



FIRE and EMS DEPARTMENT SOCIAL MEDIA POLICY

I) PURPOSE¹

The fire and EMS department endorses the secure use of social media to enhance communication and information exchange; streamline processes; and foster productivity with its employees. This policy establishes this fire and EMS department's position on the use and management of social media and provides guidelines on the management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general in general terms as technology will outpace our ability to discover emerging technology and create policies governing its use.

II) PHILOSOPHY

Social media provides a valuable means of assisting the fire and EMS department and its personnel in meeting community education, community information, fire prevention, and other related organizational and community objectives. This policy identifies possible uses that may be evaluated and utilized as deemed necessary by fire administrative and supervisory personnel. This department also recognizes the role that social media tools may play in the personal lives of department personnel. The personal use of social media can have an effect on fire departmental personnel in their official capacity as firefighters. This policy is a means to provide guidance of a precautionary nature as well as restrictions and prohibitions on the use of social media by department personnel.

III) DEFINITIONS

- 1) *Blog*: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.

¹ Sections I – V of this policy were reprinted from several sources submitting the same policy. The specific author is unknown.

- 2) *Post*: Content an individual shares on a social media site or the act of publishing content on a site.
- 3) *Profile*: Information that a user provides about himself or herself on a social networking site.
- 4) *Social Media*: A category of Internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, MySpace, Twitter, YouTube, Wikipedia, blogs, and other sites. (There are thousands of these types of sites and this is only a short list.)
- 5) *Social Networks*: Platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- 6) *Speech*: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

IV) POLICY

1. Strategic Policy

- a) Determine strategy
 - i. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
 - ii. Social Media page(s) should link to the department's official website.
 - iii. Social media page(s) shall be designed for the target audience(s) such as the community, civic leadership, employees or potential recruits.
- b) Procedures
 - i. All department social media sites or pages shall be approved by the Fire Chief or designee and shall be administered by the departmental information services section or designee.
 - ii. Social media pages shall clearly indicate they are maintained by the fire department and shall have the department logo and contact information prominently displayed.
 - iii. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies of the department.
 - iv. Social media content is subject to open public records laws.
 - i. Relevant records retention schedules apply to social media content.
 - ii. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

- v. Social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.
- vi. Social media pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
- vii. Social media pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

2. Department-Sanctioned Use

- a) Department personnel representing the department via social media outlets shall do the following:
 - i. The use of department computers by department personnel to access social media is prohibited without authorization.
 - ii. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - iii. Identify themselves as a member of the department.
 - iv. Post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.
 - v. Do not conduct political activities or private business.
 - vi. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.
 - vii. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

3. Potential Uses

- a) Social media is a valuable investigative tool when providing information about
 - i) road closures,
 - ii) special events,
 - iii) weather emergencies, and
 - iv) major ongoing events in the jurisdiction that affects the entire community.
- b) Employment Opportunities - Persons seeking employment and volunteer positions use the Internet to search for opportunities.
- c) Background Checks - For authorized members to conduct a background check on potential employees or volunteers
 - i) Candidates applying for employment with this department must sign a release document enabling an assigned employee to conduct a background check using any resource to include social media.

- ii) This department has an obligation to include Internet-based content when conducting background investigations of job candidates.
- iii) Searches should be conducted by Human Resources or with permission from the Fire Chief and only for the purposes of providing possible background material on an employee candidate.
 - 1. Information pertaining to protected class status shall be filtered out prior to sharing any information found online with decision makers.
- iv) Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
- v) Search methods shall not involve techniques that are a violation of existing law.
- vi) Vetting techniques using social media as one of many resources to provide valid and up to date information shall be applied uniformly to all candidates.
- vii) Every effort must be made to validate Internet-based information considered during the hiring process.
 - 1. This shall not be the only mechanism to provide background information on a possible candidate.

