

## Chapter 59

### Issue 1

Date 02/14/2017

## SUBJECT: CITY OF LOMPOC SOCIAL MEDIA USAGE POLICY

### I. PURPOSE

The purpose of this policy is to establish City of Lompoc (City) general standards and responsibilities for the acceptable use of Social Media. The policy governs the use, administration, management, monitoring, and retention of Social Media and Social Media content, consistent with state, federal and the City's laws and regulations, and the City's goals. All content created, received, transmitted, stored on, or deleted from the City's information systems is exclusively the property of the City or, to the extent provided by applicable law, of the person or entity that created or owns the copyright or trademark rights to that content.

### II. APPLICATION – CITY'S EMPLOYEES

This policy applies to all uses of Social Media by the City's employees maintaining, using, or providing oversight of City Social Media tools. However, the Lompoc Police Department ("LPD") has established LPD Policy 1058 (Employee Speech, Expression and Social Networking) to govern the use of social media by City's employees within the LPD (including both sworn and non-sworn employees). Where LPD Policy 1058 is inconsistent with this policy, LPD Policy 1058 shall govern with respect to City's employees within the LPD.

Except as provided in Section VI below, this policy does not apply to the City's employees' private activities on their private Social Media sites.

### III. APPLICATION – USERS OF THE CITY'S SOCIAL MEDIA SITES

This policy also applies to members of the public who use the City's Social Media sites and is intended to work in conjunction with the City's adopted personnel rules and regulations.

### IV. BENEFITS OF SOCIAL MEDIA TOOLS

When used in accordance with applicable laws, regulations, and policies as well as prudent operational, security, and privacy considerations, Web-based Social Media tools can (at little to no cost): Enhance the speed, reach, and targeting of communications (including during disaster/emergency incidents); Facilitate collaboration; Improve the provision of information to the City's residents; Increase citizen engagement and dialogue; Streamline processes; Foster productivity improvements; and Increase the City's ability to broadcast messages to the widest possible audience.

## V. DEFINITIONS

“Authorized Employee” refers to an Employee who is authorized by the City Manager, Assistant City Manager or this Policy to post and comment on City Social Media sites on behalf of the City.

“City-affiliated” or “City of Lompoc-affiliated” means City owned and operated.

“Department” means a department or division of the City such as the Fire Department or the City Clerk’s Division or the Human Resources Division.

“Employee” includes, but is not limited to, full-time and part-time employees, contractors, contract workers, interns, and volunteers of the City.

“Social Media” refers to internet technologies that facilitate and promote interactive communication, participation, and collaboration. Examples of Social Media include, but are not limited to, the Web sites and applications known as Blogger, Facebook, LinkedIn, Twitter, Instagram, Pinterest, Tumblr, Foursquare, Meetup.com, Flickr, YouTube, Yelp and Wikipedia, and the interactive tools and functions they provide to users.

“Social Media Provider” means a provider of a Social Media service such as Blogger, Facebook, LinkedIn, Twitter, Instagram, Pinterest, Tumblr, Foursquare, Meetup.com, Flickr, YouTube, Yelp and Wikipedia, and the interactive tools and functions they provide to users.

“User” refers to a member of the public, or an Employee acting solely in their private capacity, who view, use, or comment on City Social Media sites.

## VI. USE OF CITY SOCIAL MEDIA SITES BY CITY OF LOMPOC EMPLOYEES

### VII. Goals

1. Provide more of the City’s information to a greater number of the City residents and businesses.
2. Enhance the City’s communication efforts.
3. Serve as a source to build awareness, interest and quality of life in the City.
4. Provide rapid disbursement of supplemental emergency information to augment existing means of distributing emergency information.
5. Attract the public to the City’s website.

6. Attract the public to the City's services and events.
7. Disseminate timely and relevant information that is clear and concise, while avoiding overwhelming the City's followers with frivolous and redundant information.

