social media can take many different forms, including text, images, audio, and video. Social media sites typically use technologies that include, but are not limited to, blogs, message boards, podcasts, posts, wikis, and vlogs. Examples of current social media applications include, but are not limited to Facebook, Twitter, Instagram and Blogger. The term "friend" or "follower" in the world of social media has a different connotation than the traditional definition might imply. When an employee is a "friend" or "follower" of someone, the City interprets this as a

communication connection, similar to storing a phone number in an e-mail or



phone address book “friending” or following someone or a page may be viewed as approving or agreeing with the views or commentary listed. Social media is still an emerging technology and the way in which people use the technology will continue to change. As new tools are introduced, this policy will evolve accordingly.

4. Privacy.

- a. City of Hamilton employees should be aware that information posted on the Internet is not secure or private, even if active steps are taken to restrict access to an employee’s site. Once information has been posted on the Internet, it is likely trackable, traceable, and accessible indefinitely.

5. Liability.

- a. All employees should be aware that due to the nature of their employment in the public sector, they are held to a higher standard. As a result, certain kinds of internet postings may be detrimental in both the employee’s personal and professional capacity. Whether social media technologies are used during or after business hours or posts made on personal or publicly accessible websites, employees should assume they are at all times representing the City of Hamilton and employee postings, images, etc. are a reflection of both the City and its staff. In the event employees choose to post information that causes a decline in public confidence in either the City or to any employee in their official capacity, they should be aware that they will be held accountable through the City’s standards of conduct and action may be taken as outlined in the City’s disciplinary policies including but not limited to AD 314 Standards of Performance, AD 316 Code of Ethics, AD 331 Internet Usage. Employees can be disciplined for non-work related conduct, including web use. Employees should consider the possible adverse consequences of some internet postings with respect to future employment, cross-examination in court cases, and potential public/private embarrassment. Employees are encouraged to seek the guidance of supervisors regarding any posting that they are concerned may adversely reflect upon either the City or upon the professionalism or integrity of the employee.

6. Employee Standards for Personal Use.

a. General Use.

- i. Employees may post personal information that is not inconsistent with this policy. Such posts may include general information about City activities, including information about the workplace, an employee’s projects, etc. For certain positions, the City recognizes social media as a significant and effective communication tool.
- ii. Employees assume any and all risk associated with blogging/posting on social media.
- iii. Employees may not attribute personal statements, opinions or beliefs to the City of Hamilton when engaging in private personal postings.



- b. Co-Worker Interactions.
 - i. Employees may be “friends” of other employees, at each employee’s discretion. No employee is obligated, however, to interact with co-workers through social media technologies.
- c. Photographs.
 - i. Employees may post photographs or other depictions of the City of Hamilton, including City facilities, events, etc. However, the City reserves the right to require pre-approval of such posts. If such posts bring discredit to the City, the employee may be required to remove the post.
- d. Logos & Trademarks.
 - i. Employees may not post the City’s adopted logos and trademarks without supervisor approval.
- e. Inappropriate Material.
 - i. An employee’s posting and/or association with pictures, video, artwork, comments or other referencing racial or ethnically derogatory material is inappropriate and subject to disciplinary action.
 - ii. Offensiveness, disparaging comments, untruthful statements, demeaning behavior, and illegal substance use are all examples of behavior that is considered inappropriate by representatives of the City of Hamilton.
 - iii. Employees are prohibited against posting any material that would constitute discrimination, harassment, hate speech, or libel.
(Note: any and all activities listed above may be subject to disciplinary action)
- f. Adverse Impacts to City.
 - i. Employees shall not post or be associated with any material on the Internet that brings discredit to or may adversely affect the efficiency or integrity of the City of Hamilton or any employee in their official capacity.
- g. Worksite Usage.
 - i. The City recognizes that social media technologies are an emerging form of communication. The City permits very limited personal usage of social media technologies during the workday, similar to receiving a personal phone call of a limited duration. Employees should use discretion and understand that even very brief periods of usage can collectively amount to significant periods of time. Supervisors have the right and ability to further restrict usage, as appropriate.
 - ii. Employees whose job duties entail Social Media posting/viewing/use for their Department/Division or for the City are permitted to use social media for professional use only.
- h. Files from City Devices.
 - i. Employees may not upload any audio/video files captured on devices owned by the City of Hamilton, without prior approval by his/her department manager.
- i. Political Communications and Participation.
 - i. Employees are not permitted to use social media technologies to influence or affect the results of any election or nomination while acting in their official City capacity, on City time, or using any City equipment.



