

		<b>Social Networking Policy</b>			
Owner:	HR Manager	Approving Position:	Common Council	Pages:	6
Issue Date:	07/16/2024	Revision Date:		Review Date:	
Special Instructions:	Formerly Social Media Policy – complete revision utilizing CVMIC model policy.				

## I. PURPOSE

The City of Whitewater has an overriding interest and expectation in deciding what is “announced” or “spoken” on behalf of the City through the use of social media. This policy establishes guidelines for the establishment and use of social media by the City of Whitewater for conveying information about the City and its events and activities. This policy also establishes guidance for employees acting in a personal capacity when using social media.

The City of Whitewater’s intent is to create a “government speech forum” or a “limited forum” devoted exclusively to the City of Whitewater’s postings to the public. Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws.

## II. POLICY

### A. City of Whitewater Website

The City of Whitewater’s website [www.whitewater-wi.gov](http://www.whitewater-wi.gov) is the City of Whitewater’s primary and predominant internet presence. All of the City of Whitewater’s website content and social media sites that are posted by departments and offices will be subject to approval by the City Manager or designee. Social media use should complement rather than replace the City of Whitewater’s primary website. Only employees authorized by the City Manager are authorized to post content on the City of Whitewater’s website.

### B. Social Media Provider Terms of Service

Social media is defined as the various activities that integrate technology, social interaction, and content creation. Through social media, individuals or groups may create, organize, edit, comment on, combine and share content. Social media providers offer web pages that provide a means for various forms of discussion and information-sharing and include features such as social networks, blogs, video sharing, podcasts, wikis, message boards, and news media comment sharing/blogging. Social media providers are hosted by websites that authorize multiple users to establish, post content on, and operate their own individual social media profile. Technologies associated with social media often include picture and video sharing, wall

postings, e-mail, instant messaging, and music sharing. Examples of websites that host social media profiles include, but are not limited to, Facebook (social networking); YouTube (social networking and video sharing); and X (social networking and microblogging).

Each social media provider maintains a term of use agreement for users. All posts and comments on any City of Whitewater social media profile are bound by these terms and conditions. The City of Whitewater reserves the right to report any user violation under the terms and conditions. This policy does not modify the terms and conditions established by the social media provider. Nor does the City of Whitewater assume any responsibility or liability for decisions made by the social media provider involving the conduct or absence of conduct by the social media provider or by the user.

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 of Whitewater without authorization from the City Manager.

### **C. Social Media Posting**

As a public entity, the City of Whitewater must abide by certain standards to serve all constituents in a civil and unbiased manner. Only employees authorized by the City Manager are authorized to post content on an authorized City of Whitewater social media profile on behalf of the City. The City Manager's Office will maintain a list of social media profiles, including login and password information, approved for use by departments and employees for communicating the City of Whitewater's business. Any social media profiles used by the City, including any login information and passwords, are the property of the City of Whitewater and not the property of an employee or other party. Any social media profile used by the City of Whitewater must be capable of editing, removing, and archiving content from social media websites. The authorized employee will inform the City Manager's Office of any administrative changes to existing social media profiles.

For each social media profile approved for use by the City, 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 standards
- Design standards
- Standards for the administration of social media sites

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

Employees posting content on behalf of the City of Whitewater must follow these guiding principles:

- Communications must be consistent with the goals, branding, mission, vision, and values of the City of Whitewater.
- Communications must be factual and accurate and not reflect opinions or biases.
- Communicate meaningful, respectful entries that are on topic while also recognizing that postings are widely accessible and not easily retractable.

- Communications must be written in plain business English with proper grammar and vocabulary and should avoid acronyms and jargon.
- Communications must comply with policy, directives, professional expectations, and respect for privacy, confidentiality, and applicable legal guidelines for external communication.
- Ensure that legal right exists to publish all materials, including photos and articles, and comply with all trademark, copyright, fair use, disclosure of processes and methodologies, confidentiality, and financial disclosure laws.
- If identifying yourself, then maintain transparency by using your real name and job title, and by being clear about your role regarding the subject. Write and post only about your area of expertise. Remember that your postings are your responsibility.
- Communications must never be for political purposes or in support of or opposition to political campaigns or ballot measures.
- Communications must never be for purposes of private business activity or commerce, or for personal motivation or sharing of personal opinion or commentary.
- 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, or sexual orientation, or other protected status.
- Communications must not compromise the safety or security of the public, public systems, or public services.

An important part of social media use is restraint. While the City of Whitewater desires to inform the community of the City of Whitewater's business, the City of Whitewater is not entering into a debate or discourse with those reading the social media profile. As such, "commenting," "liking," or "non-liking" of a post or comment by any other person is not permitted except in the following limited circumstances:

- An authorized employee may respond to a comment when the employee is providing contact information to the commenter to seek or provide further information.
- An employee may respond to a comment or post to direct the poster to the City of Whitewater's website or to a previous social media post by the City.
- The employee's name and title should be made available in the responsive comment.