#### VIII. General Policies

1. This Policy shall operate in conjunction with the City's adopted personnel rules and regulations.
2. New City-affiliated Social Media sites under consideration will be reviewed and approved by the City Manager or Assistant City Manager and the Public Information Office with consultation from the City Attorney and Human Resources Manager when appropriate.
3. The City's website (<http://www.cityoflompop.com/>) will remain the City's primary internet presence.
4. The City's Social Media tools are most appropriately used to increase the City's ability to broadcast its messages to the widest possible audience.
5. The City's Social Media sites will not be the primary tool used for disseminating emergency information. Emergency information may be released on the City's Social Media sites, but not before release on the City's website or other emergency information systems.
6. The City's Social Media sites shall comply with usage rules and regulations required by the Social Media Provider, including any privacy policies.
7. All City Social Media sites shall adhere to applicable federal, state, and local laws, regulations and policies. This includes laws and policies regarding copyrights, records retention, Freedom of Information Act, First Amendment, privacy laws, and information security.
8. The City's Social Media sites shall comply with the City's Conflict of Interest Code and applicable ethics rules and policies.
9. Wherever possible, content posted to the City's Social Media sites will also be made available on the City's website.
10. Wherever possible, content posted to the City's Social Media sites must contain hyperlinks directing users back to the City's primary website (<http://www.cityoflompop.com/>) for in-depth information, forms, documents or online services necessary to conduct business with the City.
11. The City's Social Media sites shall be managed consistent with the Brown Act. Members of the City's Council, Commissions, Boards or Committees, established by the City, shall not respond to or participate in any published postings, or use the City's

Social Media sites to respond to, post, blog, engage in serial meetings, or otherwise discuss, deliberate, or express opinion on any issue within the subject matter of the jurisdiction of the body. Such members shall be notified of these restrictions.

12. The City's Social Media sites are subject to the California Public Records Act and Proposition 59, amending Article 1, Section 3 of the California Constitution. Any content maintained in a Social Media format that is related to the City's business, including a list of subscribers and posted communication (with certain exceptions), is a disclosable public record. The City Clerk's office is responsible for responding completely and accurately to any public records request for public records on Social Media; provided, however, that such requests shall be handled in collaboration with the City Attorney's Office. Content related to the City's business shall be maintained in an accessible format, so it can be produced in response to a request. Wherever possible, such sites shall clearly indicate any articles and any other content posted or submitted for posting may be or are subject to public disclosure upon request.

13. California law and the City's relevant records retention schedules apply to Social Media formats and Social Media content. Unless otherwise addressed in a specific Social Media standards document, the Public Information Office shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on one of the City's servers or readily accessible by the City, in a format that preserves the integrity of the original record.

14. Users of City Social Media sites shall be notified that the intended purpose of such sites is to serve as a means of communication between the City's Departments and members of the public, and is not intended to create a quasi-public or public forum.

15. Users shall be informed by posting to the City's Social Media sites that the City disclaims any and all responsibility and liability for any materials posted on its Social Media sites.

16. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

17. The City's "Social Media Policy for Public Use," provided below, must be displayed to users or made available by hyperlink. Any content removed based on this Social Media Policy and Social Media Policy for Public Use must be retained for a reasonable period, including the time, date, identity of the poster when available, and the reason for removal.

18. Administrators of City of Lompoc-affiliated Social Media sites must have permission from the City Manager or Assistant City Manager and the Public Information Office to handle operations of those sites.

19. The Public Information Office and the City Manager or Assistant City Manager will have administrative and editing privileges and oversight on any and all City of Lompoc-affiliated Social Media sites.

