

**CITY OF MANITOWOC  
SOCIAL MEDIA POLICY**

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| <b>Special Instructions:</b>                     |   |                 |
| <b>Distribution:</b> City of Manitowoc Employees |   |                 |

**I. PURPOSE**

The City of Manitowoc (“City”) has an overriding interest in controlling communications on behalf of the City through the use of social media. This policy establishes guidelines for the establishment and use of social media by and on behalf of the City. The City’s intent is to create a limited public forum devoted exclusively to the City’s postings to the public. Nothing in this policy shall prohibit or infringe upon any speech or expression that is protected or privileged under law. This policy also establishes guidance for employees acting in a personal capacity when using social media.

**II. DEFINITIONS**

“Posting” or “posts” refer to any form of communication communicated on a social media site.

“Social media profile” refers to any social media account created and/or maintained by designated City employees and used for the purpose of posting City-related social media content.

“Employee” or “City employee” shall be considered to include all City employees and any contractor, vendor, or agent working for or representing the City but not in City employ.

**III. CITY WEBSITE**

The City website is the City’s primary and predominant internet presence. All of the City’s website content and social media sites that are posted by departments and offices are subject to approval by the City Attorney’s Office and the Mayor’s Office. Social media use should complement rather than replace the City’s primary website. Only employees authorized by the City Attorney’s Office and the Mayor’s Office are authorized to post content on the City’s website.

**IV. SOCIAL MEDIA PROVIDER TERMS OF SERVICE**

The terms and conditions of the social media provider represent a binding contract. No employee may execute such terms of service or enter into an agreement on behalf of the City without authorization from the City Attorney’s Office. The City will not consent to the use of social media platforms and utilities, such as Snapchat, where content cannot be archived pursuant to state and federal requirements.

**V. OWNERSHIP OF SOCIAL MEDIA ACCOUNTS, DATA, AND INFORMATION**

Any social media accounts and profiles created or used on behalf of the City belong solely to the City and should be identified as such (for example, linking the account as a “related page” on Facebook). The City owns all City social media accounts regardless of the employee who opens the account or

uses, manages, or accesses content related to the profile or account. City social media accounts do not include any social media accounts or profiles that are used solely for personal use.

Individuals shall not create, develop, or maintain any City social media accounts without express prior authorization from the Mayor and City Attorney. All approved City social media accounts shall, wherever possible, be registered using the City's name and City contact information. The Mayor's Office will work with departments to determine the best method of granting access to each account-

Upon the City's request at any time you agree to cease accessing, using, updating, and modifying any City social media account(s) to which you have access and grant the City access to any social media accounts you manage on behalf of the City. The Mayor's Office shall change passwords or remove employee access within 48 hours following termination if possible.

If you have any questions about creating or managing a social media account on behalf of the City, please contact the Mayor's Office.

## **VI. GENERAL PRACTICES**

City social media profiles shall contain the following prominently displayed information:

- That the account is maintained by the City
- City division/department clearly defined
- The comment policy
- Stated purpose of the page/site
- Notification that violations of comment policy may result in comments being hidden, removed, and accounts being banned or blocked
- Official contact for the page

City social media sites shall link to the City's official website for forms, documents, online services, and other information necessary to conduct business with the City.

## **VII. SOCIAL MEDIA POSTING**

As a public entity, the City must abide by certain standards to serve all constituents in a civil and unbiased manner. The Mayor's Office shall maintain a list of social media profiles, including login and password information, approved for use by departments and employees for communicating the City's business. Any social media profile used by the City must be capable of editing, removing, and archiving City-generated content from social media websites.

For all approved social media accounts, the following documentation will be developed and adopted:

- A list of authorized employees who may manage the social media profile
- Operational and use guidelines
- Standards and processes for managing accounts on social media sites
- Branding and design standards

Authorized employees representing the City on City social media accounts must conduct themselves at all times as professional and dignified representatives of the City and in accordance with all policies, directives, and professional expectations.

Employees posting content on behalf of the City using City social media accounts must follow these guiding principles:

- Communications must be factual and accurate and not reflect opinions or biases.
- Communications should be written in plain English and should avoid acronyms and jargon.
- Ensure that a legal right exists to publish all materials.
- If identifying yourself, maintain transparency by using your real name and job title, and by being clear about your role regarding the subject.
- Communications must never be for political purposes or in support of or opposition to political campaigns or ballot measures
- Communications must never be for personal motivation or sharing of personal opinion.
- Communications must not promote, foster, or perpetuate discrimination, harassment, or retaliation on the basis of race, creed, color, age, religion, gender, marital status, national origin, disability, sexual orientation, or other protected status.
- Communications must not compromise the safety or security of the public
- Respond promptly to questions or replies.

Authorized non-exempt employees posting on behalf of the City may not post content to the City's social media profiles or engage in social networking activities related to publishing the City's business during personal time. All social media activity must be made as part of the Employee's regularly scheduled work activity and is compensable.

An important part of social media use is restraint. While the City desires to inform the community of the City's business, the City is not entering into a debate or discourse with those reading the social media profile. Employees should refrain from debate on social media while using a City account, but may answer questions or interact with commenters.

