

TECHNOLOGY/ELECTRONIC COMMUNICATIONS/SOCIAL MEDIA

Technology/Electronic Communications Use: Any electronic devices and/or services provided by the Town are property of the Town and their purpose is to facilitate and support Town business. All users have the responsibility to use these resources in a professional, ethical, and lawful manner. Technology resources and their use are subject to N.C.G.S. 132 Public Records Law, relevant Town policies, and Local, State and Federal laws and may be monitored, reviewed, and analyzed for business purposes and compliance. The Appropriate Technology Use Administrative Policy describes technology and electronic communication use requirements in detail.

Social Media Use: The Town understands that many employees may enjoy and participate in various personal social media sites. As holders of the public trust, employees are expected to exercise sound judgment and discretion in contributing to social media sites where information is available to numerous users.

When using social media, unless specifically authorized by the Town Manager, employees are prohibited from:

- a. using personal social media to conduct any Town business unless approved by the Town Manager;
- b. disclosing any confidential Town information or personnel information protected by law or policy;
- c. using the Town's name in their personal identity or using any Town trademark, logo or other intellectual property;
- d. wearing any uniform or insignia that identifies the employee as an employee of the Town of Pineville;
- e. using their official position or title in any communications; or
- f. any suggestion that they are speaking as a representative on behalf of the Town; employees must always identify that they are speaking as private citizens.

Employees should be aware that public speech including social media, unless it is protected by law, may subject the employee to liability under civil laws as well as the Town's policies. Nothing in this policy should be read to prevent an employee from speaking out on matters of public concern. Personal use of social media and posts should be on the employee's own personal electronic device, not the Town's electronic device, and on the employee's own time. The Social Networking Administrative Policy describes social media use requirements in detail.

Viewing or saving pornography prohibited: The Town will comply with NC Gen. Stat. § 143-805 as set forth below:

1. Definitions:

- i. Appointees shall mean persons appointed by the board of commissioners to serve on any board, commission, committee, authority or similar body created by the Town Council or by statute.
- ii. Device shall mean any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.
- iii. Network shall mean any of the following, whether through owning, leasing, maintaining, or otherwise controlling: the interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment; internet service; and internet access.
- iv. Pornography shall mean any material depicting sexual activity with material and sexual activity to mean as defined in G.S. 14-190.13.

2. The viewing or saving of pornography by employees, elected officials, or appointees on or to any device owned, leased, maintained, or otherwise controlled by the Town is prohibited.

3. Any employee, elected official, or appointee with pornography saved to a device owned, leased, maintained, or otherwise controlled by the Town shall remove, delete, or uninstall the pornography no later than January 1, 2025.

4. Employees of the Town of Pineville are prohibited from viewing pornography on any network of the Town.

5. This subsection shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

- i. Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.
- ii. Identifying potential security or cybersecurity threats.
- iii. Protecting human life.
- iv. Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.
- v. Participating in judicial or quasi-judicial proceedings.
- vi. Conducting or participating in an externally funded research project at one of the constituent institutions of the University of North Carolina.
- vii. Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

6. Annually, no later than August 1 and in the format required by the State Chief Information Officer, the Town's manager or his designee shall report information to the State Chief Information Officer

on the number of incidences of unauthorized viewing or attempted viewing of pornography on the Town's network; whether or not the unauthorized viewing was by an employee, elected official, or appointee of the town; and whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the Town.

7. Any violation of this subsection by an employee who is not an elected official or appointee shall constitute grounds for disciplinary action up to and including termination of employment. Any violation of this subsection by an appointee shall constitute grounds for removal of the appointee from office.