20. Departments may request review and approval of additional Social Media sites, as needed.

## IX. Procedures

### 1. General Administration of the City's Social Media sites

The following procedures provide the degree to which Authorized Employees are allowed to access the City's Social Media sites while acting in the course and scope of employment and the process for gaining such access.

a. Only the City Manager is authorized to create Social Media accounts and sites on behalf of the City. The City Manager may delegate this authority to any Authorized Employee.

b. In creating a Social Media account or site, only official City information shall be used. For example, if in the creation of a Facebook page, an email is required for registration, then only an official City email may be used.

c. The Public Information Office shall hold and maintain a list of all City Social Media accounts, including any login credentials.

d. Only the City Manager or Assistant City Manager and Public Information Officer are authorized to post, or delegate the authority to post, material on any Social Media sites on behalf of the City.

e. Any Authorized Employee shall review, be familiar with and comply with a Social Media Provider's policies.

f. Prior to being authorized, each Employee shall sign an acknowledgement of receipt of this Policy which also indicates that he or she has read and understands this Policy and agrees to be bound by the Policy's provisions. These employees must also undergo social media training through the City before being authorized to manage these sites. An easily-accessible list will be retained by the city of employees authorized to manage city social media pages. Authorized Employees shall:

i. Not post personal comments or personal photos on the City's Social Media sites while acting in the course and scope of performing their City duties.

ii. Be transparent and truthful when posting – honesty or dishonesty will be quickly noticed in the Social Media environment. Always be careful and considerate. Once the words are out there, they cannot be taken back.

iii. Be timely – Authorized Employees should regularly review the City's Social Media sites they are assigned to ensure content is current, accurate, and appropriate.

iv. Be cautious – ensure efforts are transparent, do not violate the City's privacy, confidentiality, and legal guidelines and requirements. Do not publish any material that is confidential or internal to the City.

v. Admit mistakes – be upfront and quick with a correction, and promptly notify the relevant Department head.

#### IV. Guidelines on Usage of the City's Social Media sites by Authorized Employees and Employees.

These guidelines are provided herein on how Authorized Employees and Employees are expected to use the City's Social Media sites while at work and within their scope of employment.

a. Use of the City's Social Media by Authorized Employees, when acting within the scope of their employment, shall only be for communication from the City to the public, and for the purpose of fulfilling job duties.

b. Employees shall not comment or post on any non-City Social Media sites or any City Social Media sites on behalf of the City or a City-affiliated Department or organization, unless specifically authorized by the City Manager as an Authorized Employee.

c. Use of any City Social Media through City information systems, computers, and equipment is also subject to the City's internet use policies.

d. Information and communications should be organized in a manner that avoids the posting of duplicative or conflicting information.

e. When posting on behalf of the City, Authorized Employees shall conduct themselves as professional representatives of the City and shall review, be familiar with, and comply with all of the City's policies and procedures.

f. All posts shall be consistent with written or published information from the City. Authorized Employees shall not express his or her personal views or concerns when posting on behalf of the City.

g. All posting, checking, viewing, monitoring, or responding by Authorized Employees related to any non-City Social Media sites and any of the City's Social Media sites shall be solely conducted on City information systems, computers, and equipment. If any personal information systems, computers, and equipment are used, then such information systems, computers, and equipment may be subject to a court proceeding.

h. All posting, checking, viewing, monitoring, or responding to any notification or communication by Authorized Employees related to any non-City Social Media sites and any of the City's Social Media sites shall only be made while such Authorized Employees are working within the scope of their employment and while such Authorized Employees are on duty, except where emergency information must be disseminated.

However, there may be circumstances that Authorized Employees may be required to post, check, view, monitor, or respond to notifications or communications related to any non-City Social Media sites or any City's Social Media sites while off duty. Any posting, checking, viewing, monitoring, or responding to any notifications or communications related to any non-City Social Media sites or any City's Social Media sites occurring off duty, requiring more than a de minimis amount of time (e.g., greater than five minutes), shall be subject to the following:

- i. All such work shall be pre-authorized and subject to the overtime regulations found in the City's adopted personnel rules and regulations.
- ii. All such work shall be logged and submitted to the City for labor compliance purposes.
- iii. Authorized Employees shall in no event work off duty without logging their hours worked.