#### **D. Reporting/Removal of Social Media Activity**

A post, like, or comment by a member of the public on any City of Whitewater social media profile is the opinion of the commentator or poster only. Publication of a user's post, a like, or a comment does not imply endorsement of, or agreement by, the City of Whitewater or reflect the opinions or policies of the City. The City of Whitewater assumes no liability for any comment, like, or post made by another person.

If a forum allowing for two-way or multi-way communication is created, then an authorized employee may, with the approval of the City Manager, regulate comments or posts made by other persons on the City of Whitewater's social media profile as provided herein. The City of Whitewater requires that authorized employee to immediately notify the Chief of Staff 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 Chief of Staff will investigate and address the potential violation. If the comment or post violates the terms of use established by the social media provider, then the authorized employee may notify the social media provider and report the post or comment. If a comment or post demonstrates or incites unlawful behavior, then the authorized employee may notify law enforcement authorities. If the comment or post contains any of the following content, the comment may be subject to removal or restriction by the City of Whitewater:

- Obscene content;
- Content that is threatening or incites violence;
- Solicitation of commerce, including but not limited to, advertising of any non-City of Whitewater related event, or business or product for sale;
- Conduct in violation of any federal, state or local law;
- Content that promotes, fosters or perpetuates unlawful activity;
- Content that infringes the intellectual property rights of others;
- Content that is malicious or harmful software or malware.

The City of Whitewater should not deny access to the City of Whitewater's social media profile for any individual who violates the City of Whitewater's social media policy. The social media provider may, relying on their terms and conditions and their discretion, block a user or remove content in violation of the terms and conditions, and nothing herein restrains the social media provider from such actions.

#### **E. Record Retention**

The City of Whitewater must retain all social media content published by the City of Whitewater for the purposes of public records retention as may be required by applicable law. Records required to be maintained pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the record and is accessible. Any content removed by the City of Whitewater based on these guidelines must be retained in accordance with the applicable retention schedule including the time, date and identity of the poster, when available.

#### **F. 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 of Whitewater's social media profile should not engage officials serving on a governmental body when engaging in the City of Whitewater's social media activity.

#### **G. Employee Personal Conduct**

Like other members of the community, employees may use social media profiles not belonging to the City of Whitewater for the employee's personal social media purposes. Employees must recognize that most uses of personal social media are still part of the public domain regardless of privacy settings and are easily replicated and published.

An employee's personal social media profile or use must remain personal in nature. In addition, employees should never use their City of Whitewater e-mail account, login, or passwords in conjunction with a personal social media profile. Regardless of whether an employee identifies on a personal social media account that the employee works for the City of Whitewater, employment with the City of Whitewater is public record and members of the public may associate the employee with the City. As such, employees must exercise care when posting and commenting on social media as personal views can be tied back to employment with the City of Whitewater.

Employees posting personal content on social media must follow these guiding principles:

- When commenting or posting on matters pertaining to the City of Whitewater, the employee must make clear to other persons that the employee is speaking as a private citizen and not as an employee of the City of Whitewater.
- Pause and think before posting with the understanding that postings are widely accessible, not easily retractable, easily shared and replicated.
- Personal activity is the personal responsibility of the employee, including the consequences that flow from such activity.

Nothing in this policy is meant to prevent an employee from exercising their right to make a complaint of unlawful discrimination or other workplace misconduct through the proper processes, to engage in lawful protected concerted activity, or to express a personal opinion on a matter of public concern which may be balanced against the interests of the City of Whitewater.

#### **H. Compliance with Policy**

The City of Whitewater reserves the right to monitor and analyze social media use to ensure compliance with policy, directives and expectations, 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.

#### **III. JOB AIDS – Form on Next Page**

**Social Networking Policy  
Employee Acknowledgement Page**

I understand that I must have approval from the City Manager to use, engage, or post on the City of Whitewater's social media profiles and pages on behalf of the City of Whitewater. I also understand that I am responsible for all postings made by me on the City of Whitewater's social media profiles and pages, including those made in sections created for replies, comments, or other similar responses. I further understand that the Social Networking Policy applies to postings made by me via personal social media, and I agree to adhere to the guidelines in such Policy.

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

I authorize my image, likeness, voice, and work product to be published, used, and disclosed by the City of Whitewater on its social media, and I waive any and all rights I may have to royalties and compensation. 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 Networking Policy that I observe on the City of Whitewater's social media to the Chief of Staff for further review and determination. I further understand that I must be authorized by the Chief of Staff to regulate comments or posts made by other persons on the City of Whitewater's social media profiles and pages or to regulate the access of private citizens to the City of Whitewater's social media profiles and pages. To the extent I am authorized to regulate posts or comments made by other persons on the City of Whitewater's social media profiles and pages or regulate the access of private citizens to the City of Whitewater's social media profiles and pages, I agree to regulate such matters consistent with the restrictions set forth in the Social Networking Policy.

In complying with the Policy, I will abide by all security procedures as set forth by the City of Whitewater's I.T. Department. 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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Signature of Supervisor

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Date

**AFTER SIGNING THIS ACKNOWLEDGEMENT FORM, BRING THE ORIGINAL, EXECUTED COPY OF THIS FORM TO HUMAN RESOURCES FOR PLACEMENT IN THE PERSONNEL FILE.**