- j. Privileged & Confidential Information.
 - i. Employees are prohibited to post any privileged or confidential information, or information that could breach the security of the City's computer system in any way.
 - k. Judgment.
 - i. Employees should use good judgment in their postings and social media activity. If the content of a post is not something that an employee would feel comfortable with their supervisor reading or viewing, it is probably inappropriate and in conflict with this policy.
7. Standards for Business Use of Social Media
- a. General Provisions.
 - i. With the exception of the Hamilton Police Department, information posted to any City of Hamilton, Ohio social media site must be approved by the Director of Neighborhoods or his/her designee and must be consistent with the mission of the City of Hamilton. For the City's primary social networking sites, content will be posted by the Department of Neighborhoods or Hamilton Police Department in accordance with its practices for disseminating other forms of public information. Content posted to social media sites may include news releases, approved photos and videos, agendas, announcements, promotional tools and other similar material.
 - b. Posting on behalf of the City of Hamilton.
 - i. The Department of Neighborhoods will create and maintain the City's official Social Media accounts. All account activity will be reviewed by the department and uploaded to the account.
 - ii. Under certain circumstances, a City Department may want to create and maintain social media applications that are separate from those maintained by the Department of Neighborhoods. Departments are required to obtain approval from their Department Director, the City Manager and the Department of Neighborhoods before implementing departmental specific social media applications.
 - iii. Departments must provide specific justification and reasons for maintaining separate social media applications. If approved, the Department Director, City Manager, and Director of Neighborhoods will periodically review each application. Those that do not meet the City's intended goals and objectives may be removed at any time.
 - iv. Some avenues to allow user comments may be turned off, including discussion boards, "walls" and comment sections. Unless a social media site has been authorized to accept comments, unofficial or public comments may not be posted.
 - v. If the public is allowed to post comments to a social media account or page, the following posts are inconsistent with the City's policies and will not be allowed:
 - Obscene or racist content
 - Personal attacks, insults, or threatening language
 - Potentially libelous statements



- Plagiarized material
- Private, personal information published without consent
- Comments totally unrelated to the content of the forum

- Hyperlinks to material that is not directly related to the discussion
- Commercial promotions or spam
- Organized political activity

c. Posting on behalf of the City of Hamilton.

i. Prohibited content includes the following:

- Comments containing personal attacks of any kind
- Profane and vulgar language or content
- Comments in support of or opposition to political campaigns or ballot measures
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation
- Sexual content or links to sexual content
- User promotion of particular services, products, or political organizations, solicitations of commerce, or similar "spam" unrelated to page content
- Conduct or encouragement of illegal activity
- Information that may compromise the safety, security, or proceedings of the public or public systems or any criminal or civil investigations, including sensitive personal information
- Content that violates a legal ownership interest of any other party, including intellectual property rights (such as copyrights and trademarks).
- Information promoting special events hosted within city limits, except those sponsored or sanctioned by the City of Hamilton, Ohio

ii. Any content removed based on these guidelines may be retained. Information retained may also include the time of the posting, the date, and the identity of the poster.

iii. The City of Hamilton reserves the right to remove or block any individual or group that consistently violates the conditions listed above.

iv. Materials on this page submitted by the public are not to be considered as official or supported communications of the City of Hamilton.

d. As public employees, Department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties, that owes its existence to the employee's professional duties and responsibilities, may not be protected speech under the First Amendment or other law and may form the basis for discipline if deemed detrimental to

the Department or the City. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office, Department, and the City

e. Personnel shall not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, not post, transmit, or otherwise disseminate confidential information, including photographs or videos,

related to Department training, activities, or work-related assignments without approval.



c. Display/Retention Schedule.

- i. In all cases, posts to City-operated social media sites will be maintained on the page for 2 years or as maintained by the platform according to the Department of Neighborhoods RC-2. In the event that information previously disseminated via social media becomes factually inaccurate, said information/post may be edited, updated or removed to provide current, factual information.

8. Disciplinary Procedure

- a. In recognition of the fact that each instance differs in various respects from somewhat similar situations, the City retains the right to treat each occurrence upon its individual merit and without creating precedent for the treatment of any other cause which may arise in the future.
- b. Employees may be subject to discipline resulting from their use of personal social media where that use has a negative impact on the City's interests which outweighs the employee's private interest.
- c. The City may require immediate removal of, and impose discipline for, material that is disruptive to the workplace or impairs the mission of the City.
- d. The City retains the right to suspend the operation of any disciplinary action which it may take, during good behavior for a specified term, in its exclusive discretion.
(see Core Values Policy b. and div. City Values, Admin Directive No. 316)
- e. With respect to any given offense, consideration will be given to the severity, cost involved, the time interval between violations, the length and quality of the employee's service record, and the ability of the employee concerned.