Notwithstanding, the above-mentioned requirements do not apply to exempt Authorized Employees.

- a. Except as expressly provided in this policy, accessing any of the City's Social Media sites, as provided hereunder, shall comply with all applicable City policies pertaining to communication with the public and the use of the internet by Employees, including email.
- b. Employees shall not utilize tools or techniques to spoof, masquerade, or assume any identity or credentials except for legitimate law enforcement purposes, or for other legitimate City purposes as defined in City policy.

#### X. Content Requirements for City Social Media Sites

Departments establishing and using a department-specific City Social Media sites shall be responsible for establishing, publishing, and consistently updating such Social Media sites. Although it will be the Department's responsibility to maintain the content, the Public Information Office and the City Manager and/or Assistant City Manager will monitor the content on each of the City's Social Media sites to ensure a consistent City-wide message is being conveyed and ensure adherence to this Policy.

1. In terms of content, each post must:

- a. Be timely, informative, and must be City-related.
- b. Contain only information that is otherwise freely available to the public (e.g., press releases, public news and events, street closures, traffic issues, weather, police public announcements, job postings, and emergency notices) and that is not made confidential by any policy of the City, or by any other local, state, or federal law.

c. Pertain to City-sponsored or City-endorsed programs, services, and events. Content includes, but is not limited to, information, photos, and video. Content may also include hyperlinks directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct business with the City.

d. Use proper grammar and, to the extent possible, shall avoid the use of jargon, abbreviations, and acronyms.

e. Not contain any personal information except the names of Employees whose job duties include being available for contact by the public.

f. Not contain any photos or images of anyone who can be identified without first obtaining a signed release of any such person, or parent of a minor, so depicted, except for publicly obtained pictures/videos involving public social events or obtained from the public domain.

g. Not contain the City's logo or seal for any reason unless approved in advance by the City Manager.

2. Branding: Branding is important. All City Social Media sites shall clearly indicate that they are maintained by the City and, to assure that the public can identify that the information is from an official City source, shall prominently display:

a. A text statement identifying the City Social Media site as the official site for the City or Department, such as "This the official Facebook page for the City of Lompoc Recreation Division."

b. The relevant City or Department telephone number,

c. The relevant City or Department contact e-mail address (which shall be "staffed" by at least two Employees to monitor in a manner that is in compliant with this Policy and the City's applicable personnel regulations), and

d. The official seal/logo of the City Department **or** the City, provided that neither image may be altered.

3. Media Page Name: The name of a Department's social media page will be the name of the City Department or City Committee, Commission or Board, and should be recognizable by City residents. For example, "Lompoc Public Library."

4. All comments posted to the City's Social Media sites shall be monitored during regular City business hours by Authorized Employees. City Social Media sites may be monitored outside of regular City business hours by exempt Authorized Employees or by designated nonexempt Authorized Employees. Any monitoring of City Social Media sites occurring by an Authorized Employee's while off duty must comply with the City's overtime regulations and Sections (C)(2)(g) and (C)(2)(h) above.



5. All posts or comments on any of the City's Social Media sites containing any of the following forms of content shall not be permitted and are subject to removal and/or restriction by the Public Information Office, designated Facebook page managers, or the City Manager or Assistant City Manager:

- a. Content not related to the original topic, including random or unintelligible comments;
- b. Content that promotes, fosters or perpetuates discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, status with regard to public assistance, or military and veteran status of any personage,
- c. Profane, obscene, violent or pornographic content and/or language.
- d. Solicitations of commerce, including, but not limited to, advertising of any business or product for sale;
- e. Encouragement or advocacy of illegal activity;
- f. Information that may tend to compromise the safety or security of the public or public systems;
- g. Content that violates the legal ownership interest, such as a copyright, of any party;
- h) Comments in support of, or in opposition to, any political campaigns or ballot measures;
- i. Any content that violates any local, county, state or federal law or regulation.
- j. Defamatory or personal attacks; or
- k. Threats to any person or organization.