4. Personal Use

- a) Precautions and Prohibitions²
 - i. Department personnel shall abide by the following when using social media.
 - 1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair or impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
 - 2. As public employees, department personnel are cautioned that their speech either on or off duty, and in the course of their official duties that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected speech under the First Amendment.
 - a. This may form the basis for discipline if deemed detrimental to the department.
 - b. Department personnel should assume that their speech and related activity on social media sites will reflect upon their position within the department and of this department.

² The Associated Press reported on 2/08/2011 that the National Labor Relations Board (NLRB) ruled on 2/07/2011 worker's negative comments are protected under federal labor laws, Under the National Labor Relations Act, employees may discuss the terms and conditions of their employment with coworkers and others. However, it does warn that it does not give employees free rein to discuss anything work-related on social media. One example they gave of things prohibited are the disclosure of truly confidential information.

3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Fire Chief or designee.
4. Department personnel are cautioned not to do the following:
 - a. Display department logos, uniforms, or similar identifying items on personal web pages without prior written permission.
 - b. Post personal photographs or provide similar means of personal recognition that may cause you to be identified as a firefighter, fire officer or employee of this department without prior written permission.
 - c. When using social media, department personnel should be mindful that their speech becomes part of the World Wide Web.
5. Adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
 - a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - b. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
 - c. Department personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization otherwise known as defamation to include:
 - i. publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - ii. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - iii. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

6. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
7. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

V) VIOLATIONS

- 1) Reporting violations.
 - a. Any employee becoming aware of or having knowledge of a posting or of any website or webpage in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.
- 2) Violation of this social media policy may result in suspension or termination.

VI) DISCIPLINARY ACTION³

The disciplinary action presented herein may be used in conjunction with or superseded by the disciplinary action listed in the Fire and EMS Department Code of Conduct and Ethics general order as well as the disciplinary action provided to all employees.

- 1) Violations of the Social Media and Social Networking Policy are to be dealt with in the violation manner listed below;
 - a.) Tampering with Departmental Issued Devices. Uniformed and civilian employees found using, or tampering with video and audio recording devices will face the following:
 - i. Immediate supervisory counseling session.
 - ii. Three (3) day suspension without pay.
- 2) Unauthorized Use of Video and Audio Recording Devices. Uniformed and civilian employees found using unauthorized video and audio recording devices will face the following:
 - a. Immediate supervisory counseling session.
 - b. Battalion Chief and Fire Chief counseling session.
 - c. Confiscation of unauthorized recording devices and content.
 - d. Three (3) day suspension without pay.
 - e. Three (3) month probation.
- 3) Unauthorized Posting of Department Scene(s) and/or Department Multi-Media Content. Uniformed and civilian employees found posting and/or

³ This segment was reprinted with the permission from www.backstepfirefighter.com.

sharing unauthorized content will face the following:

- a. Immediate supervisory counseling session.
 - b. Battalion Chief and Fire Chief counseling session.
 - c. Three (3) day suspension without pay.
 - d. Three (3) month probation.
 - e. Suspension from use of Departmental Devices for six (6) months.
- 4) Inappropriate and/or Illegal Posting and/or Sharing of Offensive/Objectionable Material on Social Media/Networking Sites. Uniformed and civilian employees found posting and/or sharing inappropriate and/or illegal content will face the following:
- a. Immediate supervisory counseling session.
 - b. Battalion Chief and Fire Chief Counseling session
 - c. Thirty (30) day suspension without pay.
 - d. One (1) year probation.
 - e. Suspension from use of Departmental Devices during term of employment.
 - f. Termination of employment.
- 5) Repeat and/or Consecutive Violations.
- a. Repeated or consecutive violations of one or more of the above regardless of order will result in employee's immediate termination and possible legal/criminal proceedings.

This outlined disciplinary process is subject to recommendations from employee groups, approval from the Fire Chief and additional measures directed by the Human Relations Department, in accordance to all rights within the employee's employment contract.