#### **VIII. REPORTING/REMOVAL OF SOCIAL MEDIA ACTIVITY**

The general position of the City is to use social media as a limited public forum, where authorized employees may, with the approval of the Mayor's Office or City Attorney, regulate comments or posts on the City's social media profile in compliance with this policy. The City requires that authorized employees immediately notify the City Attorney's Office or Mayor's Office if there is any posted material that may violate this policy, violates the terms of use of the social media provider, is illegal, or that potentially infringes the copyrights or other rights of any persons. The Attorney's Office will investigate and address the potential violation. If a comment or post demonstrates or incites unlawful behavior, then the authorized employee should immediately consult with the City Attorney who may notify law enforcement authorities. If the comment or post contains any of the following content, the comment may be subject to restriction by the City:

- Obscene or profane content;

- Promotes, fosters, or perpetuates discrimination on the basis of gender, race, creed, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity, military service, or familial status;
- Unlawfully defames or attacks an individual or group;
- Promotes or endorses a specific financial or commercial entity;
- Defrauds or defames any financial, commercial, or non-governmental agency;
- Threatens or incites violence;
- Solicitation of commerce, including but not limited to, advertising of any non-City related event, or business or product for sale;
- Content that violates any law or fosters illegal activity;
- Infringes on the intellectual property rights of others;
- Malicious or harmful software or malware;
- Content outside the subject matter.

In a limited public forum, the City may block accounts which post threats, profane language, or otherwise violate the law, with the approval of the City Attorney or Mayor’s Office. Account users who seek to be unblocked from City Accounts shall be directed to the City Attorney.

#### **IX. RECORD RETENTION**

If you host a City social media page/website, all content on the page is a public record. You must work with the City Attorney’s Office to develop a method to record this public record information in a way that allows you to respond legally to public record requests. Any content removed by the City based on these guidelines must be retained in accordance with the applicable retention schedule including the time, date, identity of the poster, identity of the staff who removed it, and the reason for removal, when available.

#### **X. OPEN MEETINGS LAW COMPLIANCE**

All conduct by officials serving on a governmental body must comply with Wisconsin’s Open Meetings Law. Officials should refrain from discussing business or action of the governmental body with one another while using social media. Authorized employees publishing on the City’s social media profile should not engage officials serving on a governmental body when engaging in the City’s social media activity.

#### **XI. EMPLOYEE PERSONAL CONDUCT**

Employees using personal social media pages are reminded that their conduct must continue to comport with the City Employee Policy Manual. Employees should review the following Articles to ensure they remain in compliance with City employment policies at all times:

- Article 23: Political Activities
- Article 24: Facilities and Equipment Use
- Article 28: Communications and Confidentiality
- Article 29: Electronic Communication and Information Systems Policy
- Article 30: Discrimination, Harassment and Retaliation Free Workplace
- Article 37: Media Relations Policy

- Article 38: Employee Concern Policy

Employees are also encouraged to review any applicable union contract that may apply to their employment.

If an employee lists the City as his or her employer on a personal social media page or account, the City requests that the employee note that postings reflect their own opinions and not the opinions of the government. Citizens should not be made to feel that employees' personal opinions are governmental policy.

## **XII. COMPLIANCE WITH POLICY**

The City reserves the right to monitor and analyze social media use to ensure compliance with policy, to evaluate use, and to recommend and implement changes to use of social media, among other legitimate government interests. Failure to comply with this policy by any employee may result in disciplinary action up to and including termination of employment. Failure to comply with this policy by any officeholder may result in pursuit of any lawful action against any official in violation of policy.

## **Social Networking Policy Employee Acknowledgement Page**

I understand that I must have approval from the City Attorney's Office and the Mayor's Office to use, engage, or post on the City of Manitowoc's social media profiles and pages on behalf of the City. I also understand that I am responsible for all postings made by me on the City's social media profiles and pages, including those made in sections created for replies, comments, or other similar responses.

I further understand that posting on my personal social media accounts reflects upon the City, and agree to be considerate of the postings I make. If I choose to identify the City as my employer, I will indicate in my postings whether I am sharing my position or the City's position.

I acknowledge that all content on the City's social media is property of the City and may be monitored by the City. As such, I acknowledge and understand that I am obligated to promptly disclose any login names or passwords associated with the City's social media profiles and pages to the Mayor's Office upon request. I further understand that employees do not have privacy or personal rights in the use of the City's social media, and the postings, data, access to or distribution of such materials is subject to all applicable laws.

I understand the City retains sole right and discretion as to use and ownership of information posted, published, used, and disclosed on its social media to the extent permitted by law.

I understand that I am obligated to report any suspected or perceived violations of the Social Media Policy that I observe on the City's social media to the Mayor's Office and Attorney's Office for further review and determination. I further understand that I must be authorized by the Mayor's Office and City Attorney's Office to regulate comments or posts made by other persons on the City's social media profiles and pages or to regulate the access of private citizens to the City's social media profiles and pages. To the extent I am authorized to regulate posts or comments made by other persons on the City's social media profiles and pages or regulate the access of private citizens to the City's social media profiles and pages, I agree to regulate such matters consistent with the restrictions set forth in the Social Media Policy.

In complying with the Policy, I will abide by all security procedures as set forth by the City's IT department (Manitowoc Public Utilities). I am aware that violations of the Policy may result in restriction of use, may subject me to disciplinary action, up to and including discharge from employment, and may subject me to civil or criminal liability.

I acknowledge I have read and that I understand the Policy and have been afforded an opportunity to ask questions regarding the Policy.

I have read and understand this Acknowledgement Form.

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Signature of Employee

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Date

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Employee Name (Print)

**FORM TO BE RETURNED TO HUMAN RESOURCES**