6. To the extent possible, any video posted by an Authorized Employee to any City Social Media sites shall also be posted on the City's website.

7. Responsibility for creating content, and regularly monitoring posted content, is given to a Department's Authorized Employee.

12. To the extent permitted by a Social Media Provider, all Departments shall use a consistent template as drafted or created by the Public Information Office.

13. No hyperlink shall be placed on any of the City's Social Media sites by a Social Media Provider, their vendors, or their partners. However, each of the City's Social Media sites may contain content, including, but not limited to, advertisements or hyperlinks over which the City has no control. The City shall not endorse any hyperlink

or advertisement placed on any of the City's Social Media sites by a Social Media Provider, their vendors, or their partners.

14. Prior to posting any content, the City shall secure and maintain full legal permission to use any content posted on the City's Social Media sites, such as permission to post any photos or videos. To the extent possible, the City shall maintain full intellectual property rights to any content posted on each of the City's Social Media sites.

15. Prior to posting any content, Authorized Employees shall comply with all content approval procedures established by the Public Information Office, the City Manager, and City Department.

16. Employees shall not post or release proprietary, confidential, sensitive, personally identifiable information (PII), or other City government intellectual property.

#### XI. EMPLOYEE USE OF PERSONAL SOCIAL MEDIA WHILE ON DUTY

Employees are prohibited from using personal Social Media while on duty and from accessing personal Social Media through City information systems, computers, and equipment.

Employees are further prohibited from using personal Social Media for City purposes.

#### XII. EMPLOYEE USE OF PERSONAL SOCIAL MEDIA WHILE OFF DUTY

This policy is not generally intended to govern Employees' use of personal Social Media accounts for personal purposes that is outside the workplace and using non-City information systems. However, some such personal uses of Social Media may reflect on the City or appear to represent City policy or to be on behalf of the City.

XIII. Any Employee access of personal Social Media sites through City information systems may be subject to disclosure under the California Public Records Act, or through a legal proceeding, and is subject to monitoring by the City.

XIV. Postings and user profiles on personal Social Media accounts must not state or imply that the views, conclusions, statements or other content are an official policy, statement, position, or communication of the City, or represent the views of the City or any City officer or Employee, unless specific permission has been given to the Employee by the City Manager or Assistant City Manager or the Public Information Office to speak on behalf of the City.

#### XV. ACCEPTABLE USAGE BY THE PUBLIC

All City Social Media sites shall conspicuously display to its public users, or make available by a conspicuously displayed hyperlink to its public users, the following policy:

#### CITY SOCIAL MEDIA POLICY FOR PUBLIC USE

## PURPOSE

This City Social Media Policy for Public Use establishes guidelines for anyone who interacts with the City (“City”) through City Social Media sites including, but not limited to, websites, mobile applications, discussion boards, blogs, and news feeds.

The intended purpose behind establishing City Social Media sites is to disseminate information from the City, about the City, to its citizens. The City has an overriding interest and expectation in deciding what is posted or communicated on behalf of the City on City Social Media sites.

By interaction with the City through any and all City Social Media sites you agree to abide by this policy.

## GENERAL POLICY

1. The City reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law. Any content removed based on these guidelines must be retained by City for a reasonable period of time, including the time, date and identity of the poster, when available.
2. These guidelines must be displayed to users or made available by hyperlink.
3. The City will approach the use of Social Media tools as consistently as possible, enterprise wide.
4. The City website (<http://www.cityoflompop.com/>) will remain the City’s primary and predominant internet presence.
5. All City Social Media sites shall adhere to applicable federal, state and local laws, regulations and policies.
6. City Social Media sites are subject to the California Public Records Act. Any content maintained in a Social Media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
7. This Social Media Policy may be revised at any time.
8. Comments on topics or issues not within the jurisdictional purview of the City, or in violation of this policy, may be removed.

## COMMENT POLICY

1. As a public entity the City must abide by certain standards to serve all its constituents in a civil and unbiased manner.

2. The intended purpose behind establishing City Social Media sites is to disseminate information from the City, about the City, to its citizens.

3. For purposes of this policy, “comments” include information, articles, pictures, videos or any other form of communicative content posted on any City Social Media sites.

4. Comments containing any of the following inappropriate forms of content shall not be permitted on City Social Media sites and are subject to removal and/or restriction by the City Manager, or his or her designee, and/or the IT Division:

a. Content not related to the original topic, including random or unintelligible comments;

b. Content that promotes, fosters or perpetuates discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, status with regard to public assistance, or military and veteran status of any personage;

c. Profane, obscene, violent or pornographic content and/or language.

d. Solicitations of commerce, including but not limited to advertising of any business or product for sale;

e. Encouragement or advocacy of illegal activity;

f. Information that may tend to compromise the safety or security of the public or public systems;

g. Content that violates the legal ownership interest, such as a copyright, of any party;

h. Comments in support of, or in opposition to, any political campaigns or ballot measures;

i. Any content that violates any local, county, state or federal law or regulation.

j. Defamatory or personal attacks; or

k. Threats to any person or organization.

5. A comment posted by a member of the public on any City Social Media sites is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City, nor do such comments necessarily reflect the opinions or policies of the City.

6. The City reserves the right to deny access to City social media sites for any individual, who violates the City's Social Media Policy, at any time and without prior notice.

7. Departments shall monitor their Social Media sites for comments requesting responses from the City and for comments in violation of this policy.

8. When a City employee responds to a comment, in his/her capacity as a City employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other City employees.

9. All comments posted to any City Social Media sites are also bound by [SOCIAL MEDIA PROVIDER]'s use policy and the City reserves the right to report any violation of [SOCIAL MEDIA PROVIDER]'s use policy to with the intent of taking appropriate and reasonable responsive action."

#### XVI. VIOLATIONS OF THIS POLICY BY EMPLOYEES

Violations of this Policy may subject Employees to disciplinary action pursuant to the City's personnel rules and regulations.

Authorized:

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
Effective Date

# **EMPLOYEE ACKNOWLEDGEMENT OF CITY OF LOMPOC SOCIAL MEDIA POLICY**

## **I. EMPLOYEE USE OF PERSONAL SOCIAL MEDIA WHILE ON DUTY**

- A. Employees are prohibited from using personal Social Media while on duty and from accessing personal Social Media through City information systems, computers, and equipment.
- B. Employees are further prohibited from using personal Social Media for City purposes.

## **II. EMPLOYEE USE OF PERSONAL SOCIAL MEDIA WHILE OFF DUTY**

This policy is not generally intended to govern Employees' use of personal Social Media accounts for personal purposes that is outside the workplace and using non-City information systems. However, some such personal uses of Social Media may reflect on the City or appear to represent City policy or to be on behalf of the City.

- A. Any Employee access of personal Social Media sites through City information systems may be subject to disclosure under the California Public Records Act, or through a legal proceeding, and is subject to monitoring by the City.
- B. Postings and user profiles on personal Social Media accounts must not state or imply that the views, conclusions, statements or other content are an official policy, statement, position, or communication of the City, or represent the views of the City or any City officer or Employee, unless specific permission has been given to the Employee by the City Manager or Assistant City Manager or the Public Information Office to speak on behalf of the City.

## **III. VIOLATIONS OF THIS POLICY BY EMPLOYEES**

Violations of this Policy may subject Employees to disciplinary action pursuant to the City's personnel rules and regulations.

By signing below, you indicate you have received and read these rules for employee social media use.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE'S PRINTED NAME